THIS BOOK
MUST NOT BE REMOVED
FROM THE LIBRARY

UNIVERSITY OF LONDON LIBRARY

REF NCE ONLY

PARL. PAPERS
FOR REFERENCE ONLY.

UNIVERSITY OF LONDON
LIBRARY

620047

HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES.

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

29° VICTORIÆ, 1866.

VOL. CLXXXIII.

COMPRISING THE PERIOD FROM

THE TWENTY-SEVENTH DAY OF APRIL 1866,

TO

THE SEVENTH DAY OF JUNE 1866.

Third Volume of the Session.

LONDON:
PUBLISHED BY CORNELIUS BUCK,
AT THE OFFICE FOR HANSARD'S PARLIAMENTARY DEBATES,
23, PATERNOSTER ROW [E.C.]

1866.

LONDON: PRINTED BY CORNELIUS BUCK, 23, PATERNOSTER ROW.

TABLE OF CONTENTS

TO

VOLUME CLXXXIII.

THIRD SERIES.

LORDS, FRIDAY, APRIL 27.

Page

Record of Title (Ireland) Act, and Land Debentures Ireland Act—Petitions—Landed Estates Court (Ireland)—Motion for Returns, The Marquess of Clanricarde:—After short debate, Motion *agreed to* .. 1

Conferences—Message from the Commons to acquaint their Lordships,

> "That the Commons are willing to send to the Lords by Message, without a Conference, any Communication desiring the Concurrence of the Lords to any Address to Her Majesty, under the provisions of the Act 15th and 16th Vict., Cap. 57., to which the Commons may have agreed, unless at any Time the Lords should desire to receive the same at a Conference."

COMMONS, FRIDAY, APRIL 27.

Electoral Statistics—Petition of Electors of Rochdale, Mr. Disraeli .. 4

Importation of Dutch Cattle—Question, Mr. Harvey Lewis; Answer, Sir George Grey 5

Marriages (Ireland) Bill—Question, Mr. Dawson; Answer, Mr. Serjeant Armstrong 5

Representation of the People Bill [Bill 68]—

Second Reading—Adjourned Debate—[Eighth Night.]

Debate *resumed*:—And after long debate, Question put:—The House *divided*; Ayes 318, Noes 313; Majority 5:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Division List, Ayes and Noes 152

Land Drainage Supplemental Bill—*Ordered* (*Mr. Baring, Sir George Grey*); *presented*, and read the first time [Bill 125] 157

Inclosure Bill—*Ordered* (*Mr. Baring, Sir George Grey*); *presented*, and read the first time [Bill 126] 157

National Gallery Enlargement Bill—*Ordered* (*Mr. William Cowper, Mr. Childers*); *presented*, and read the first time [Bill 124] 157

Dean Forest Inclosure Bill—*Ordered* (*Mr. Childers, Mr. William Cowper*) .. 157

LORDS, MONDAY, APRIL 30.

Selling and Hawking Goods on Sunday Bill [H.L.]—*Presented* (*The Lord Chelmsford*); read 1ª. (No. 92) 157

TABLE OF CONTENTS.

COMMONS, MONDAY, APRIL 30.

Page

Mr. Speaker's Illness—Mr. Speaker being unable to attend with the House in the House of Peers to hear a Commission, Mr. Dodson, the Chairman of the Committee of Ways and Means, sat as Deputy Speaker, and attended the House in the House of Peers; and being returned, *reported* to the House the *Royal Assent* to several Acts; and Mr. Speaker thereon resumed the Chair.

Banbury Election—
House informed, that the Committee had determined,—That Bernhard Samuelson, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Banbury. And the said Determination was ordered to be entered in the Journals of this House.
House further informed, That the Committee had agreed to the following Resolution:—That Bernhard Samuelson, esquire, was not disqualified to be elected and returned to sit in Parliament by reason of his being an alien 159

Northallerton Election—
House informed, that the Committee had determined,—That Charles Henry Mills, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Northallerton. That the last Election for the said Borough is a void Election. And the said Determinations were ordered to be entered in the Journals of this House
House further informed of certain Resolutions of the Committee 159

Wakefield Election—
House informed, that the Committee had determined,—That William Henry Leatham, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Wakefield. And the said Determination was ordered to be entered in the Journals of this House.
House further informed of certain Resolutions of the Committee 160

King's County Election—
House informed, that the Committee had determined,—That Sir Patrick O'Brien, baronet, is duly elected a Knight of the Shire to serve in this present Parliament for the King's County, and the said Determination was ordered to be entered in the Journals of this House 160

Ireland—Official Oaths—Question, Mr. Maguire; Answer, Mr. C. Fortescue 160

Metropolitan Poor—Guardians of Clerkenwell — Question, Mr. Kinnaird; Answer, Mr. C. P. Villiers 161

Traffic in the Metropolis — Question, Mr. Owen Stanley; Answer, Sir George Grey 161

Reciprocity Treaties—Question, Mr. Layard; Answer, Mr. Watkin .. 162

Oaths of Members—On Motion of *Sir George Grey*
Resolved, That Members may take and subscribe the Oath required by Law, at any time during the sitting of the House, before the Orders of the Day and Notices of Motions have been entered upon, or after they have been disposed of; but no debate or business shall be interrupted for that purpose,—(*Sir George Grey*) 162
Ordered, That the said Resolution be a Standing Order of this House.
Standing Order of the 15th day of August 1860, relative to the swearing of persons professing the Jewish Religion, read, and *repealed*.

Representation of the People Bill—Ministerial Statement, The Chancellor of the Exchequer 163
Moved, "That this House do now adjourn,"—(*Mr. E. P. Bouverie*) .. 167
After debate, Motion, by leave, *withdrawn*.

Supply — Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Saturday Half-Holiday for the Civil Service—Question, Mr. O'Reilly; Answer, Mr. Childers 172

The Irish Militia—Question, General Dunne; Answer, Mr. Chichester Fortescue:—Discussion thereon 177

The New Law Courts—Question, Mr. Bentinck; Answer, Mr. Cowper .. 180

Motion, "That Mr. Speaker do now leave the Chair," *agreed to*.

TABLE OF CONTENTS.

[*April* 30.]

Page

SUPPLY—Civil Service Estimates—*considered* in Committee.

(In the Committee.)

Class I.—Public Works and Buildings.

Page

(1.) £45,000, to complete the sum for National Gallery enlargement, *agreed to.*

(2.) £20,000, University of London.—After debate, Vote *agreed to* 184

(3.) £7,000, Chapter House, Westminster.—After short debate, Vote *agreed to* .. 193

(4.) £25,000, to complete the sum for Sheriff Court Houses, Scotland.

(5.) £20,000, to complete the sum for Rates for Government Property.

(6.) £2,500, Metropolitan Fire Brigade.

(7.) £63,000, to complete the sum for Harbours of Refuge.

(8.) £31,111, to complete the sum for Holyhead and Portpatrick Harbours, &c.—After short debate, Vote *agreed to* .. 194

(9.) £68,663, to complete the sum for Public Buildings, Ireland.—After short debate, Vote *agreed to* 195

(10.) £1,571, to complete the sum for New Record Buildings, Dublin.—After short debate, Vote *agreed to* 196

(11.) £7,000, Queen's University (Ireland) Buildings. — After short debate, Vote *agreed to* 196

(12.) £5,000, Ulster Canal.—After short debate, Vote *agreed to* 196

(13.) £33,160, to complete the sum for Lighthouses Abroad.

(14.) £2,000, Isle of Man Lunatic Asylum.

Class II.—Salaries and Expenses of Public Departments.

Page

(15.) £53,421, to complete the sum for the Houses of Parliament.—After short debate, Vote *agreed to* 196

(16.) £38,432, to complete the sum for the Treasury.

(17.) £19,471, to complete the sum for the Home Office.

(18.) £47,840, to complete the sum for the Foreign Office.

(19.) £23,124, to complete the sum for the Colonial Office.

(20.) £14,739, to complete the sum for the Privy Council Office.

(21.) £48,285, to complete the sum for the Board of Trade, &c.

(22.) £1,938, to complete the sum for the Privy Seal Office.

(23.) £6,007, to complete the sum for the Civil Service Commission.

(24.) £14,558, to complete the sum for the Paymaster General's Office.

(25.) £3,558, to complete the sum for the Exchequer (London).

(26.) £24,226, to complete the sum for Office of Works and Public Buildings.

(27.) £20,815, to complete the sum for Office of Woods, Forests, and Land Revenues.—After short debate, Vote *agreed to* .. 198

(28.) £16,119, to complete the sum for the Public Record Office.

(29.) £222,984, to complete the sum for the Poor Law Commissions.—After short debate, Vote *agreed to* 198

(30.) £36,182, to complete the sum for the Mint, including Coinage.

(31.) £29,462, to complete the sum for Inspectors of Factories, Fisheries, &c.

(32.) £4,242, to complete the sum for Exchequer and other Offices in Scotland.

(33.) £4,413, to complete the sum for Household of the Lord Lieutenant, Ireland.

(34.) £11,667, to complete the sum for the Chief Secretary, Ireland, Offices.

(35.) £17,906, to complete the sum for the Office of Public Works, Ireland.

(36.) £28,866, to complete the sum for the Audit Office.—After short debate, Vote *agreed to* 199

(37.) £14,107, to complete the sum for the Copyhold, Tithe, and Inclosure Commission.—After short debate, Vote *agreed to* 199

(38.) £8,890, to complete the sum for Inclosure and Drainage Acts, Imprest Expenses.

(39.) £49,796, to complete the sum for the General Register Offices.

(40.) £11,253, to complete the sum for the National Debt Office.

(41.) £2,935, to complete the sum for Public Works Loan and West India Islands Relief Commissions.

(42.) £9,735, to complete the sum for Lunacy Commissions, &c.—After short debate, Vote *agreed to* 199

(43.) £223, to complete the sum for the Superintendent of Roads, South Wales.—After short debate, Vote *agreed to* .. 200

(44.) £1,404, to complete the sum for Registrars of Friendly Societies.—After short debate, Vote *agreed to* 200

(45.) £13,673, to complete the sum for the Charity Commission.—After short debate, Vote *agreed to* 201

(46.) £4,835, to complete the sum for the Local Government Act Office, &c.

(47.) £1,399, to complete the sum for the Landed Estates Record Offices, London and Dublin 202

(48.) £444, to complete the sum for the Quarantine Establishment.—After short debate, Vote *agreed to* 203

(49.) £24,000, to complete the sum for Secret Service.—After short debate, Vote *agreed to* 206

(50.) £267,087, to complete the sum for Printing and Stationery. — After short debate, Vote *agreed to* 207

(51.) £113,020, to complete the sum for Postage of Public Departments.

Supply—Committee—*continued.*

Class III.—Law and Justice.

(52.) £26,940, to complete the sum for Law Charges, &c., Solicitor to the Treasury.
(53.) £141,567, to complete the sum for Criminal Prosecutions, &c.
(54.) £197,650, to complete the sum for Police, Counties and Boroughs, Great Britain.
(55.) £2,810, to complete the sum for the Crown Office, Queen's Bench.
(56.) £8,520, to complete the sum for Admiralty Court Registry.
(57.) £2,236, to complete the sum for late Insolvent Debtors' Court.—After short debate, Vote *agreed to* 209
(58.) £63,430, to complete the sum for the Probate and Divorce and Matrimonial Causes Courts 209
(59.) Motion made, and Question proposed, "That a sum, not exceeding £120,821, &c."
Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again:"—(*Mr. Goldney*:)—After short debate, Motion, by leave, *withdrawn*:—Original Question put, and *agreed to*:—Vote *agreed to.*
(60.) £3,280, to complete the sum for the Land Registry Office.
(61.) £17,093, to complete the sum for Police Courts, Metropolis.
(62.) £123,071, to complete the sum for Metropolitan Police.—After short debate, Vote *agreed to* 211
Resolutions to be reported *To-morrow;* Committee to sit again on *Wednesday.*

Hop Trade Bill [Bill 36]—
After short debate, Bill *considered* in Committee 213
And after short time spent therein, Bill *reported;* as amended, to be considered on *Monday* next, and to be *printed* [Bill 128.]

Tenure and Improvement of Land (Ireland) Bill—
After long debate, Bill *ordered* (*Mr. Chichester Fortescue, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*); *presented*, and read the first time [Bill 130] 214

Edinburgh Annuity Tax, &c.—
On Motion of *Mr. M'Laren*, Select Committee *appointed*, "to inquire into the operation of 'The Edinburgh Annuity Tax Abolition Act, 1860,' and 'The Canongate Annuity Tax Act,' and to report their opinion thereon to the House" 231

LORDS, TUESDAY, MAY 1.

Law of Capital Punishment Amendment Bill (No. 61)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 232
After long debate, Motion *agreed to*:—Bill read 2ª accordingly.

Qualification for Offices Abolition Bill (No. 41)—
House in Committee, and after short debate, Bill *reported*, without Amendment; and to be read 3ª on *Thursday* next 258

COMMONS, TUESDAY, MAY 1.

Confederation of the North American Provinces—Question, Mr. Adderley; Answer, Mr. Cardwell 259
Cattle Diseases Prevention Act—Question, Mr. Cheetham; Answer, Sir George Grey 259
Totnes Election—Motion for a Joint Address—
Moved, "That an humble Address be presented to Her Majesty praying for the appointment of Henry Bullar, Montague Bere, and Charles E. Coleridge, Esqs., as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Totnes,"—(*Mr. E. P. Bouverie*) 260
After debate, Motion *agreed to.*
Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto,—(*Mr. E. P. Bouverie.*)

GREAT YARMOUTH ELECTION—MOTION FOR A JOINT ADDRESS—

Moved, That an humble Address be presented to Her Majesty, praying for the appointment of Wyndham Slade, esquire, Augustus Keppel Stephenson, esquire, and George Russell, esquire, as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Great Yarmouth,—(*Mr. Mowbray*) 269

After debate, Motion *agreed to.*

Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto,—(*Mr. Mowbray.*)

REIGATE ELECTION—MOTION FOR A JOINT ADDRESS—

Moved, That an humble Address be presented to Her Majesty, praying for the appointment of Thomas Allen, esquire, Frederick James Smith, esquire, and T. D. Archibald, esquire, as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Reigate,—(*Mr. Hussey Vivian*) 273

After debate, Motion *agreed to.*

Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto,—(*Mr. Hussey Vivian.*)

Poor Law—Mines Assessment Bill—

After short debate, Bill *ordered* (*Mr. Stephen Cave, Mr. Henderson, Mr. Percy Wyndham, Mr. W. E. Duncombe*) 279

LANCASTER BOROUGH ELECTION—MOTION FOR A JOINT ADDRESS—

Moved, That an humble Address be presented to Her Majesty, praying for the appointment of W. F. Fletcher Boughey, esquire, Thomas Irwin Barstow, esquire, and Robert M. Newton, esquire, as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Lancaster,—(*Mr. Howes*) 279

After short debate, Motion *agreed to.*

Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto,—(*Mr. Howes.*)

Admiralty Court (Ireland) Bill—

After short debate, Bill *ordered* (*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*) 280

REPRESENTATION OF THE PEOPLE BILL (HARDEN PETITION)—

Order [24th April], for the appointment of a Select Committee, read.

Moved, " That the said Order be discharged :" —(*Mr. Ferrand :*)—Motion, by leave, *withdrawn* 282

[House counted out.]

COMMONS, WEDNESDAY, MAY 2.

CASE OF EMILY JANE BALLARD—Question, Mr. Sherriff; Answer, Sir G. Grey 283

Marriage with a Deceased Wife's Sister Bill [Bill 50]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chambers*) .. 284

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Hunt.*)

After long debate, Question put, "That the word 'now' stand part of the Question :"—The House *divided;* Ayes 154, Noes 174; Majority 20:—Words *added:*—Main Question, as amended, put, and *negatived:*—Second Reading *put off* for six months.

Division List, Ayes and Noes 328

Glebe Lands (Scotland) Bill [Bill 115]—

Moved, "That the Bill be now read the second time,"—(*Sir James Fergusson*) 330

After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *Monday,* 28th *May.*

HARWICH ELECTION—

House informed, that the Committee had determined, That Henry Jervis White Jervis, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich. That John Kelk, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich. And the said Determinations were ordered to be entered in the Journals of this House.

House further informed of certain Resolutions of the Committee 333

Burials in Burghs (Scotland) Bill—*Ordered* (*Mr. Baxter, Mr. Carnegie*); *presented,* and read the first time [Bill 132] 334

TABLE OF CONTENTS.

LORDS, THURSDAY, MAY 3.

Page

OATH TO BE TAKEN BY PEERS—STANDING ORDER—
Resolved, That the Oath appointed by the Act of the present Session of Parliament, intituled "An Act to amend the Law relating to Parliamentary Oaths," to be made and subscribed by Members of both Houses of Parliament on taking their Seats in every Parliament, be made and subscribed by Members of the House of Peers betwixt the Hours of Nine in the Morning and Five in the Afternoon 335

TOTNES ELECTION—GREAT YARMOUTH ELECTION—REIGATE ELECTION—LANCASTER ELECTION—Messages from the Commons that they have agreed to Addresses (which are severally set forth) to be presented to Her Majesty, to which they desire the concurrence of their Lordships 335

Selling and Hawking Goods on Sunday Bill (No. 92)—
Moved, "That the Bill be now read 2ª,"—(*Lord Chelmsford*) .. 335
An Amendment *moved*, to leave out ("now") and insert ("this Day Six Months:")—(*Lord Teynham:*)—After long debate, on Question, That ("now") stand Part of the Motion? *Resolved* in the *Affirmative:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

CRIMINALS—IMPRISONMENT FOR LIFE—
Moved, That an humble Address be presented to Her Majesty for, Return of the Number of Criminals sentenced to Imprisonment for Life, from 1850 to the present Date, specifying the Number of such Life-sentenced Criminals released by Ticket-of-Leave, or otherwise in each Year,—(*The Earl of Carnarvon*) 344
After short debate, Motion *withdrawn*.

Legitimacy Declaration (Ireland) Bill [H.L.]—*Presented* (*The Marquess of Clanricarde*); read 1ª (No. 96) 351

Consecration of Churchyards Bill [H.L.]—*Presented* (*The Lord Redesdale*); read 1ª (No. 97) 351

COMMONS, THURSDAY, MAY 3.

HUDDERSFIELD ELECTION—
House informed, that the Committee had determined, That Thomas Pearson Crossland, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Huddersfield. And the said Determination was ordered to be entered in the Journals of this House.
House further informed of a certain Resolution of the Committee 352

MUNICIPAL BOROUGHS IN SOMERSETSHIRE—Question, Mr. Neville-Grenville; Answer, Sir George Grey 352

COURT OF QUEEN'S BENCH (IRELAND)—LORD CHIEF JUSTICE LEFROY—Question, Mr. Bryan; Answer, The Attorney General for Ireland 353

IRELAND—CHOLERA IN CORK HARBOUR—Observations, Mr. Maguire; Reply, Sir George Grey 358

SLAUGHTER OF CATTLE—Question, Mr. Read; Answer, Sir George Grey .. 360

THE TURNPIKE ACTS—Question, Mr. Read; Answer, Sir George Grey .. 360

SCOTLAND—SHERIFF'S SUBSTITUTE—Question, Mr. Cumming-Bruce; Answer, The Lord Advocate 361

IRELAND—DEEP SEA FISHERIES—Question, General Dunne; Answer, Mr. Chichester Fortescue 361

GAS WORKS AT VICTORIA PARK—Question, Lord J. Manners; Answer, Mr. Cowper 362

CORRUPT PRACTICES AT ELECTIONS—Question, Sir H. Verney; Answer, Sir G. Grey 363

ENGLISH AND FRENCH FISHERIES—Question, Mr. Du Cane; Answer, Mr. M. Gibson 363

THE CATTLE PLAGUE—Question, Mr. Acland; Answer, Sir George Grey .. 363

INDIA—COMPLAINTS AGAINST THE LATE STATE OF OUDE—Question, Mr. Knight; Answer, Mr. Stansfeld 364

THE JAMAICA COMMISSION—Question, Lord Stanley; Answer, Mr. Cardwell .. 364

[*May* 3.]

Page

WAYS AND MEANS—THE FINANCIAL STATEMENT—

WAYS AND MEANS *considered* in Committee.

(In the Committee.)

Financial Statement of *The Chancellor of the Exchequer* on moving the First Resolution 365

The Resolutions which Mr. Chancellor of the Exchequer had given notice to move in Committee of Ways and Means (being the Financial Plan for the year) 410

Committee report Progress; to sit again *To-morrow.*

Exchequer and Audit Departments Bill [Bill 3]—

Bill, as amended, *considered* 421

Amendments made:—Bill to be read the third time upon *Monday* next.

Crown Lands Bill [Bill 98]—

After short debate, Bill *considered* in Committee 423

After further short debate, Bill *reported;* as amended, to be considered *To-morrow.*

Convicts' Property Bill [Bill 105]—

After short debate, Bill *considered* in Committee 427

Bill *reported;* as amended, to be considered upon *Monday* next.

NOTTINGHAM WRIT—Motion made, and Question proposed,

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of two Burgesses to serve in this present Parliament for the Town and County of the Town of Nottingham, in the room of Sir Robert Juckes Clifton, baronet, and Samuel Morley, esquire, whose elections have been determined to be void,—(*Mr. Ayrton*) 430

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Minutes of the Evidence taken before the Nottingham Election Committee be laid before this House,"—(*Sir Harry Verney,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

After short debate, Question put, and *agreed to*:—Main Question put, and *agreed to.*

NEW WINDSOR WRIT—NEW WRIT ORDERED 433

NORTHALLERTON WRIT—NEW WRIT ORDERED 433

REPRESENTATION OF THE PEOPLE BILL (HARDEN PETITION)—Select Committee *appointed* (*Mr. Ferrand*) 433

Rateable Property (Ireland) Bill — *Ordered* (*Mr. Childers, Mr. Chichester Fortescue, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 135] .. 433

Curragh of Kildare Bill — *Ordered* (*Mr. Childers, Mr. Chichester Fortescue, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 136] .. 433

Companies' Act (1862) Amendment Bill—*Considered* in Committee—Bill *ordered* (*Mr. Milner Gibson, Mr. Monsell, Mr. Brand*) 433

LORDS, FRIDAY, MAY 4.

ESTABLISHED CHURCH IN IRELAND—Motion for Returns (*The Archbishop of Armagh*) 435

After short debate, Motion *withdrawn.*

Ecclesiastical Commission Bill (No. 52)—

Select Committee *nominated*:—(*List of the Committee*) 435

TABLE OF CONTENTS.

COMMONS, FRIDAY, MAY 4.

Page

Ireland—Cholera—Quarantine — Question, Mr. Maguire; Answer, Sir George Grey .. 436

Slaughtered Cattle—Question, Lord R. Montagu; Answer, Sir G. Grey .. 437

Church Rates—Question, Lord John Manners; Answer, Mr. Hardcastle .. 438

Personal Explanation—(*Mr. O'Reilly*) .. 438

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

The National Debt—Question, Sir FitzRoy Kelly; Answer, The Chancellor of the Exchequer .. 439

Oyster Fisheries (Ireland)—Observations, Lord John Browne .. 441

Suspension of the Habeas Corpus Act in Ireland—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is the opinion of this House, that it would be desirable that Government should take measures to prevent untried prisoners from being subjected to illegal and unnecessary restrictions, similar to those which appear to have been imposed on the political prisoners at Waterford, from the twenty-first day of February to the sixteenth day of March,"—(*Mr. Blake,*)—instead thereof .. 445

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment, by leave, *withdrawn.*

Question again proposed, "That Mr. Speaker do now leave the Chair."

Shipwrecks in Torbay—Observations, Sir Lawrence Palk; Reply, Mr. Milner Gibson .. 463

Boundaries of Boroughs—Question, Mr. Goldney; Answer, Sir G. Grey .. 470

Poor Law (Scotland) — Observations, Mr. Baxter; Reply, The Lord Advocate .. 472

Prussia, Austria, and Italy — Observations, Mr. Darby Griffith; Reply, Mr. White .. 473

The Reciprocity Treaty—Observations, Mr. Watkin .. 475

[House counted out.]

LORDS, MONDAY, MAY 7.

Prosecution Expenses Bill (No. 88)—

Moved, "That the Bill be now read 2^a,"—(*Lord Chelmsford*) .. 477

After short debate, on Question, Motion *agreed to:*—Bill read 2^a accordingly.

Selling and Hawking Goods on Sunday Bill (No. 92)—

After short debate, Committee (which stood appointed for this day) *put off* to *Monday* next .. 478

COMMONS, MONDAY, MAY 7.

Hereford City Election—

House informed, that the Committee had determined, That Richard Baggallay, esquire, is duly elected a Citizen to serve in this present Parliament for the City of Hereford. That George Clive, esquire, is duly elected a Citizen to serve in this present Parliament for the City of Hereford. And the said Determinations were ordered to be entered in the Journals of this House.

House further informed of certain Resolutions of the Committee .. 481

Cheltenham Election—

House informed, that the Committee had determined, That Charles Schreiber, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Cheltenham. And the said Determination was ordered to be entered in the Journals of this House.

House further informed of certain Resolutions of the Committee .. 482

Disfranchisement of Dockyard Voters—Question, Mr. Monk; Answer, Mr. Baring .. 482

State of Continental Affairs—Question, Mr. Alderman Salomons; Answer, Mr. Layard .. 483

Commons (Metropolis) Bill—Question, Sir William Jolliffe; Answer, Mr. Cowper .. 483

The Indian Army—Question, Major Jervis; Answer, Mr. Stansfeld .. 484

Ireland — The Constabulary — Question, Colonel Greville; Answer, Mr. Childers .. 484

The Whitsuntide Recess—Question, Mr. Bouverie; Answer, The Chancellor of the Exchequer .. 484

National Debt Acts—The Government Plan—Question, Mr. H. B. Sheridan; Answer, The Chancellor of the Exchequer .. 485

Ordered, That the Orders of the Day be postponed until after the Notices of Motions relative to the Re-distribution of Seats, and the amendment of the Representation of the People in Scotland and Ireland,—(*Mr. Chancellor of the Exchequer.*)

Re-distribution of Seats Bill—

Moved, That leave be given to bring in a Bill to make provision for the Re-distribution of Seats,—(*Mr. Chancellor of the Exchequer*) .. 486

After long debate, Motion *agreed to*:—Bill *ordered* (*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers*); *presented,* and read the first time [Bill 138.]

Representation of the People (Scotland) Bill—

Moved, That leave be given to bring in a Bill further to amend the Laws relating to the Representation in Parliament of the People of Scotland,—(*The Lord Advocate*) .. 517

After long debate, Motion *agreed to*:—Bill *ordered* (*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Solicitor General for Scotland*); *presented,* and read the first time [Bill 139.]

Representation of the People (Ireland) Bill—

Moved, That leave be given to bring in a Bill to amend the Representation of the People in Ireland,—(*Mr. Chichester Fortescue*) .. 529

After long debate, Motion *agreed to*:—Bill *ordered* (*Mr. Chichester Fortescue, Mr. Chancellor of the Exchequer, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*); *presented,* and read the first time [Bill 140.]

WAYS AND MEANS—

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair" .. 542

After short debate, Motion *agreed to.*

Ways and Means *considered* in Committee .. 546

(In the Committee.)

Resolutions 1 to 6 *agreed to.*

Resolution 7 (Duty on Stage Carriages) .. 552

After debate, Resolution *agreed to.*

Resolution 8 (Licences to let Horses for Hire) *agreed to.*

Resolution 9 (Property and Income Tax) .. 553

After short debate, Resolution *agreed to.*

Resolutions to be reported *To-morrow*:—Committee to sit again on *Wednesday.*

[*May* 7.] Page

NATIONAL DEBT ACTS—
Acts *considered* in Committee 555
After short debate, Resolution *agreed to* :—Resolution to be reported *To-morrow*.

Life Insurances (Ireland) Bill—*Ordered* (*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*) ; *presented*, and read the first time [Bill 114] .. 563

LORDS, TUESDAY, MAY 8.

THE NESTORIANS IN PERSIA — Question, Viscount Stratford de Redcliffe ; Answer, The Earl of Clarendon 564

Labouring Classes' Dwellings Bill (No. 68)—
Moved, "That the Bill be now read 2^a,"—(*Lord Stanley of Alderley*) .. 567
After short debate, Motion *agreed to* :—Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

AUSTRIA, PRUSSIA, AND ITALY—Question, Earl Cadogan ; Answer, The Earl of Clarendon 569

COMMONS, TUESDAY, MAY 8.

Imperial Gas Company Bill [*Lords*] (*by Order*)—
Moved, "That the Bill be now read a second time" 578
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months :"—(*Mr. Tite* :)—Question proposed, "That the word 'now' stand part of the Question :"—After debate, Amendment and Motion, by leave, *withdrawn* :—Bill *withdrawn*.

ARMY — MILITIA PENSIONS—Question, Mr. Freville-Surtees ; Answer, The Marquess of Hartington 583

MEDICAL OFFICERS IN THE ARMY AND NAVY — Question, Colonel North ; Answer, The Marquess of Hartington 583

REPRESENTATION OF THE PEOPLE—REFORM BILL FOR IRELAND—Question, Major Stuart Knox ; Answer, The Chancellor of the Exchequer .. 584

REPRESENTATION OF THE PEOPLE — REFORM BILL FOR SCOTLAND — Question, Colonel Sykes ; Answer, The Chancellor of the Exchequer .. 584

ARMY—MEDICAL OFFICERS OF BRIGADE OF GUARDS—
Address for, "Copies of the Warrant or Order of 1860, under which a change in the system of promotion amongst the Medical Officers of the Brigade of Guards is to be made :"
"And of any Communications from the War Office or the Horse Guards to the Officers commanding the three regiments of Guards, intimating the proposed change of system to the Officers affected by it,"—(*Sir Robert Anstruther*) 585
After long debate, Motion *agreed to*.

IRISH SOCIETY—Motion,
"That there be laid before this House, Statements of the Receipts and Expenditure of the Honourable the Irish Society for twenty years, from February 1845 to February 1865, in following tabular form [which is there given]," and other Papers,—(*Mr. Kennedy*) 589
After long debate, Motion *agreed to*.

METROPOLIS WATER SUPPLY—*Moved*, "That a Select Committee be appointed to inquire into the Water Supply of the Metropolis,"—(*Mr. Hankey*) .. 610
After long debate, Motion, by leave, *withdrawn*.

Compulsory Church Rate Abolition Bill—

Moved, "That leave be given to bring in a Bill for the Abolition of Compulsory Church Rates,"—(*Mr. Chancellor of the Exchequer*) 619

After long debate, Motion *agreed to* :—Bill *ordered* (*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Milner Gibson, Mr. Attorney General*); *presented,* and read the first time [Bill 143.]

Transubstantiation, &c., Declaration Abolition Bill [Bill 82]—

Moved, "That the Bill be now read a second time,"—(*Mr. Cogan*) .. 636

After debate, Bill read a second time, and *committed* for *Monday* next.

Sea Coast Fisheries (Ireland) Bill—*Ordered* (*Mr. Blake, Mr. Brady*); *presented,* and read the first time [Bill 147] 642

Indian Prize Money Bill—*Ordered* (*Mr. Monsell, Mr. Stansfeld*); *presented,* and read the first time [Bill 146] 642

COMMONS, WEDNESDAY, MAY 9.

DEVONPORT ELECTION—

House informed, that the Committee had determined, That John Fleming, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Devonport:—That William Ferrand, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Devonport:—That the last Election for the Borough of Devonport is a void Election; and the said Determinations were ordered to be entered in the Journals of this House.

House further informed of certain Resolutions of the Committee 643

COMMITTEES—ASCENSION DAY—*Ordered,* That no Committees have leave to sit To-morrow, being Ascension Day, until Two of the Clock,—(*Mr. Chancellor of the Exchequer*) 644

Clerks to Justices Bill [Bill 53]—

Moved, "That the Bill be now read a second time,"—(*Mr. Colvile*) .. 644

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Goldney.*)

After short debate, Question, "That the word 'now' stand part of the Question," put, and *negatived* :—Words *added* :—Main Question, as amended, put, and *agreed to* :—Bill *put off* for six months.

Veterinary Surgeons Bill [Bill 121]—

Moved, "That the Bill be now read a second time,"—(*Mr. Holland*) .. 654

After short debate, Motion *agreed to* :—Bill read a second time, and *committed* for *Wednesday,* 30th May.

Court of Chancery (Ireland) Bill [Bill 19]—

Order read, for resuming Adjourned Debate on Question [16th March], "That the Bill be now read a second time:"—Question again proposed:—Debate *resumed* 657

Motion, "That the debate be now adjourned:"—(*Mr. Whiteside*:)—Motion, by leave, *withdrawn* :—Question again proposed, "That the Bill be now read a second time:"—Amendment proposed, to leave out the word 'now,' and at the end of the Question to add the words "upon this day six months:"—(*Mr. Whiteside*:)—Question proposed, "That the word 'now' stand part of the Question."

After long debate (it being Six of the clock), Debate *adjourned* till *To-morrow.*

Pier and Harbour Orders Confirmation Bill—Resolution in Committee:—Bill *ordered* (*Mr. Milner Gibson, Mr. Monsell*); *presented,* and read the first time [Bill 148] .. 667

COMMONS, THURSDAY, MAY 10.

ARMY—WAR OFFICE WARRANTS—Question, Mr. O'Reilly; Answer, The Marquess of Hartington 669

IRELAND—RE-VALUATION OF PROPERTY—Question, Lord John Browne; Answer, Mr. Chichester Fortescue 669

LOTTERIES FOR CHARITABLE PURPOSES—Question, Mr. Whalley; Answer, The Lord Advocate 670

IRELAND—LAND IMPROVEMENT—Question, Sir Frederick Heygate; Answer, Mr. Chichester Fortescue 671

IRELAND—COUNTY PRISONS—Question, Sir R. Peel; Answer, Mr. C. Fortescue 671

THE COAL FIELDS OF THE UNITED KINGDOM—Question, Sir Robert Peel; Answer, Sir George Grey 672

SALE OF CATTLE AT MARKETS AND FAIRS—Question, Mr. Read; Answer, Sir George Grey 672

Bankruptcy Law Amendment, &c., Bill [Bill 106]—

Moved, "That the Bill be now read a second time,"—(*Mr. Attorney General*) 673

After long debate, Motion *agreed to*:—Bill read a second time accordingly, and *committed* for *Friday*, 18th May.

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

TENURE OF LAND IN INDIA—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the great subdivision of the soil in Southern and Western India, consequent on the present system observed in the revenues settlement of the Madras and Bombay Presidencies, deserves the serious attention of Her Majesty's Government, with a view to its amendment,"—(*Mr. Smollett,*)—instead thereof 709

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—CIVIL SERVICE ESTIMATES.

CLASS III.—LAW AND JUSTICE.

Page

(1.) £17,850, Remuneration to Revising Barristers.
(2.) £658, Divorce and Matrimonial Causes Act.
(3.) £15,555, Compensations and Retiring Annuities under the Bankruptcy Act.—After short debate, Vote *agreed to* .. 720
(4.) £52,512, to complete the sum for Criminal Proceedings in Scotland.
(5.) £32,880, to complete the sum for the Courts of Law and Justice, Scotland.
(6.) £630, to complete the sum for the Exchequer, Scotland, Legal Branch.
(7.) £14,511, to complete the sum for the Register House, Edinburgh, Salaries and Expenses of Sundry Departments, and the Accountant in Bankruptcy, Scotland.
(8.) £48,214, to complete the sum for Law Charges and Criminal Prosecutions, Ireland.
(9.) £3,877, to complete the sum for the Court of Chancery, Ireland.
(10.) £10,762, to complete the sum for the Court of Queen's Bench, Common Pleas, and Exchequer, Ireland.
(11.) £2,407, to complete the sum for the Officers of the Judges on Circuit, Ireland.
(12.) £1,031, to complete the sum for the Manor Courts, Compensations.
(13.) £1,888, to complete the sum for the Registry of Judgments.
(14.) £9,086, to complete the sum for the Registry of Deeds.
(15.) £100, High Court of Delegates.
(16.) £4,899, to complete the sum for the Court of Bankruptcy and Insolvency, Ireland.
(17.) £7,668, to complete the sum for the Court of Probate, Ireland.
(18.) £8,902, to complete the sum for the Landed Estates Court.
(19.) £8,500, Process Servers, Civil Bill Courts.
(20.) £420, Revising Barristers, Dublin.
(21.) £38,200, to complete the sum for the Dublin Metropolitan Police and Police Justices.
(22.) £550,046, to complete the sum for the Constabulary of Ireland.
(23.) £1,714, to complete the sum for the Four Courts Marshalsea Prison.
(24.) £14,790, to complete the sum for the Inspection and General Superintendence of Prisons.
(25.) £254,492, to complete the sum for the Prisons and Convict Establishments at Home.
(26.) £214,184, to complete the sum for the Maintenance of Prisoners in County Gaols, &c., and Removal of Convicts.
(27.) £15,684, to complete the sum for the Transportation of Convicts.
(28.) £145,466, to complete the sum for the Convict Establishments in the Colonies.

SUPPLY—Committee—*continued.*

CLASS IV.—EDUCATION, SCIENCE, AND ART.

£520,530, Public Education, Great Britain.—Vote *postponed* 721
Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Bentinck,*)—Question put, and negatived.

CLASS V.—COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES.

Page

(29.) £3,200, to complete the sum for the Bermudas.—After short debate, Vote *agreed to* 722

(30.) £2,513, to complete the sum for the Clergy, North America.—After short debate, Vote *agreed to* 723

(31.) £1,000, for the Indian Department, Canada.

(32.) £17,178, to complete the sum for Governors and others, West Indies, &c. —After debate, Vote *agreed to* 724

(33.) £5,750, to complete the sum for Justices, West Indies.—After short debate, Vote *agreed to* 726

(34.) £36,500, to complete the sum for Western Coast of Africa.—After short debate, Vote *agreed to* 727

(35.) £3,524, to complete the sum for St. Helena.—After short debate, Vote *agreed to* 727

(36.) £500, for Orange River Territory.—After short debate, Vote *agreed to* .. 727

(37.) £1,100, for Heligoland.

(38.) £3,875, to complete the sum for the Falkland Islands.

(39.) £2,644, to complete the sum for Labuan.—After short debate, Vote *agreed to* 728

(40.) £300, for the Pitcairn Islanders (Norfolk Island).

(41.) £7,418, to complete the sum for Emigration.—After debate, Vote *agreed to* .. 728

(42.) £3,500, Dr. Baikie's Expedition.—After short debate, Vote *agreed to* .. 731

(43.) £1,000, Treasury Chest.

(44.) £29,000, to complete the sum for Captured Negroes, Bounties on Slaves, &c.—After short debate, Vote *agreed to* .. 732

(45.) £7,450, to complete the sum for Commissions for Suppression of Slave Trade. —After short debate, Vote *agreed to* .. 733

(46.) £123,978, to complete the sum for Consuls Abroad.—After short debate, Vote *agreed to* 733

(47.) £121,978, to complete the sum for services in China, Japan, and Siam.—After short debate, Vote *agreed to* .. 734

(48.) Motion made, and Question proposed, "That a sum, not exceeding £24,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1867, for the Extraordinary Disbursements of Her Majesty's Embassies and Missions Abroad" 735
Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again:"—(*Mr. Sclater-Booth:*)—After short debate, Ayes 31, Noes 81; Majority 50:—Original Question put, and *agreed to.*

(49.) Motion made, and Question proposed, "That a sum, not exceeding £15,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1867, for Special Missions, Diplomatic Outfits, and Conveyance and Entertainment of Colonial Officers, and others" .. 736
Motion made, and Question proposed, "That the Item of £21 17*s.* 6*d.*, for the expenses of the Bishop of Kingston and servant from Jamaica to Belize and back, be omitted from the proposed Vote:"—(*Mr. Remington Mills:*)—after debate, Motion, by leave, *withdrawn*:—Original Question put, and *agreed to.*

(50.) £2,600, to complete the sum for Third Secretaries to Embassies.—After short debate, Vote *agreed to* 739

Resolutions to be reported *To-morrow*; Committee to sit again *To-morrow.*

Fishery Piers and Harbours (Ireland) Bill [Bill 93]—
Moved, "That the Bill be now read a second time" 739
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

Labouring Classes' Dwellings (Ireland) Bill [Bill 94]—
Moved, "That the Bill be now read second time,"—(*Mr. Childers*) .. 740
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Thursday.*

National Gallery Enlargement Bill [Bill 124]—
Moved, "That the Bill be now read a second time,"—(*Mr. Cowper*) .. 741
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* to a Select Committee—Committee *nominated* May 14.

Tramways (Ireland) Acts Amendment Bill—*Ordered* (*Lord Naas, Mr. George, General Dunne*); *presented,* and read the first time [Bill 149] 742

Local Government Supplemental (No. 2) Bill—*Ordered* (*Mr. Knatchbull-Hugessen, Sir George Grey*); *presented*, and read the first time [Bill 150] 742

Solicitor to the Treasury Bill—*Ordered* (*Mr. Childers, Mr. Brand*); *presented*, and read the first time [Bill 152] 742

Poor Relief (Ireland) Law Amendment Bill—*Ordered* (*Mr. Charles Barry, Major Gavin*); *presented*, and read the first time [Bill 153] 742

Thames Navigation Bill—Select Committee on the Thames Navigation Bill *nominated* 742

LORDS, FRIDAY, MAY 11.

India Military Funds—Question, The Earl of Ellenborough; Answer, Earl De Grey and Ripon 743

Court of Queen's Bench (Ireland)—Lord Chief Justice Lefroy—Explanation, Lord Chelmsford 744

Tenure (Ireland) Bill (No. 64)—

Moved, "That the Bill be now read 2^{a},"—(*The Marquess of Clanricarde*) .. 745

After long debate, Motion *withdrawn*.

Post Office Clerks—Question, Viscount Bangor; Answer, Lord Stanley of Alderley 765

Sale of Advowsons Bill [H.L.]—*Presented* (*The Lord Bishop of Peterborough*); read 1^{a} (No. 109) 765

Public Schools Bill [H.L]—*Presented* (*The Earl of Clarendon*); read 1^{a} (No. 110) .. 765

COMMONS, FRIDAY, MAY 11.

India—Madras Irrigation—Question, Mr. Smollett; Answer, Mr. Stansfeld 766

Grievances of the Indian Army—Question, Sir James Fergusson; Answer, Mr. Stansfeld 767

Patent Office—Proceedings against Mr. Edmunds—Question, Sir James Fergusson; Answer, The Attorney General 767

Army—The Troops at Hong Kong—Question, Mr. Locke; Answer, The Marquess of Hartington 768

Tenants' Improvements (Ireland)—Question, Sir Robert Peel; Answer, The Attorney General for Ireland 769

Army—Militia—War Office Commission—Question, The O'Donoghue; Answer, The Marquess of Hartington 770

The Ballot—Question, Mr. Monk; Answer, Mr. Berkeley 770

Loss of Merchant Ships—Question, Sir John Pakington; Answer, Mr. Milner Gibson 771

Payment of Cattle Inspectors—Observations, Mr. Bonham-Carter; Reply, Mr. H. A. Bruce 771

The Panic in the City—Question, Mr. Disraeli; Answer, The Chancellor of the Exchequer 772

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Scotland—Postal Arrangements in Fifeshire—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the complaints which have so frequently been addressed to the Post Office authorities by the Commissioners of Supply and others in the County of Fife, deserve the prompt attention of that department,"—(*Sir Robert Anstruther*,)—instead thereof 774

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment *withdrawn*.

Page

SUPPLY—Committee—*continued.*

POST OFFICE SAVINGS BANKS AND ANNUITY OFFICES—Question, Lord E. Cecil 777

THE IRISH BENCH—Question, Mr. Bryan; Answer, Mr. Chichester Fortescue:—Long discussion thereon 778

COMPENSATION FOR SLAUGHTERED CATTLE—Question, Sir William Stirling-Maxwell; Answer, Sir George Grey 812

THE REBELS IN CHINA—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies of the Official Notification and Address of Consul Meadows at Newchang to the foreign community, dated the 4th October 1865, respecting the danger to life and property from the proximity of rebels; also of the Official Notification and Address of Consul Medhurst of Hankow to the foreign community, dated 21st January 1866, to devise measures against an expected attack from a body of revolted Imperial Troops, and the advance of the Nienfee rebels,"—(*Colonel Sykes,*)—instead thereof 814

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

ARMY — MUSKETRY INSTRUCTION — Question, Sir Charles Russell; Answer, The Marquess of Hartington 817

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee—ARMY ESTIMATES.

(1.) £842,200, Works, Buildings, and Repairs at Home and Abroad.

CIVIL SERVICE ESTIMATES—

CLASS VI. — SUPERANNUATION AND RETIRED ALLOWANCES, AND GRATUITIES FOR CHARITABLE PURPOSES.

(2.) £140,888, to complete the sum for Superannuation and Retired Allowances, &c.
(3.) £605, Toulonese and Corsican Emigrants, &c.
(4.) £325, Refuge for the Destitute.
(5.) £2,001, to complete the sum for Polish Refugees and Distressed Spaniards.
(6.) £39,170, to complete the sum for the Merchant Seamen's Fund Pensions.
(7.) £22,400, to complete the sum for the Relief of Distressed British Seamen.
(8.) £2,732, to complete the sum for Miscellaneous Charges formerly on Civil List.
(9.) £1,183, to complete the sum for Public Infirmaries, Ireland.
(10.) £11,845, to complete the sum for the Hospitals in Dublin and Board of Superintendence.
(11.) £6,461, to complete the sum for the Concordatum Fund, &c., Ireland.
(12.) Motion made, and Question proposed, "That a sum, not exceeding £30,156, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1867, for Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland" 826

Motion made, and Question put, "That a sum, not exceeding £366, &c:"—(*Mr. Hadfield:*)— The Committee *divided;* Ayes 24, Noes 130; Majority 106:— Original Question put, and *agreed to.*

CLASS VII.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS.

Page

(13.) £3,750, Ecclesiastical Commissioners.
(14.) £18,500, to complete the sum for Temporary Commissions.
(15.) £21,292, to complete the sum for Patent Law Expenses.—After short debate, Vote *agreed to* 834
(16.) £11,462, to complete the sum for Fishery Board, Scotland.
(17.) £2,100, Board of Manufactures, Scotland.
(18.) £39,948, to complete the sum for Dues on Shipping under Treaties of Reciprocity.
(19.) £2,800, Inspectors of Corn Returns. —After short debate, Vote *agreed to* .. 834
(20.) Motion made, and Question proposed, "That a sum, not exceeding £500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1867, for adjusting and defining the Boundaries of Counties, Baronies, and Parishes in Ireland."

SUPPLY—Committee—*continued.*

Whereupon Motion made, and Question *Page* proposed, "That the Chairman do report Progress, and ask leave to sit again:"—(*Mr. Darby Griffith*:)—Motion, by leave, *withdrawn*:—Original Question put, and *agreed to.*

(21.) £416, Ancient Laws and Institutes, Ireland.—After short debate, Vote *agreed to* 835

(22.) £3,000, Flax Cultivation, Ireland.—After short debate, Words "south and west" omitted.—Vote *agreed to* .. 835

(23.) £780, Malta and Alexandria Telegraph.

(24.) £10,000, Agricultural Statistics.—After debate, Vote *agreed to* 836

(25.) £7,293, to complete the sum for Miscellaneous Expenses from Civil Contingencies.—After debate, Vote *agreed to* 839

Resolutions to be reported upon *Monday* next:—Committee to sit again upon *Monday* next.

SUSPENSION OF THE BANK CHARTER ACT—Question, Mr. Bazley; Answer, The Chancellor of the Exchequer 840

SUPPLY—Resolutions [May 10] *reported* 840

Lunacy Acts (Scotland) Amendment (*re-comm.*) **Bill** [Bill 127]—

Bill *considered* in Committee 842

And after some time spent therein, Bill *reported;* as amended, to be considered upon *Friday* next, and to be *printed* [Bill 157.]

Solicitor to the Treasury Bill [Bill 152]—

After short debate, Bill read a second time, and *committed* for *Monday* next.. 844

Hop Trade Bill [Bill 128]—

Bill, as amended, *considered* 844

Bill to be read the third time upon *Monday* next.

WRITS REGISTRATION (SCOTLAND) BILL—Select Committee on Writs Registration (Scotland) Bill [April 16] *nominated* 846

EDINBURGH ANNUITY TAX ABOLITION ACT (1860), AND CANONGATE ANNUITY TAX ACT—Select Committee on the Edinburgh Annuity Tax Abolition Act (1860), and the Canongate Annuity Tax Act [April 30] *nominated* .. 846

LORDS, MONDAY, MAY 14.

MINUTE OF COUNCIL ON EDUCATION—THE CONSCIENCE CLAUSE—Question, The Archbishop of Canterbury; Answer, Earl Granville 847

Attorneys and Solicitors (Ireland), 1866, Bill (No. 60)—

Moved, "That the House do now resolve itself into a Committee,"—(*Lord Chelmsford*) 852

After debate, on Question, *agreed to*:—House in Committee accordingly; an Amendment made:—The Report thereof to be received *To-morrow.*

FINANCE OF RAILWAYS—RAILWAY LEGISLATION—Observations, Lord Redesdale; Reply, Lord Stanley of Alderley 858

COMMONS, MONDAY, MAY 14.

GALWAY TOWN ELECTION—

House informed, that the Committee had determined, That Michael Morris, esquire, is duly elected a Burgess to serve in this present Parliament for the Town or Borough of Galway. That Sir Rowland Blennerhasset, baronet, is duly elected a Burgess to serve in this present Parliament for the town or Borough of Galway. And the said Determinations were ordered to be entered in the Journals of this House.

House further informed of certain Resolutions of the Committee 871

ANNUAL INDEMNITY BILL—Question, Mr. Baines; Answer, Sir G. Grey .. 871

POLICE AT THE HOUSES OF PARLIAMENT—Question, Lord Robert Montagu; Answer, Mr. Knatchbull-Hugessen 872

JAMAICA—BILL OF INDEMNITY—Question, Mr. M'Cullagh Torrens; Answer, Mr. Cardwell 873

ELECTORAL STATISTICS—Question, Viscount Cranbourne; Answer, The Chancellor of the Exchequer 873

LOTTERIES FOR CHARITABLE PURPOSES—Explanation, The Lord Advocate .. 874

Re-distribution of Seats Bill [Bill 138]—

Moved, "That the Bill be now read the second time,"—(*Mr. Chancellor of the Exchequer*) 874

After long debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday,* 28th May.

Crown Lands Bill [Bill 98]—

Moved, "That the Bill be now read the third time,"—(*Mr. Chancellor of the Exchequer*) 921

Amendment proposed, to leave out from the word "be" to the end of the Question, in order to add the words "re-committed in respect of Clause 27," —(*Mr. Ayrton,*)—instead thereof.

After short debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to*:—Main Question put, and *agreed to*:—Bill read the third time, and *passed.*

Court of Chancery (Ireland) Bill [Bill 19]—

Debate [9th May] *resumed* 927

After short debate, Question put, and *agreed to*:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday.*

Belfast Constabulary Bill—*Ordered* (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*); *presented,* and read the first time [Bill 159] 928

LORDS, TUESDAY, MAY 15.

CATTLE DISEASE (IRELAND)—Question, The Marquess of Clanricarde; Answer, Earl Granville 928

Selling and Hawking Goods on Sunday Bill (No. 92)—

Moved, "That the House do now resolve itself into a Committee on the said Bill,"—(*Lord Chelmsford*) 929

An Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")

After long debate, on Question, That ("now") stand Part of the Motion? *Resolved* in the *Affirmative*:—House in Committee accordingly:—Amendments made:—The Report thereof to be received on *Thursday* next; and Bill to be *printed,* as amended (No. 119.)

CHOLERA AMONG GERMAN EMIGRANTS—

Motion for, "Copies of Correspondence between the Privy Council Office and the Local Authorities of Hull and Liverpool, relative to certain Cases of Cholera,"—(*The Earl of Carnarvon*) 950

After short debate, Motion *agreed to.*

WAR BETWEEN SPAIN AND CHILE AND PERU—BLOCKADE OF THE CHILEAN PORTS—BOMBARDMENT OF VALPARAISO—Question, Lord Houghton; Answer, The Duke of Somerset 955

COMMONS, TUESDAY, MAY 15.

THE LOSS OF THE "EUROPEAN"—Question, Mr. Graves; Answer, Mr. Milner Gibson 960

THE CHOLERA—EMIGRATION AGENTS—Question, Sir Andrew Agnew; Answer, Mr. H. A. Bruce 960

SPECIFICATIONS OF PATENTS—Question, Mr. Darby Griffith; Answer, The Attorney General 961

THE DUCHY OF CORNWALL—Question, Sir Lawrence Palk; Answer, Mr. Childers 962

INDIA—MADRAS IRRIGATION COMPANY—Question, Mr. Smollett; Answer, Mr. Stansfeld 962

THE NATIONAL GALLERY—Question, Mr. Treeby; Answer, Mr. Cowper .. 963

CATTLE PLAGUE IN IRELAND—Question, Mr. Gregory; Answer, Mr. Chichester Fortescue 964

Moved, "That this House will at its rising adjourn till Thursday."

WAR BETWEEN SPAIN AND CHILE AND PERU — BOMBARDMENT OF VALPARAISO — Question, Sir Lawrence Palk; Answer, Mr. Layard:—Discussion thereon 965

THE CHOLERA—Question, Mr. Sandford; Answer, Mr. H. A. Bruce .. 986

Motion *agreed to*:—House at rising to adjourn till *Thursday.*

NATIONAL EDUCATION (IRELAND)—

Moved, "That a Select Committee be appointed to inquire what changes may, with advantage, be made in the system of National Education in Ireland, in order to allow greater freedom and fulness of religious teaching in schools attended by pupils of one religious denomination only, and to guard effectually against proselytism and protect the faith of the minority in mixed schools,"—(*Mr. O'Reilly*) 990

After long debate, Motion, by leave, *withdrawn.*

Colonial Bishops Bill—

After debate, Bill *ordered* (*Mr. Secretary Cardwell, Mr. Attorney General, Mr. William Edward Forster*); *presented,* and read the first time [Bill 160] 1032

LORDS, THURSDAY, MAY 17.

THE ROYAL ACADEMY AND BURLINGTON HOUSE — Question, Lord Overstone; Answer, Earl Granville 1035

Selling and Hawking Goods on Sunday Bill (No. 119)—

Amendments *reported* (according to Order) 1036

An Amendment *moved,* to leave out ("now,") and insert ("this Day Six Months,")—(*Lord Taunton.*)

After long debate, on Question, Whether the Words proposed to be left out shall stand Part of the Bill? their Lordships *divided;* Contents 40, Not-Contents 54; Majority 14:—Bill to be read 3ª *To-morrow;* and to be printed, as amended (No. 121.)

Division List, Contents and Not-Contents 1047

PRIVATE BILLS—

Resolved, That Standing Order 179. Sects. 1. and 2. be suspended; and that the time for depositing Petitions praying to be heard against Private Bills, be extended to *Monday* the 28th *Instant.*

COMMONS, THURSDAY, MAY 17.

THE CATTLE PLAGUE—Question, Sir Jervoise Jervoise; Answer, Mr. H. A. Bruce 1049

SCOTLAND — GUNPOWDER STORAGE AT LEITH FORT AND EDINBURGH CASTLE — Question, Mr. W. Miller; Answer, The Marquess of Hartington .. 1049

THE MONETARY CRISIS — BANK ADVANCES — Question, Captain Gridley; Answer, The Chancellor of the Exchequer 1050

THE CATTLE PLAGUE IN IRELAND — Question, Mr. Herbert; Answer, Mr. Chichester Fortescue 1053

[*May* 17.] Page

Tenure and Improvement of Land (Ireland) Bill [Bill 130]—

Moved, "That the Bill be now read a second time,"—(*Mr. Attorney General for Ireland*) 1053

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, though desirous of simplifying the method of securing to tenants compensation for outlay made in permanent improvements, is of opinion that, in any measure relating to the Tenure and Improvement of Land in Ireland, it is expedient to maintain the principle affirmed by the Act of 1860, namely, that compensation to tenants should be secured in respect of those improvements only which are made with the consent of the landlord; and that the provisions as to the Improvement of Land in Ireland contained in the measure of Her Majesty's Government would operate injuriously on the position of holders of small farms in that Country,"—(*Lord Naas*,)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Motion made, and Question put, "That the Debate be now adjourned:"—(*Mr. Bagwell:*)—The House *divided;* Ayes 167, Noes 154; Majority 13:—Debate *adjourned* till *Monday* 28th May.

Customs and Inland Revenue Bill [Bill 145]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 1126

After debate, Motion and original Question, by leave, *withdrawn*:—Second reading *deferred* till *To-morrow*.

FISHERY PIERS AND HARBOURS (IRELAND) [GRANTS, &c.]—
Resolution in Committee 1130

Elections (Returning Officers) Bill—*Ordered* (*Mr. Goldsmid, Mr. Huddleston, The O'Conor Don*); *presented*, and read the first time [Bill 161] 1130

Industrial Schools Bill — *Ordered* (*Mr. Knatchbull-Hugessen, Sir George Grey*); *presented*, and read the first time [Bill 163] 1130

Reformatory Schools Bill—*Ordered* (*Mr. Knatchbull-Hugessen, Sir George Grey*); *presented*, and read the first time [Bill 162] 1131

Nuisances Removal Bill — *Ordered* (*Mr. Knatchbull-Hugessen, Sir George Grey*); *presented*, and read the first time [Bill 164] 1131

LORDS, FRIDAY, MAY 18.

STATE OF EUROPE—Question, Viscount Stratford de Redcliffe; Answer, The Earl of Clarendon 1131

Selling and Hawking Goods on Sunday Bill (No. 121)—

Moved, "That the Bill be now read 3^a,"—(*The Chairman of Committees*) .. 1133

An Amendment *moved*, to leave out ("now,") and insert ("this Day Six Months,")—(*Lord Taunton.*)

After debate, on Question, That ("now") stand Part of the Motion?—their Lordships *divided;* Contents 50, Not-Contents 49; Majority 1:—*Resolved* in the *Affirmative*:—Bill read 3^a accordingly.

Division List—Contents and Not-Contents 1140

An Amendment *moved*, to leave out Clause 4:—(*Lord Portman:*)—After debate,

Debate *adjourned* to *Friday* the 1st of *June* next.

METROPOLITAN WORKHOUSE INFIRMARIES—Question, The Earl of Carnarvon; Answer, Earl Granville 1143

THE WHITSUNTIDE RECESS—On Motion of *Earl Russell*, House adjourned at a Quarter before Seven o'clock, to Monday the 28th instant, a Quarter before Five o'clock.

COMMONS, FRIDAY, MAY 18.

Page

Mr. Speaker's Illness—Mr. Speaker being unable to attend with the House in the House of Peers to hear a Commission, Mr. Dodson, the Chairman of the Committee of Ways and Means, sat as Deputy Speaker, and attended the House in the House of Peers; and being returned, *reported* to the House the *Royal Assent* to several Acts; and Mr. Speaker thereon resumed the Chair.

Sales of Cattle—Question, Mr. Read; Answer, Sir George Grey .. 1144

Navy—Commodore De Courcey—Question, Mr. Graves; Answer, Mr. Baring 1145

Glonoin or Glycerine Oil—Question, Mr. Graves; Answer, Mr. M. Gibson 1146

Siam—The Myloongee Case—Question, Colonel Sykes; Answer, Mr. Layard 1146

The Cholera at Liverpool—Question, Mr. Laird; Answer, Mr. H. A. Bruce 1146

Poor Relief at Plymouth—Question, Mr. Morrison; Answer, Mr. Childers .. 1147

Bank of England Issues—Question, Mr. Wyld; Answer, The Chancellor of the Exchequer 1148

Alleged Importation of Diseased Cattle from Ireland—Question, Mr. Owen Stanley; Answer, Mr. Laird 1148

Hyde Park—Question, Mr. Locke; Answer, Mr. Cowper 1149

Congress on European Affairs—Question, Mr. Sandford; Answer, Mr. Layard 1149

Spain, Chile, and Peru—Bombardment of Valparaiso—Question, Mr. Darby Griffith; Answer, Mr. Layard 1149

Compulsory Church Rates Abolition Bill—Question, Lord John Manners; Answer, The Chancellor of the Exchequer 1150

Moved, That this House will, at its rising, adjourn till *Thursday* next.

The Reciprocity Treaty—Observations, Mr. Watkin 1151

New Courts of Justice—Question, Mr. Bentinck; Answer, Mr. Cowper .. 1178

Motion *agreed to*:—House at rising to adjourn till *Thursday* next.

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Records of Great Britain and Ireland — Observations, General Dunne; Reply, Mr. Childers 1178

Public Boards and Metropolitan Improvements—Motion for a Royal Commission—(*Mr. Baillie Cochrane*) 1194

[House counted out.]

COMMONS, THURSDAY, MAY 24.

Australia—The Ministerial "Dead Lock" in Victoria — Question, Lord Robert Montagu; Answer, Mr. Cardwell 1197

Army — The Royal Gun Factory — Question, Sir John Hay; Answer, The Marquess of Hartington 1197

Colonial Bishoprics' Bill—Question, Mr. Walpole; Answer, Mr. Cardwell 1198

Business of the House—Question, Mr. Laing; Answer, Mr. Hubbard .. 1199

The Proposed Congress—Question, Mr. Disraeli; Answer, The Chancellor of the Exchequer 1199

Terminable Annuities Bill—Question, Mr. H. B. Sheridan; Answer, The Chancellor of the Exchequer 1201

Customs and Inland Revenue Bill [Bill 145]—

Moved, "That the Bill be now read a second time,"—(*Mr. Chancellor of the Exchequer*) 1202

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to retain, as part of the Inland Revenue for the service of the year, the present Duties on Fire and Marine Insurances, which are unjust in their incidence on property, and injurious to the national industry," — (*Mr. Hubbard,*) — instead thereof.

After debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to* :—Main Question put, and *agreed to* :—Bill read a second time, and *committed* for *To-morrow.*

Terminable Annuities Bill [Bill 144]—

Moved, "That the Bill be now read a second time," — (*Mr. Chancellor of the Exchequer*) 1220

After long debate, Motion *agreed to* :—Bill read a second time, and *committed* for *Thursday* 7th June.

Commons (Metropolis) Bill [Bill 84]—

Moved, "That the Bill be now read a second time,"—(*Mr. Cowper*) .. 1278

Moved, "That the Debate be now adjourned,"—(*Mr. Ayrton.*)

After short debate, Motion, by leave, *withdrawn.*

Original Question again proposed:—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to transfer the duty with which the Metropolitan Board is by Law invested to an irresponsible Board, having power to incur expenditure and to charge the same on the ratepayers of the Metropolis; but it is desirable to amend the Inclosure Acts so as to enable the Metropolitan Board and local authorities in towns, with the aid of the Inclosure Commissioners, to acquire, by purchase or gift, rights in Commons, in order that the same may be kept open for the recreation of the inhabitants of the Metropolis and such towns,"—(*Mr. Ayrton,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

After debate, Amendment, by leave, *withdrawn* :—Main Question put, and *agreed to* :—Bill *committed* to a Select Committee.

Instruction to the Committee 1288

Elections (Returning Officers) Bill [Bill 161]—

Moved, "That the Bill be now read a second time,"—(*Mr. Goldsmid*) .. 1288

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Wednesday* 20th June.

Dean Forest (Walmore and the Bearce Commons) Bill—Select Committee [May 10] *nominated* 1289

New Forest Poor Relief Bill—Select Committee [March 21] *nominated* .. 1289

COMMONS, FRIDAY, MAY 25.

The House met, and Forty Members not being present at Four o'clock, Mr. Speaker adjourned the House till *Monday* next.

LORDS, MONDAY, MAY 28.

Court of Small Causes (Bombay)—Address for Papers respecting the Removal of Mr. Manockjee Cursetjee—(*Lord Chelmsford*) 1290

After long debate, Motion *withdrawn.*

Hop Trade Bill (No. 123)—

Moved, "That the Bill be now read 2ª,"—(*Lord Harris*) 1309

After short debate, Motion *agreed to* :—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

COMMONS, MONDAY, MAY 28.

Page

Army—Sandhurst College—Question, Major Jervis; Answer, The Marquess of Hartington 1311

Danubian Principalities—Question, Mr. Darby Griffith; Answer, Mr. Layard 1311

Pay of Special Constables—Question, Lord Robert Montagu; Answer, Mr. Knatchbull-Hugessen 1312

Order of Business on Friday Evenings—(*Mr. Baillie Cochrane*) .. 1312

Representation of the People Bill [Bill 68]—

Order for Committee read:—On Motion of Mr. E. P. Bouverie,

Ordered, That the Representation of the People Bill and the Re-distribution of Seats Bill be referred to the same Committee:—*Instruction* to the Committee, that they have power to consolidate the said Bills into one Bill 1319

Moved,

"That it be an Instruction to the Committee that they have power to make provision for the better prevention of bribery and corruption at Elections,"—(*Sir Rainald Knightley*) 1320

Question put:—The House *divided;* Ayes 248, Noes 238; Majority 10. Division List, Ayes and Noes 1344

Moved, "That Mr. Speaker do now leave the Chair,"—(*Mr. Chancellor of the Exchequer*) 1347

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while ready to consider the general subject of a Re-distribution of Seats, is of opinion that the system of grouping proposed by Her Majesty's Government is neither convenient nor equitable, and that the scheme is otherwise not sufficiently matured to form the basis of a satisfactory measure,"—(*Captain Hayter,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:—After long debate, *Moved,* "That the Debate be now adjourned,"—(*Major Jervis*) 1397

After further debate, Question put, and *agreed to*:—Debate *adjourned* till *Thursday.*

Customs and Inland Revenue Bill [Bill 145]—

Bill *considered* in Committee 1407

And after some time spent therein, Bill *reported;* as amended, to be considered *To-morrow.*

Standards of Weights, Measures, and Coinage Bill—*Ordered* (*Mr. Childers, Mr. Milner Gibson*); *presented,* and read the first time [Bill 166] 1408

LORDS, TUESDAY, MAY 29.

Public Schools Bill (No. 110)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Clarendon*) .. 1408

After long debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next

Lancaster Election—

Moved, That this House do agree with the Commons in the Address to Her Majesty, and do fill up the Blank with ("Lords Spiritual and Temporal, and,")—(*The Earl Russell*) 1641

After debate, Debate *adjourned* to *Friday* the 8*th of June* next.

COMMONS, TUESDAY, MAY 29.

London Gas Bill [*Lords*] (*by Order*)—

Moved, "That the Bill be now read the third time" 1434

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day fortnight:"—(*Mr. Ayrton*:) —Question proposed, "That the word 'now' stand part of the Question:" —After debate, Amendment, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Bill read the third time and *passed.*

[*May* 29.] *Page*

HARBOURS OF REFUGE—Question, Mr. Pease; Answer, Mr. Milner Gibson .. 1436

NAVY—THE "BELLEROPHON"—Question, Mr. Henry Baillie; Answer, Mr. Baring 1437

RE-DISTRIBUTION OF SEATS—GROUPED BOROUGHS—Question, Colonel C. Lindsay; Answer, The Chancellor of the Exchequer 1437

POST OFFICE SAVINGS BANKS, ANNUITY AND INSURANCE OFFICES—Question, Lord Eustace Cecil; Answer, The Chancellor of the Exchequer .. 1438

COLLISION AT THE CATERHAM JUNCTION—Question, Mr. Buxton; Answer, Mr. Milner Gibson 1439

BANK RATE OF INTEREST—Question, Mr. Akroyd; Answer, The Chancellor of the Exchequer 1439

NAVY—CHAPLAIN OF THE "BLACK PRINCE"—Question, Mr. Whalley; Answer, Mr. Baring 1441

BRIBERY AT ELECTIONS—Motion,
"That it is the opinion of this House that any person found by a Royal Commission to have been guilty of offering or giving a bribe to any elector, in order to induce him to vote, or to abstain from voting, or on account of his having voted or abstained from voting for any candidate at an election of a Knight of the Shire or Burgess to serve in Parliament, should thenceforth and for ever be disqualified from exercising the Electoral Franchise or from sitting in Parliament,"—(*Mr. Hussey Vivian*) .. 1441
After long debate, Motion, by leave, *withdrawn.*

Marriages (Sydmonton) Bill—
After short debate, Bill *ordered* (*Mr. Beach, Mr. Sclater-Booth*) .. 1475

Oyster Fisheries Bill—*Ordered* (*Mr. Milner Gibson, Mr. Monsell*) 1476

Carriage and Deposit of Dangerous Goods Bill—Resolution in Committee—Bill *ordered* (*Mr. Milner Gibson, Mr. Monsell*) 1476

Pier and Harbour Orders Confirmation (No. 2) Bill—Resolution in Committee—Bill *ordered* (*Mr. Milner Gibson, Mr. Monsell*) 1476

LOTTERIES—Motion for Papers—(*Mr. Whalley*) 1476
[House counted out.]

COMMONS, WEDNESDAY, MAY 30.

Elective Franchise Bill [Bill 37]—
Moved, "That the Bill be now read a second time,"—(*Mr. Clay*) .. 1477
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Chancellor of the Exchequer:*)—Question proposed, "That the word 'now' stand part of the Question:"—After long debate, Debate *adjourned* till *To-morrow.*

LORDS, THURSDAY, MAY 31.

Law of Capital Punishment Amendment Bill (No. 61)—
House in Committee 1545
And after some time spent therein, House *resumed,* and to be again in Committee on *Thursday* next.

COMMONS, THURSDAY, MAY 31.

THE VICE ROYALTY OF EGYPT — Question, Mr. Gregory; Answer, Mr. Layard 1550

AUSTRIA, PRUSSIA, AND ITALY — IMMUNITY OF MERCHANT SHIPS — Question, Mr. Gregory; Answer, Mr. Layard 1551

CHILE—Question, Mr. Liddell; Answer, Mr. Layard 1552

[*May* 31.] Page

The Chinese Visitors—Question, Colonel Sykes; Answer, Mr. Layard .. 1552

Compulsory Church Rate Abolition Bill—Vicar of Stockton-on-Tees—Question, Mr. Freville-Surtees; Answer, The Chancellor of the Exchequer 1553

Prussia—The Gastein Convention—Question, Mr. Watkin; Answer, Mr. Layard 1553

Ordnance Survey of Ireland—Question, Mr. Dillon; Answer, Mr. Childers 1554

Representation of the People Bill [Bill 68], **and Re-distribution of Seats Bill** [Bill 138]—

Committee [Second Night.]

Adjourned debate on Amendment proposed to Question [28th May], "That Mr. Speaker do now leave the Chair," *resumed* 1554

After long debate, Debate *further adjourned* till *To-morrow*.

Bridgewater Election—Motion,

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Bridgewater, in the room of Henry Westropp, esquire, whose election has been determined to be void,"—(*Colonel Taylor*) 1666

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, &c.,"—(*Sir Harry Verney.*)

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 123, Noes 12; Majority 111:—Main Question put, and *agreed to.*

Representation of the People Bill—Observations, Mr. Disraeli; Reply, Sir George Grey 1668

General Police and Improvement (Scotland) Act (1862) Amendment Bill—*Ordered* (*Sir James Fergusson, Mr. Henry Baillie*); *presented,* and read the first time [Bill 171] 1669

LORDS, FRIDAY, JUNE 1.

The Fenian Conspiracy—Question, Lord Dunsany; Answer, Lord Dufferin 1669

Selling and Hawking Goods on Sunday Bill (No 121)—

Order for resuming the further debate on the Amendment moved on Third Reading—namely, to leave out Clause 4,—(*Lord Portman,*)—read.

And after further debate, Debate *resumed* 1672

Amendment *agreed to:*—*Moved,* That the Bill do pass:—On Question? their Lordships *divided;* Contents 40, Not-Contents 69; Majority 29:—*Resolved* in the *Negative.*

Division List—Contents and Not-Contents 1681

Exchequer and Audit Departments Bill (No. 108)—

Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 1682

After short debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

The Royal Patriotic Fund—Question, Earl Nelson; Answer, The Duke of Somerset 1683

The New Forest—Address for Returns of

1. The Names and Quantities of the different Enclosures in the New Forest which were in existence at the Time of the passing of the Act 14th and 15th Vict. Cap. 76., and the Authority under which the same were made:

The New Forest—Address for Returns of—*continued.*

2. The Names and Quantities of the above old Enclosures since that Date unenclosed:
3. The Names and Quantities of new Enclosures made since the same Date, and the Authority under which the same were respectively made:
4. The Names and Quantities of all Enclosures now existing, with the Date when and Authority under which such Enclosure were made:

And Order for the Names and Quantities of Land in the New Forest marked out for Enclosure during the present Year by Commissioners acting under the Authority of the Act 14th and 15th Vict. Cap. 76,—(*Earl Nelson*) 1685

Motion *agreed to.*

COMMONS, FRIDAY, JUNE 1.

Surveyors of Iron Passenger Ships—Question, Mr. O'Beirne; Answer, Mr. Monsell 1686

Hyde Park—The Serpentine—Question, Mr. H. Lewis; Answer, Mr. Cowper 1686

The Cattle Plague—Question, Mr. Gore Langton; Answer, Sir George Grey 1686

Cattle Plague in Ireland, &c.—Questions, Mr. Owen Stanley; Answer, Mr. Chichester Fortescue 1687

Cattle Plague—Forage for the Army—Question, Mr. Beach; Answer, Mr. Headlam 1689

Army—The Crawley Court Martial—Question, Colonel Herbert; Answer, Mr. Headlam 1690

Chile—Bombardment of Valparaiso—Question, Mr. Darby Griffith; Answer, Mr. Layard 1690

Railways Clauses Bill—Question, Mr. Horsfall; Answer, Mr. Milner Gibson 1691

London Gas Supply—Question, Mr. T. J. Miller; Answer, Sir George Grey .. 1691

Supply—Order for Commiteee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

The Fenian Conspiracy—Motion for a Select Committee—(*Mr. Whalley*) .. 1692

Motion, "That Mr. Speaker do now leave the Chair," *withdrawn:*—Committee *deferred* till *Monday* next.

Representation of the People Bill [Bill 68], **and Re-distribution of Seats Bill** [Bill 138]—

Committee [Third Night.]

Adjourned debate on Amendment proposed to Question [28th May], "That Mr. Speaker do now leave the Chair," *resumed* 1697

After long debate, Debate *further adjourned* till *Monday* next.

Railway Companies' Securities Bill and Railway Debentures, &c., Registry Bill—Select Committee *nominated* 1763

LORDS, MONDAY, JUNE 4.

The Royal Patriotic Fund—Explanation, Earl Nelson 1769

Metropolitan Railway (Additional Powers) Bill—

Moved, "That the Bill be now read 2^a,"—(*The Lord Redesdale*) .. 1770

After short debate, Motion *agreed to:*—Bill read 2^a.

Private Bills—

Moved, That the Standing Orders be considered in order to their being amended:—Standing Order No. 184, Sects. 2 and 3, to be omitted, and certain other Sections added,—(*The Chairman of Committees*) .. 1772

Private Bills—*continued.*

An Amendment *moved,* to leave out from ("That") and insert ("a Select Committee be appointed to consider how far it is expedient to amend the Standing Orders relating to Railways,)—(*The Marquess of Clanricarde.*)

After long debate, Amendment *withdrawn.*

Original Motion *withdrawn;* and a Select Committee appointed to consider Alterations in Standing Order No. 184, proposing that a Subscription Contract shall be entered into in certain cases by the Promoters of Second Class Bills.

Poor Persons' Burial (Ireland) Bill (No. 136)—

Commons Reasons for disagreeing to a certain Amendment of the Lords *considered* 1791

On Question, Whether to insist on the said Amendment? *Resolved* in the *Negative.*

New Forest—*Moved,*

That there be laid before this House, any Report or Suggestions made to the Commissioners of Woods and Forests or to the Treasury, by Mr. Clutton or others, as to the Value of the New Forest if leased for shooting Purposes; and as to the best Mode of dividing the same for the Purposes of public Tender; and any Correspondence on the Subject either with Mr. Clutton or the Deputy Surveyor,—(*The Earl Nelson*) 1792

After debate, Motion *withdrawn.*

COMMONS, MONDAY, JUNE 4.

Voting Papers—Question, Sir William Stirling-Maxwell; Answer; The Chancellor of the Exchequer 1793

Education—The Revised Code—Question, Mr. Powell; Answer, Mr. Bruce 1794

Army—Norwich Barracks—Question, Mr. Warner; Answer, The Marquess of Hartington 1794

The Reform Bills—Question, Lord Elcho; Answer, Mr. Hadfield:—Short discussion thereon 1794

Bridgwater Election—Question, Sir Harry Verney; Answer, Mr. Baxter .. 1797

Representation of the People Bill [Bill 68], **and Re-distribution of Seats Bill** [Bill 138]—

Committee [Fourth Night.]

Adjourned debate on Amendment proposed to Question [28th May], "That Mr. Speaker do now leave the Chair," *resumed* 1798

And after further long debate, Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*:—Bill *considered* in Committee.

(In the Committee.)

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again:"—(*Mr. Chancellor of the Exchequer:*)—The Committee *divided;* Ayes 403, Noes 2; Majority 401:—Committee report Progress; to sit again upon *Thursday.*

Landed Estates Court, &c., (Ireland) Bill—*Ordered* (*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Mr. Chichester Fortescue*); *presented,* and read the first time [Bill 174] 1920

Oyster Bed Licences (Ireland) Bill—*Ordered* (*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Mr. Chichester Fortescue*); *presented,* and read the first time [Bill 175] 1920

Pag

Rochdale Vicarage Bill—Select Committee *nominated* 1920

Straits Settlements Bill—*Ordered* (*Mr. Stansfeld, Mr. William Edward Forster*); *presented*, and read the first time [Bill 176] .. .. ,, 1920

Commons (Metropolis) Bill—Select Committee *nominated* 1920

LORDS, TUESDAY, JUNE 5.

The Congress of Paris—Personal Explanation, The Earl of Clarendon .. 1921

Public Schools Bill (No. 110)
Bill *considered* in Committee 1923
Amendments made:—Bill to be *printed*, as amended (No. 143.)

Marriage of the Princess Mary of Cambridge—Message from the Queen .. 1933
Ordered, That the said Message be taken into Consideration on *Thursday* next.

Pensions Bill (No. 47)—
After short debate, Bill *considered* in Committee 1934
Amendments made:—Bill to be *printed*, as amended (No. 144.)

Rights of Dramatizing Works of Fiction Bill [H.L.]—*Presented* (*The Lord Lyttelton*); read 1ª (No. 142) 1938

COMMONS, TUESDAY, JUNE 5.

Manchester, Sheffield, and Lincolnshire Railway (*Central Station and Lines*) *Bill* (*by Order*)—
Bill, as amended, *considered* 1939
Clause (Compensation to owners of lands not taken, but injuriously affected,) —(*Mr. Hadfield*,)—*brought up*, and read the first time; and after short debate, *withdrawn*.

Forged Letters to the Public Journals—Question, Mr. Darby Griffith; Answer, Mr. Layard 1940

Armed Ships on the Eastern Coast of North America—Question, Mr. Laird; Answer, Mr. Baring 1940

Abolition of Compulsory Church Rates—Question, Viscount Galway; Answer, The Chancellor of the Exchequer 1941

Representation of the People Bill and Re-distribution of Seats Bill—
Motion, "That Copies of the Representation of the People Bill, and the Re-distribution of Seats Bill, showing the Amendments to be proposed in Committee by Mr. Chancellor of the Exchequer, be printed,"—(*Mr. Chancellor of the Exchequer*) 1941
After debate, Motion, by leave, *withdrawn*.

Standing Order 19th July, 1854—Committee—Amendments on Motion, "That Mr. Speaker, &c."—Question, Mr. Darby Griffith; Answer, Mr. Speaker 1946

Abandonment of the Congress—Question, General Peel; Answer, The Chancellor of the Exchequer 1947

Medical Officers (Ireland)—Motion,
That, in the opinion of this House, Her Majesty's Government should now adopt the recommendations of the Select Committee of 1858, which recommended 'Her Majesty's Government to take into consideration the Claims of Ireland to a grant of the half-cost of Medical Officers of Unions, with the view of providing for the same in future, as is now the practice in England and Scotland,' fortified, as such recommendation is, by the Report of the Select Committee on Taxation of Ireland in June 1865, who reported that with regard to the grants for Poor Law Medical Officers and Workhouse Schoolmasters, 'it would be reasonable that the same aid should be extended to Ireland as is already extended to England,'"—(*Mr. MacEvoy*) 1948
After debate, Motion, by leave, *withdrawn*.

METROPOLITAN BOARD OF WORKS—Motion,
"That an humble Address be presented to Her Majesty, that she will be graciously pleased to issue a Royal Commission to inquire into the constitution of the Metropolitan Board of Works, the Office of Public Works, and the Office of Woods and Forests, with the object of seeing whether some means may not be devised by which the improvements of the Metropolis may be carried out in a more comprehensive and economical manner, and with greater unity of purpose,"—(*Mr. Baillie Cochrane*) .. 1955
After long debate, Motion, by leave, *withdrawn.*

MARRIAGE OF THE PRINCESS MARY OF CAMBRIDGE—
Message from Her Majesty *brought up*, and read by Mr. Speaker .. 1969
Committee thereupon on *Thursday.*

County Assessments Bill—*Ordered* (*Mr. Knatchbull-Hugessen, Sir George Grey*) .. 1969

Hundred Bridges Bill—*Ordered* (*Mr. Knatchbull-Hugessen, Sir George Grey*) .. 1969

Dogs Bill—*Ordered* (*Sir Colman O'Loghlen, Mr. Lusk, Mr. Stacpoole*) 1969

Public Health Bill—*Ordered* (*Mr. Bruce, Mr. Chichester Fortescue, Sir George Grey*) .. 1969

FENIAN CONSPIRACY (ARMY, &c.)—
Motion for a Return—(*Mr. Whalley*) 1969
[House counted out.]

COMMONS, WEDNESDAY, JUNE 6.

Holderness Embankment and Reclamation Bill [*Lords*] (*by Order*)—
Moved, "That the Bill be now read a second time," 1970
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Norwood:*) —Question put, "That the word 'now' stand part of the Question:"—After debate, the House *divided;* Ayes 94, Noes 86; Majority 8:—Main Question put, and *agreed to:*—Bill read a second time, and *committed.*

Real Estate Intestacy Bill [Bill 69]—
Moved, "That the Bill be now read the second time,"—(*Mr. Locke King*) .. 1975
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Beresford Hope:*)—Question proposed, "That the word 'now' stand part of the Question:"—After long debate, the House *divided;* Ayes 84, Noes 281; Majority 197:—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months.

Fellows of Colleges Declaration Bill [Bill 26]—
Moved, "That the Bill be now the third time,"—(*Mr. E. P. Bouverie*) .. 2008
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months:"—(*Mr. Gathorne Hardy:*)—Question proposed, "That the word 'now,' stand part of the Question."
After long debate, Debate *adjourned* till *Wednesday*, 11*th July.*

Local Government Supplemental (No. 2) (*re-committed*) **Bill**—Order for Committee read, and *discharged*—Bill, so far as it relates to Linthwaite and Briton Ferry, committed to a Select Committee: all petitions referred to said Committee .. 2019

LORDS, THURSDAY, JUNE 7.

HER ROYAL HIGHNESS THE PRINCESS MARY OF CAMBRIDGE — THE QUEEN'S MESSAGE—Her Majesty's most gracious Message of Tuesday last *considered;* and an humble Address thereon *agreed to Nemine Dissentiente* .. 2020

Law of Capital Punishment Amendment Bill (No. 61)—
After short debate, Bill *considered* in Committee: Amendments made: Bill to *printed* as amended (No. 145) 2020

[*June* 7.] Page

Crown Lands Bill (No. 114)—

Moved, "That the Bill be now read 2ª,"—(*The Lord President*) .. 2021

After long debate, Motion *agreed to*:—Bill read 2ª accordingly, and *referred* to a Select Committee.

List of the Committee 2028

Companies' Act (1862) Amendment Bill (No. 124)—

Moved, "That the House do now resolve itself into a Committee,"—(*The Lord Stanley of Alderley*) 2028

An Amendment *moved,* to leave out ("now") and insert ("this Day Three Months:")—(*Earl Grey*:)—After debate, on Question, That ("now") stand Part of the Motion? their Lordships *divided;* Contents 14, Not-Contents 17; Majority 3:—*Resolved* in the *Negative,* and House to be in Committee *this Day Three Months.*

Division List, Contents and Not-Contents 2035

Charitable Trusts Deeds Enrolment Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 146) 2036

COMMONS, THURSDAY, JUNE 7.

Annuities—Exchequer Bills—Question, Sir Stafford Northcote; Answer Mr. Childers 2036

Army—Artillery—Guns and Gun-Cotton—Question, Sir George Stuckley; Answer, The Marquess of Hartington 2036

Ireland—The Militia and the Fenians—Question, Mr. Whalley; Answer, Mr. Chichester Fortescue 2037

Rinderpest in the Isle of Man—Question, Sir Andrew Agnew; Answer, Mr. Bruce 2037

Marriage of the Princess Mary of Cambridge—Queen's Message—

Queen's Message [5th June] *considered* in Committee 2038

After short debate,

Resolved, That the annual sum of Two Thousand Pounds be granted to Her Majesty out of the Consolidated Fund of Great Britain and Ireland, the said Annuity to be settled on Her Royal Highness the Princess Mary Adelaide Wilhelmina Elizabeth, younger daughter of his late Royal Highness the Duke of Cambridge, for her life in such manner as Her Majesty shall think proper, and to commence from the date of the marriage of Her Royal Highness with his Serene Highness Francis Paul Louis Alexander, Prince of Teck, such Annuity to be in addition to the Annuity now enjoyed by Her Royal Highness under the Act of the thirteenth and fourteenth years of Her present Majesty, cap. 77.

Representation of the People Bill [Bill 68], **and Re-distribution of Seats Bill** [Bill 138]—

Bills *considered* in Committee 2042

Clauses 1 and 2 *agreed to.*

Clause 4 (Occupation Franchise for Voters in Counties).

Motion made, and Question proposed, "That the Clause be postponed:"—(*Lord Stanley*:)—After long debate, Question put:—The Committee *divided;* Ayes 260, Noes 287; Majority 27.

Division List, Ayes and Noes 2071

Amendment proposed, in page 2, line 39, to leave out the word "fourteen," in order to insert the word "twenty,"—(*Mr. Walpole*) 2075

Motion to report Progress *agreed to*:—House *resumed.*

Motion made, and Question proposed, "That this House will this day [Friday] again resolve itself into the said Committee,"—(*Mr. Chancellor of the Exchequer.*)

Representation of the People Bill [Bill 68], *and Re-distribution of Seats Bill* [Bill 138]—continued.

Amendment proposed, to leave out the words "this day," in order to insert the words "upon Monday next,"—(*Viscount Royston,*)—instead thereof:—Question proposed, "That the words 'this day' stand part of the Question:"—Amendment, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Committee to sit again *To-morrow* (Friday).

Transubstantiation, &c., Declaration Abolition Bill [Bill 82]—

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair,"—(*Sir Colman O'Loghlen*) 2134

Motion made, and Question put, "That the Debate be now adjourned:"—(*Mr. Whiteside*:)—The House *divided*; Ayes 46, Noes 46:—And the numbers being equal, Mr. Speaker declared himself with the Ayes.

Debate *adjourned* till *To-morrow.*

Finsbury Estate Bill [Bill 97]—

Moved, "That the Bill be now read a second time,"—(*Mr. Ayrton*) .. 2135

[House counted out.]

LORDS.

SAT FIRST.

MONDAY, MAY 7.

The Lord Hay, after the Death of his Father.

MONDAY, MAY 28.

The Lord Ormonde, after the Death of his Father.

COMMONS.

NEW WRITS ISSUED.

MONDAY, APRIL 30.

For *Sandwich*, *v.* Lord Clarence Paget, Chiltern Hundreds.

For *Reading*, *v.* George John Shaw Lefevre, Esq., Commissioner of the Admiralty.

For *Devon* (Northern Division), *v.* Hon. Charles Henry Rolle Trefusis, now Lord Clinton.

THURSDAY, MAY 3.

For *Stamford*, *v.* Sir Stafford Henry Northcote, Baronet, Manor of Northstead.

For *Nottingham Town*, *v.* Sir Robert Juckes Clifton, Baronet, and Samuel Morley, Esq., void Election.

For *New Windsor*, *v.* Sir Henry Ainslie Hoare and Henry Labouchere, Esq., void Election.

For *Northallerton*, *v.* Charles Henry Mills, Esq., void Election.

MONDAY, MAY 7.

For *Aberdeenshire*, *v.* William Leslie, Esq., Chiltern Hundreds.

THURSDAY, MAY 10.

For *Kildare*, *v.* Lord Otho Augustus Fitzgerald, Treasurer of Her Majesty's Household.

MONDAY, MAY 14.

For *Devonport*, *v.* John Fleming, Esq., and William Ferrand, Esq., void Election.

MONDAY, MAY 28.

For *Winchester*, *v.* John Bonham-Carter, Esq., Commissioner of the Treasury.

For *Waterford County*, *v.* John Esmonde, Esq., Commissioner of the Treasury.

THURSDAY, MAY 31.

For *Bridgwater*, *v.* Henry Westropp, Esq., void Election.

NEW MEMBERS SWORN.

MONDAY, MAY 7.
Reading—George John Shaw Lefevre, Esq.
Helston—John Campbell, Esq.

TUESDAY, MAY 8.
Stamford—Sir John Charles Dalrymple Hay, Baronet.

THURSDAY, MAY 10.
Sandwich—Charles Capper, Esq.
New Windsor—Charles Edwards, Esq.
Devon County (Northern Division)—Sir Stafford Henry Northcote, Baronet.
New Windsor—Roger Eykyn, Esq.

MONDAY, MAY 14.
Nottingham Town—Ralph Bernal Osborne, Esq., and Viscount Amberley.

TUESDAY, MAY 15.
Northallerton—Hon. Egremont William Lascelles.

THURSDAY, MAY 24.
Devonport—Lord Eliot, and Montagu Chambers, Esq.
Kildare—Lord Otho Fitzgerald.

MONDAY, MAY 28.
Aberdeenshire—William Dingwall Fordyce, Esq.

TUESDAY, JUNE 5.
Winchester—John Bonham-Carter, Esq.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIRST SESSION OF THE *NINETEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*
APPOINTED TO MEET 1 FEBRUARY, 1866, IN THE TWENTY-
NINTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

THIRD VOLUME OF THE SESSION.

HOUSE OF LORDS.

Friday, April 27, 1866.

MINUTES.]—*Took the Oath*—The Earl of Erne.
PUBLIC BILLS—*First Reading*—Drainage and Improvement of Lands (Ireland) * (90).
Committee—Public Offices (Site) * (67).
Report—Public Offices (Site) * (67).

RECORD OF TITLE (IRELAND) ACT, AND LAND DEBENTURES IRELAND ACT.

PETITIONS.

LANDED ESTATES COURT (IRELAND).

MOTION FOR RETURNS.

THE MARQUESS OF CLANRICARDE *presented*—

"Petitions for increased Facilities in relation thereto; of Grand Jury of the County of Mayo; —— and Members of the Registration of Title Association and others ——."

The noble Marquess said, the subject was one of considerable importance to the landed interests of Ireland, and moved for the following Returns:—

"Copies of the Annual Returns made to the Home Office by Landed Estates Court of Ireland of the Business done during the Year by that Court, in pursuance of the 25th Section of the Act 22 & 23 *Vict.* c. 72, from the Year 1860 to the last Year, and of those made to The Lord Lieutenant of Ireland in pursuance of the 28 & 29 *Vict.* s. 88: And also,

"Return of the Duty paid upon Declarations of Title made and registered in each Year up to the present."

The first petition he held was from the Grand Jury of the county of Mayo, and the other was from a larger body—the members of the Registry of Titles Association, and was signed by a great number of magistrates and persons who were well known as people of respectability and consideration in Ireland. The petitions referred to a matter which formed a great injustice to Ireland—the amount of fees required for the registration of titles to estates in the Landed Estates Court in Ireland. The expenses of registration in Ireland—the Registry being attached to another Court—the Landed Estates Court—ought to be less than they were in this country; but the fees, on the contrary, were really quite exorbitant there, compared with the charges made in England, and even exclusive of and apart from all considerations of comparison, they were far heavier than they ought to be. The unequal taxation of Ireland and England, as regarded the first issue of Parliamentary titles, appeared from the following examples:—An estate worth £5,000 paid for court fees in Ireland £25, in England £9 5*s.*; an estate worth £20,000 paid £100 in Ireland, and only £25 10*s.* in England; and an estate worth £100,000 paid no less than £500 in Ireland, and only £68 10*s.* in England. In England, from October, 1862 (when Lord Westbury's Act passed), to June, 1865, there were 291 applications for registry of title. In Ireland in 1864 it appeared by the volume of Judicial Statistics the declarations of title were only thirteen. These expenses, then, manifestly operated as a bar to the registration of Estates in Ireland. He wished to know, whether the Government would take steps to have these charges reduced to a proper amount?

THE EARL OF BELMORE said, he had had the honour of bringing this subject before the notice of their Lordships on a previous occasion, when his noble Friend the Under Secretary of State for War (Lord Dufferin) informed the House that the Government had the subject under their consideration. He desired to know whether the Government would soon be in a position to make known their decision upon the subject?

LORD DUFFERIN said, there was no objection whatever to producing the Returns moved for by the noble Marquess. With regard to the question of the noble Earl (the Earl of Belmore), he regretted to say that he was still unable to supply him with the information he required, the entire subject being still under the consideration of the Treasury.

Motion *agreed to.*

Papers ordered to be laid before the House.

CONFERENCES.

Message from the Commons to acquaint this House that they have considered their Lordships Message of the 24th day of this Instant April relative to Conferences relating to Addresses to Her Majesty, under the Provisions of the Act 15th and 16th Vict. Cap. 57., and have agreed to the following Resolutions:—

"That the Commons are willing to send to the Lords by Message, without a Conference, any Communication desiring the Concurrence of the Lords to any Address to Her Majesty, under the Provisions of the Act 15th and 16th Vict., Cap. 57., to which the Commons may have agreed, unless at any Time the Lords should desire to receive the same at a Conference."

House adjourned at half past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, April 27, 1866.

MINUTES.]—PUBLIC BILLS—*Ordered*—Land Drainage Supplemental*; Inclosure*; National Gallery Enlargement*; Dean Forest Inclosure.*

First Reading—National Gallery Enlargement* [124]; Land Drainage Supplemental* [125]; Inclosure* [126].

Second Reading—Representation of the People [68].

Considered as amended—Contagious Diseases* [117].

Third Reading—Superannuations (Officers Metropolitan Vestries and District Boards)* [52], and *passed.*

ELECTORAL STATISTICS.—PETITION.

MR. DISRAELI *presented* a petition from certain electors of Rochdale, stating that the petitioners had noticed, with great surprise, that the number of the working classes upon the Parliamentary register in the borough of Rochdale was stated in the Government Returns to be only 68. The petitioners had made inquiries as to the number of working men on the Parliamentary register that came within the instructions of the Poor Law Board, and they found the number in one township to be 68, in another 53, and in a third 105, making a total in the three townships of 226, and this did not include any overseers, superintendents, or foremen, not employed in daily manual labour. He had another petition to present from Birstal, signed by Mr. Enoc Wedgly, who requested him to say that he was a strong Liberal in politics, stating that he was chairman of the Board of Guardians, and that, according to the Returns prepared by the direction of the Poor Law Board, out of a constituency in one parish of 680, there were 197 working men. The petitioner expressed surprise that the accuracy of this Return had been denied in a petition presented to the House, and stated that the guardians had made strict inquiries, and had satisfied themselves of the strict accuracy of the statement furnished by their clerk. The petitioner further stated that, although a considerable number of these working men did keep beer houses, or small shops, such shops, or beer houses, were attended to by their wives or other members of their families, and that they themselves all worked as potters or colliers, or in some other form of manual labour, at weekly wages. Another petition, which he had been asked to present, was from Ashton-under-Lyne, and was very much to the same effect. It stated that, according to the Electoral Returns, the number of working men in the constituency was 188, whereas the actual number, as sent up by the clerk of the union was 350, and the reduction had been made by the exclusion of overlookers in cotton mills and others who were employed in manual labour at weekly wages. [Mr. Crawford : What is the prayer of these petitions?] The prayer of the petition from Ashton-under-Lyne is for inquiry into the number of working-class electors, and also into the circumstances under which they were put upon the register, that having reference to the allegation with respect to what were called vote-shops. As to the petition of Mr. Wedgly, I find that he only prays for inquiry.

IMPORTATION OF DUTCH CATTLE.

QUESTION.

Mr. HARVEY LEWIS said, he would beg to ask the Secretary of State for the Home Department, Whether he has received information that the provinces of Friesland and Groningen are entirely free from the Rinderpest; and, if so, whether it is his intention to take steps to modify the existing restrictions on the importation of cattle and sheep from those provinces?

Sir GEORGE GREY said, in reply, that representations had been received by the Privy Council that the two provinces mentioned by the hon. Member were free from the cattle disease, and application had been made that the prohibition with respect to the importation of cattle might be relaxed with respect to those two provinces; but before the application was complied with, it was thought desirable to institute inquiries to ascertain what security there would be that cattle professedly brought from those provinces might not, in reality, be brought from time to time from other parts of Holland.

MARRIAGES (IRELAND) BILL.

QUESTION.

Mr. DAWSON said, he would beg to ask the hon. and learned Member for Sligo, Whether in the Marriages (Ireland) (No. 2) Bill, to be read a second time upon Tuesday, 1st May, any provision is contained which would legalize the celebration of marriage between two Protestants by a clergyman of the Roman Catholic Church?

Mr. Serjeant ARMSTRONG replied, that the Bill did not contain any provision proposing to interfere with the existing state of the law as to marriages between two Protestants by Roman Catholic clergymen.

REPRESENTATION OF THE PEOPLE BILL.—[Bill 68.]

(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers.*)

SECOND READING.

ADJOURNED DEBATE. EIGHTH NIGHT.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [12th April], "That the Bill be now read a second time;" and which Amendment was—

> To leave out from the word "That" to the end of the Question, in order to add the words "this House, while ready to consider, with a view to its settlement, the question of Parliamentary Reform, is of opinion that it is inexpedient to discuss a Bill for the reduction of the Franchise in England and Wales, until the House has before it the entire scheme contemplated by the Government, for the amendment of the Representation of the People,"—(*Earl Grosvenor,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Viscount CRANBOURNE rose to resume the debate. [An hon. Member rose to Order. The noble Lord had already spoken on this Question.] A word has reached me from the other side, which I shall be happy to deal with first. The course I took last night was with the full conviction that I was acting in accordance with the rules of the House. But, however that may be, I shall be prepared to argue the point on a future occasion, and I believe it was agreed that at present no further action with respect to it should be taken. In dealing with the question before the House, the first feeling which must press on the mind of every person who advocates the Amendment to this Bill is that of a desire to rid himself from certain odious charges, which it has been the policy of the supporters of the Bill to bring against all those who oppose it. It was said very justly by the noble Lord the Member for Haddingtonshire that defamation of opponents was one of the main engines by which the Bill was supported. I wish therefore, before I go into the Bill, to deal with these imputations which have been so freely made, especially by the Chancellor of the Exchequer. Before entering into the discussion of this Bill, it appears to be necessary that we should make our confession of faith with respect to the working men. The Chancellor of the Exchequer has thrown imputations of the gravest and most damaging character on all Members on this side of the House, and indeed upon all those who support the Amendment of the noble Earl. He was not content with throwing those imputations in the House itself where, indeed, they appeared in a milder and more modified form, but when the debate was adjourned, as has been said, from this House to another place, and when the right hon. Gentleman went down to Lancashire, where there were no opponents to answer him, and where he could make what statements he pleased without fear of being contradicted, he made accusations of a most damaging character against those who oppose this Bill. He told his audience that Members on this side of the House readily and earnestly accepted the imputation that they treated the working classes as an invading army. Now, I venture to say there is not the slightest foundation for the imputation which the Chancellor of the Exchequer threw upon us. When first he made it, I protested against it, because I, in common with my hon. Friend the Member for Stoke, were the only speakers who followed the right hon. Gentleman in the debate, and I concluded that by some strange misapprehension he had drawn from our words that we accepted that most damaging imputation. I have since ascertained, however, that it was not from our words that the right hon. Gentleman drew the imputation he made against us; but solely, it appears, from the interpretation he was pleased to put on a cheer which he thought he heard from this side of the House. The right hon. Gentleman had remarked in his speech that we looked on the working classes as an invading army. And if the right hon. Gentleman imagined at the time that he heard from this side of the House some inarticulate assent to that proposition—a fact which I believe is absolutely destitute of foundation, why did he not attempt to fix the odious charge at the moment when it could be contradicted and disproved? But he goes down to Liverpool, and there, before a select audience of his friends, admitted by tickets, tells them, in effect, that the Conservative party looked upon the working classes as an invading army. Now, it does not seem to me that such conduct is consistent with the obligations which a leader of the House of Commons ought to accept. If the leader of this House has occasion to impute to any of its Members opinions which he deeply censures, it is on the floor of this House, and on the floor of this House alone, that he ought to impute these sentiments to them. I venture to say that the Chancellor of the Exchequer may search the annals of the House of Commons in vain to find a precedent for a leader of this House going down to a provincial audience and telling them that those who oppose him in debate are guilty of sentiments on which he casts the gravest censure. I followed the right hon. Gentleman in order to make my protest against the use of such weapons as he had resorted to with reference to the working classes. Sometimes we are told we distrust them, sometimes that we insult them, sometimes that we detest them, sometimes that we are anxious to exclude them from all share in the political government of the country. I can quite understand when you have nothing to say for your Bill, and nothing to say against the Amendment, it is very convenient to shower dirt on those who oppose the measure; but I will venture to say that the right hon. Gentleman cannot obtain from the words of any speaker on this side of the House anything to justify the odious charge he has made against us. For myself, I will venture to make my confession of faith on the subject of the working classes. I feel there are two tendencies to avoid. I have heard much on the subject of the working classes in this House which I confess has filled me with feelings of some apprehension. It is the belief of many hon. Gentlemen opposite that the working classes are to be our future Sovereign, that they are to be the great power in the State, against which no other power will be able to stand; and it is with feelings of no small horror and disgust that I have heard from many hon. Gentlemen phrases which sound, I hope unduly, like adulation of the Sovereign they expect to rule over them. Now, if there is one claim which the House of Commons has on the respect of the people of this country, it is the great historic fame it enjoys—if it has done anything to establish the present balance of power among all classes of the community, and prevent any single element of the Constitution from overpowering the rest, it is that in presence of all powers, however great and terrible they may have been, the House of Commons has always been free and independent in its language. It never in past times, when Kings were powerful, fawned upon them. It has always resisted their unjust pretences. It always refused to allow any courtierly instincts to suppress in it that solicitude for the freedom of the people of this country which it was instituted to cherish. I should deeply regret, if at a time when it is said we are practically about to change our Sovereign, and when some may think that new powers are about to rule over the country, a different spirit were to influence and inspire the House of Commons. Nothing could be more dangerous to the reputation of the House, nothing more fatal to its authority, than that it should be suspected of sycophancy to any power, either from below or above, that is likely to become predominant in the State. My own feeling with respect to the working men is simply this—we have heard a great deal too much of them, as if they were different from other Englishmen. I do not understand why the nature of the poor or working men in this country should be different from that of any other Englishman. They spring from the same race. They live under the same climate. They are brought up under the same laws. They aspire after the same historical model which we admire ourselves; and I cannot understand why their nature is to be thought better or worse than that of other classes. I say their nature, but I say nothing about their temptations. If you apply to any class of the community special temptations, you will find that class addicted to special vices. And that is what I fear you are doing now. You are not recognizing the fact that, dealing with the working classes, you are dealing with men who are Englishmen in their nature, and who have every English virtue and vice; you are applying to them a special training, and yet refuse to look forward to the special result, which all who know human nature must inevitably expect. Those Members who have sat on Election Committees will, I think, agree with me, that the franchise is a convertible commodity. It has a value, indeed, in two ways. The franchise has a direct money value to those who do not care much about public affairs in the way of bribery. It has an indirect value to those who do care about public affairs in the way of encouraging unjust and special class legislation. If you give the franchise to those who may naturally be tempted to misuse it, you must expect that the larger proportion who are not deeply interested in public affairs will be liable to the temptation—I do not say they will always yield to it—of treating it as a saleable commodity. The minority, more influential, more deeply interested in public affairs, will be liable to the temptation of treating it not as a saleable commodity, but as something to get for them laws with respect to taxation and property, specially favourable to them as a class, and, therefore, dangerous to all other classes of the community. That is the temptation to which you are exposing the working man by giving him the franchise. I say further that you are exposing him to it more than other classes of the community for this simple reason, that he is poorer. It is perfectly true that the poor have their virtues as well as the rich, and that the rich have their vices as well as the poor. But the vices of the poor have, unfortunately, a special bearing on their fitness for the exercise of political rights. The poor are liable more than the rich to be tempted if you place in their hands anything that is pecuniarily convertible. A great deal of odium has been cast on some Members of this House because they have stated that the working classes are more venal than the rich. That is not true as to their nature, but it is true as to the temptations to which they are exposed. It is ridiculous to say that £50 will not tempt a man more of whose income it forms a third or a fourth than one of whose income it forms only the thirtieth or fortieth part; and therefore all bribes whether in the direct form of money value, or in the indirect form of class legislation, must be expected to operate more on the working classes than on any other class of the community. It is not a paradox, but a simple truism, that a man who is hungry will care more for a good dinner than one who has already dined. But, Sir, that seems to me to be the simple truth about—I will not say the working classes, for I dislike to treat any particular vocation as distinct and separate in this community—but as to those who have less property in the country. In proportion as the property is small, the danger of misusing the franchise will be great. You may cover that by sentiment, you may attempt to thrust it away by vague declamation, but as a matter of fact and as a matter of truth it will remain all the same. And now, Sir, having spoken in this way about the working classes, I shall sum up, as far as I can, what seems to me the result of the debate that we have had in respect to the Amendment of the noble Earl. I do not know whether the idea may have been present to other Members on this side of the House, but it appears to me that there has been seemingly a kind of demon that has attended all the Members of the Government and speakers upon that side of the House, which has forced them, in spite of themselves, always to speak in such a way as virtually to support the Amendment of the noble Earl. Everything the supporters of the Bill have said has been really an argument in favour of the Amendment. Take the Government first. The Government began by holding very cavalier language on the subject of the Franchise Bill. They at first did not in the least care to deal with the re-distribution of seats. It is true the right hon. Gentleman the Chancellor of the Exchequer did not absolutely say so, but he used language which bore no other interpretation than that he intended to bring in the Seats Bill next year. Well, the right hon. Gentleman was driven from that position, and then he said the Seats Bill was to be brought in this year, but only formally, and then the right hon. Gentleman again gave way, and stated that that Bill should be made a matter of standing or falling by the Government; and now we are told that a yet further step is to be made, and that the Seats Bill is to be pressed *pari passu* with the Franchise Bill, in order to satisfy the scruples of some of the supporters of the Government. I feel a difficulty, however, in believing that statement, because as soon as I heard of it, I referred back to the speech of the Chancellor of the Exchequer on a former occasion, and it appeared to me that it was impossible for a statesman to give a stronger pledge that such a course should not be taken than was then given by the right hon. Gentleman; and in case the Chancellor of the Exchequer should, at a later period of the evening, make any such announcement—which I hope for his own sake he will not do—I should like to read to the House what he said at the beginning of this debate with reference to pushing forward the Seats Bill. In moving the second reading of this Bill, the right hon. Gentleman spoke as follows:—

> "Allowing for full and free discussion regarding the subject, we could not expect that the two portions of it would be dealt with, and still less of the other portions of it, within the ordinary and usual duration of the Session. But, beyond that, I have stated, as is well known, that we for our parts, from motives of duty, decline to proceed with any other part of the subject until the fate of the Franchise Bill is determined. When its fate is determined it will then be for us to review our position."

Now, Sir, if the right hon. Gentleman, in spite of that declaration, should state that he will proceed with the Seats Bill *pari passu* with the Franchise Bill—that is to say, will proceed with it before the fate of this Bill is determined, he will in effect be admitting that he has departed from the motives of duty which originally actuated him—and the House will take notice that such a proceeding will entirely dispose of that question of time which the right hon. Gentleman made so much of when he introduced the Bill. He then insisted strongly that there were only twenty-four nights between the 12th of April and the practical close of the Session at the disposal of the Government, so far as the House of Commons was concerned, and out of these twenty-four nights twelve would be needed for the financial business of the Government, so that twelve only remained for the Reform Bill, and, therefore, he argued, and argued in an unanswerable way, if you once granted that he ought to have introduced the matter this Session at all, that it was impossible to proceed with the Franchise Bill, and also with the Seats Bill in the present Session. If, however, these rumours which are flying about are correct, and if the right hon. Gentleman does pledge himself to proceed with the Seats Bill *pari passu* with the Franchise Bill, it will follow that he did not use that argument about the time of the House with any personal conviction that it was correct. I suppose the Solicitor General for Scotland, or the right hon. Gentleman the Chancellor of the Duchy of Lancaster would tell us that it was part of a Parliamentary manœuvre and that it was impossible to get a majority without it, and, according to the modern morality of Governments, I have no doubt the right hon. Gentleman and his friends will think that a perfectly satisfactory reason for having pressed upon the House of Commons an argument in which they themselves did not believe. But, to use an expression once used by a friend of the right hon. Gentleman's, I do not like to see "unnecessary humiliation," and I think that if the right hon. Gentleman makes any attempt to influence votes by such a concession he will be submitting himself to unnecessary humiliation. It is a very painful thing to see a man eat dirt at any time, but it is a much more painful thing to see a man eat dirt when you know he will not be paid for it, and my fear is that the right hon. Gentleman will injure his own character and position by thus contradicting all his previous statements and falsifying all his previous arguments, without gaining a single vote in the division that is impending. For such a course would be founded on an entire misconception of the nature of the objection that we have to the proceedings of the Government. What we want is not that the Seats Bill and the Franchise Bill should proceed *pari passu,* that is to say one after the other, but what we want is that they should proceed together, that is to say in one and the same Bill. We wish indeed for information, but information is not our main object. What we wish for most is control. It is a small matter to be told what the Government will do, for the Government is not all-powerful; what we wish is, that the form of the Bill shall be such that from the first to the last, the House of Commons shall enjoy an undisputed and undiminished control over both branches of the subject; and I will venture to say that there is no hon. Gentleman in favour of the Amendment who would be satisfied as to the scruples which he entertains by the concession, which it is stated, upon good authority, but I trust upon authority that has been deceived, will be more fully explained in the course of the evening by the Chancellor of the Exchequer. Well, Sir, I think I have a right to claim the Government as a witness in favour of the Amendment of the noble Earl. To what purpose did they make all these concessions? What do these concessions admit? They admit that the House of Commons has a right to have the whole subject before them. The right hon. Gentleman, however, in his course of concession, stops short of the second reading of this Franchise Bill. He will not admit that the House of Commons has a right to have all these matters before them before it reads the Bill a second time; but he has been compelled to admit that upon the further stages of the Bill that right is valid. What distinction he draws between the two, and how he can prove that we have no right to information on the second reading which we have a right to in Committee, it is for him hereafter to prove; but these concessions do show that the right hon. Gentleman now accepts that which he did not accept before the Amendment of the noble Earl was introduced, and that he now does admit our right to see the whole of the case before we decide upon a part of it. But it is not merely the right hon. Gentleman or the Government that we may claim as our witnesses in this matter. This Bill has been argued, some people say, upon the other side of the House, with a signal want of ability. Now, I do not in the least agree in that opinion; for I think that, considering the case they had to deal with, the ability that has been displayed is wonderful, and I should be inclined to say, without wishing in the least to cast any imputations upon other speeches, that the speeches of the hon. and learned Member for Exeter (Mr. Coleridge), the hon. Member for Birmingham, the Chancellor of the Exchequer, and the hon. Member for Westminster (Mr. J. Stuart Mill), are the three to which you may look, if you can look anywhere, for arguments in favour of the Bill. Now, if you examine those arguments what you find is this—they all, as you might expect from the ability of those who urged them, start upon a foundation which may be true, and no doubt in a great degree is true; they are established with admirable ability, and they go to a certain point with the ability with which they began; but these speakers all stop short, as before a chasm, at that point where they are required to prove the connection of this Bill with the arguments which they used. And the difficulty in each case arises from their not having got the link which would be furnished if the Government had enabled us to see what the re-distribution of seats is to be. Let me take the first — the arguments of my hon. and learned Friend the Member for Exeter. He took the ground of fitness; he argued that the £7 householders were fit for political power, and that, therefore, in spite of all the difficulties of the subject which he fully acknowledged, in spite of the arguments of my noble Friend the Member for King's Lynn, whose validity he fully recognized, he contended that that fitness was so great that he was prepared to admit them to political power. Now, Sir, what does that fitness mean? Fitness for what? If you tell me it is fitness for that share in political power to which the working classes, from their stake in the country, have a right, I entirely concur with my hon. and learned Friend. But if you tell me that this fitness is to enable the working classes to lord it over all the other classes of the community, to be despots over the rest, then I say the argument of my hon. and learned Friend has not approached towards establishing the fitness which he claims for them. And why cannot he approach it? If he had been dealing with the existing constituencies he might, no doubt, have instituted a searching investigation into the qualifications of the £7 and the £10 householders; but we are dealing with unknown quantities. We do not know the constituencies of the future; and though my hon. and learned Friend might be as zealous as he pleased in his investigations it is absolutely impossible for him to investigate the fitness of people whose names, localities, and habitations he does not know. Until it is known what the constituencies are out of which these fit men are to be taken, it is impossible to tell whether they are fit for the franchise or not; and I need hardly remind Members of this House who have from day to day received Reports at that Bar, that the question of fitness cannot be assumed without proof, and that a facility for receiving such things as "sugar" and "paint" is not an absolute impossibility in dealing with a constituency even in the large towns. There are two constituencies at present under trial—those of Huddersfield and Wakefield, and from all we have heard of their proceedings I am rather anxious to hear the result of them. [An hon. MEMBER: The Wakefield Committee have arrived at a decision.] What has it decided? That there was no bribery in that borough? But I say that it requires minute and careful investigation before you can accept the proposition that because people lie between certain strata of the population that, therefore, they are fit for the exercise of the elective franchise. I now come to the speech of the hon. Member for Westminster—certainly the most able and most convincing speech that has been made in the course of the debate. The hon. Gentleman argued in favour of the concentration of the franchise. He said it was true that the working classes were represented up to a certain point, but that their representation was valueless, because it was not sufficiently concentrated. Now, I entirely agree with the hon. Member to this extent, that the concentration of the franchise of the working classes would in many cases be highly desirable. I concur with him that the presence of a certain number of working men in this House would be no derogation to the dignity of this Assembly, but would be a positive addition to its power and its value in the estimation of the community. In fact, if I might go as far as to make a definite proposition, I should say that I would readily sacrifice twenty or thirty seats of what the right hon. Gentleman the Chancellor of the Exchequer calls the "Mountain," with a very apt recollection of their political associations, and I would substitute in their place working men. I believe that the natural leaders of the working classes—the prominent men among them—would make better representatives than some persons of a higher class, who, for reasons best known to themselves, desire to identify themselves with those classes. But the whole argument of the hon. Member appears to be supported by this fallacy. He admitted distinctly that the preponderance of the working classes in this House was a thing to be avoided; he admitted that if the working classes returned a majority of the Members, that the possibility or the probability was that they would endeavour to place upon the statute book theories which he more than any other man objected to. Up to this point I began to think that the hon. Gentleman's speech was in favour of the Amendment. But, surely the hon. Member will require, before he votes in favour of the Bill, proof that what he fears will not result from it. I, at least, expected from him proof that the policy of the Government, as explained by their Bill, was not that the working classes should obtain a majority. But did he prove that? No, he never attempted to do so—he stopped short of the question altogether. He passed over to the cattle plague and to other general topics, and he never attempted to prove that the working classes would not have a preponderance of power under this Bill. That is the point I want to see proved; that is the point that this Amendment requires to be proved. The test by which a good Reform Bill may be distinguished from a bad one is, that under it the working classes shall not now, or at any proximate period, command a majority in this House. If the hon. Gentleman does not prove that, the keystone of his argument is wanting. It is not difficult to show danger or ruin in this direction. The hon. Member for Birmingham, in his speech the other night, pointed out to us that, as we arrange the re-distribution of seats so do we arrange the re-distribution of power.

MR. BRIGHT: I said, that in that way you might destroy popular representation.

VISCOUNT CRANBOURNE: Exactly so; and you would do the other thing. You might produce Re-publicanism on the one hand and absolute despotism on the other. I think the hon. Gentleman was good enough to say that if the right hon. Member for Calne and myself had the re-distribution of seats the popular power would be destroyed; but I rather think that if he and the hon. Member for Leicester had to re-distribute them we should have a precisely opposite result, and the popular, or, rather, the democratic party would be the only one left in the country. Look at the figures. According to the calculations of the right hon. Gentleman the Chancellor of the Exchequer the Bill will give a majority to the working classes in 130 boroughs in England and Wales, and adding those which they will obtain in Scotland and Ireland, it will give them altogether 155 boroughs. Now, as to the distribution of seats, any person going through the statistics before us will see in a moment that if you remove the power from those boroughs most likely to be disfranchised, you will hand it over mainly from the middle to the working classes. The question, therefore, is what is likely to happen with regard to that re-distribution of seats? We are inevitably driven to the consideration of the influence of the hon. Member for Birmingham on the Cabinet. The hon. Gentleman made a speech the other night, and I thought it was very kind and good of him to make it in so temperate a tone, because we all know what he thinks of us—" that we are the offspring of landlord power in the counties; and of tumult and of corruption in the boroughs;" and therefore we must thank him for the enormous command of temper he exercised, although I am afraid he almost sacrificed his principles in addressing us in the kindly and almost patronizing tone he did. But I cannot draw any comfort from the hon. Gentleman's speech as to the apprehension we all entertain that he has controlled the Government too much in this matter. The hon. Gentleman informed us that he had had no consultation on this matter with Earl Russell during the last seven years. But has he had no consultation with the right hon. Gentleman the President of the Board of Trade during that period? [Mr. Bright: Very often.] I thought so. I gathered that from certain things I have seen in print. The Chancellor of the Exchequer in one of his recent speeches informed us that there was a theory of a subterranean communication between Lord Russell and the hon. Member for Birmingham. We might well be struck with horror at the idea of the right hon. Member the President of the Board of Trade, dark lantern in hand, wearing that same imperturbable amiability of countenance he always preserves under the most perplexing circumstances, finding his way along the sewers leading from the house of Lord Russell to whatever house may be occupied by the hon. Member for Birmingham, whom I might call the Head Centre of this conspiracy. With that vision conjured up before my mind it was very gratifying to find that idea had no foundation, and that for the present, at all events, the right hon. Gentleman the Present of the Board of Trade walks above ground. But whether it is carried on above or below ground I am afraid the evidence is too strong to be resisted of there having been a direct communication between the hon. Member for Birmingham and the Cabinet. In human affairs for extraordinary actions we must look for extraordinary motives; and it is peculiarly inexplicable why Government, in determining to pursue a course which seems certain to lead them to destruction, should have selected that precise form of Bill which, while departing from all the traditions of Reformers of former days, appears framed so as to carry out the intentions of the hon. Gentleman. That certainly looks as though the hon. Gentleman has had something to do with the decisions of the Cabinet in the matter. Now, I have no objection whatever to the Cabinet availing themselves, if they think fit, of the able assistance of the hon. Gentleman; but in the present darkness in which we are left, I want to ascertain something about the Seats Bill, which is now either under the consideration or is in the pocket of the right hon. Gentleman. The hon. Member for Birmingham has given us several hints as to his notions of what a Re-distribution of Seats Bill should be. In 1858 he introduced a Bill for that purpose, in which he proposed to disfranchise 140 boroughs. But by disfranchising ninety boroughs only you would transfer the majority of the whole House, under the £7 Franchise, from the middle to the working classes. It is a matter of simple calculation, and we want information which will enable us to ascertain what is likely to happen. But the hon. Member did not stop there; he gave us another hint. He talked the other night of transferring thirty, forty, or fifty boroughs, and treated with the utmost contempt the moderate proposal of Lord Derby's Bill, which at one time, in a better hour, obtained the approval of the right hon. Gentleman the Chancellor of the Exchequer. The hon. Gentleman treated with contempt the idea that the transference of fifteen seats could be a sufficient transfer of power. He said he objected to the Bill, because the boroughs of Calne, Arundel, and Portarlington were not disfranchised. The hon. Gentleman, by giving us these hints, has raised rather formidable apprehensions in our minds. In all the other Bills, boroughs losing one Member have been placed in Schedule B, and the hon. Gentleman now wishes that all boroughs which have been placed in that schedule shall be inserted in Schedule A in the new Bill. The hon. Member for Birmingham does not propose anything, but he treats with derision any proposal which does not include Arundel, Calne, and Portarlington; and as the Bill of 1860 did not include these boroughs, we may reasonably assume that something very much larger than the schedules of that Bill will form a portion of any scheme which may emanate from him. I am anxious to raise the veil from the probable proceedings of the Government in this matter, because no evidence is given to us, because we are obliged to repose on very imperfect indications, and because we know nothing except what we can gather from the expressed opinion of the hon. Member for Birmingham. Now, it clearly appears to me that no information is given us which will enable us, even approximately, to discover what is the extent of the power which will be placed by this measure in the hands of the working and the lower classes. I wish to ask what reason there is to warrant our giving such implicit confidence to the Leader of this House, who, instead of demanding the confidence of a well-considered and fully-explained measure, presents himself and demands that we should, as it were, make obeisance to him upon the second reading before we are furnished with any information by which we can be guided? I ask whether, from what we know of his opinions, we have any ground to warrant our placing this implicit confidence in him, and in any measure which he may choose to bring forward? What is the ground upon which the right hon. Gentleman urges this appeal to the House? He does not argue the matter at all. He does not show us that there is any necessity for Reform, but bases his argument entirely upon the pledges which he says have been given by the House upon this subject. Now, I think that a great deal too much has been said in this House upon the subject of pledges, and I wish to protest against the view which seems to be generally entertained upon the Treasury Bench, and which appears to find favour in some quarters even on this side of the House, that the House of Commons is pledged to Reform. I want to know what the pledge is. If such a pledge exists, it can surely be found recorded in some document; but there is nothing of the kind. And when we come to examine into the grounds upon which the right hon. Gentleman founds this appeal, we discover that they are contained in a certain number of Queen's Speeches. Now, I do not suppose that so constitutional a statesman as the Chancellor of the Exchequer will attempt to bind this House by what has been said in Queen's Speeches. Several Bills upon this subject have been introduced; but, so far from binding the House of Commons, they have been either invariably rejected or passed over. It is rather strange and alarming to be told that, although measures may be rejected or passed over by the House of Commons, the House of Commons is, notwithstanding, pledged to the principle of such measures. But then the right hon. Gentleman tells us that twelve years ago the House of Commons did vote for the first reading of a Bill for reducing the county franchise to £10. If the right hon. Gentleman chooses to regard that as a pledge there is, of course, no objection to his doing so; but I cannot see why the present House of Commons should be expected to endorse that opinion. We are now told that if we pass this Bill we shall hear no more of Reform for the next twenty or thirty years; but then those who passed the Reform Bill of 1832 were told that after its passing Reform would never again be heard of; that the Bill was a final measure. Now, finality in 1832 meant thirty years; and hon. Gentlemen, therefore, who are partial to rule of three sums may exercise their ingenuity upon something of this kind—As permanence is to the thirty-four years which have passed since the adoption of the Reform Bill in 1832, so are the thirty years of quietness which we are now promised to the delay which will really ensue after the passing of this measure. It is ridiculous to suppose that there is anything like finality in this measure. I shall be asked if I have no confidence in the right hon. Gentleman who pledges himself to this measure, and to whom we must look for further measures on the subject. But I will ask what grounds have we for believing that the result of this measure will be such as the majority of the House of Commons can approve? In Lord Palmerston's time a measure supported by Lord Palmerston and his adherents was brought forward, and in Lord Palmerston we had an absolute faith, because we knew that, whatever course he might adopt he would take care not to do much harm to the British Constitution. The second reading of Lord Palmerston's Bill was, therefore, agreed to without a division. But what reason have we for entertaining the same opinions now? Who are they who support the present Bill? Are its supporters the moderate Liberals, or do they come from the ranks of those who have loudly announced their intention of destroying the House of Peers and the Established Church? Are they not those who delight in rendering homage to American institutions, and whose desire it is to see those institutions adopted as a pattern for this country? We have heard a great deal about certain meetings which have been held in various portions of the country in support of this measure, and we have been informed that the sentiments of its advocates, as expressed at these meetings, have been distinguished by their moderation. I should like the House to listen for a minute or two to some of those opinions, and to judge for themselves how far they accord with the description furnished by the hon. Member for Birmingham and by the right hon. Gentleman the Chancellor of the Exchequer. Now, Sir, in many parts of the country these meetings were evidently carefully kept in order. They rather misconducted themselves last year, and those who took part in some of them gave expression to opinions which created alarm in the minds of some hon. Members in this House. Accordingly, the most watchful control has of late been, as far as possible, exercised over them. But still in some places they have escaped from this control, and in some portions of London, especially where those who have taken part in them have not been entirely under the power of the wire-pullers, no concealment of the objects desired has been attempted. Now, Sir, we heard the opinions of the hon. Gentleman the Member for Finsbury upon this subject, and I should like to call attention to what was said at an open-air meeting held at Clerkenwell, in this borough. That meeting was presided over by a Mr. Lucraft, a cabinet-maker, who said—

> "For 800 years the Lordlings had ruled them, and had ruled them with a rod of iron. They had accumulated millions. The Marquess of Westminster and Lord Stanley had thousands of acres, while those who worked for their living could not get a foot of ground. Under the laws of Master and Servant, whilst they had doubled the income of the country the working men had not benefited in any fair proportion. Well, they were afraid that by this Bill the working men would get in, which he believed would be the case. Mr. Bligh seconded the resolution, maintaining that capital was the overplus of labour, and that as the working men had produced it they ought to have it shared amongst them; that they had created £800,000,000 in one year, and only got £200,000,000 for their share."

Those gentlemen were all very enthusiastic in favour of the Reform Bill. That meeting was adjourned, and on its re-assembling some more opinions of the same kind were delivered—

> "Mr. Finlen trusted they would never cease to insist on having a Reform Bill from the House of Commons which would enable every man unconvicted of crime to have a vote in the election of a Member of Parliament. He believed the Government could not have done a better thing than bring in a Bill pure and simple as they had done. It was true it did not go far, but it went as far as the House of Commons seemed likely to let it, for he believed the House of Commons would have gone stark staring mad if any clause had been introduced into that Bill for the re-distribution of seats. Mr. Bradlaugh, in seconding the resolution, said that was the second of a series of meetings which would have to be held in order to show the Houses of Parliament that the working classes of England, although they knew that that Bill by itself would be of very little good to them, were ready to support any Bill which would advance that Reform for which they were striving. He was of opinion that every man had a right to enjoy the franchise in the country where he was born. This Bill was only one step in the scale, and there would be very few Sessions allowed to pass without another Bill being introduced which would go a great deal further. Let them firmly make up their minds that the smaller measures contained in the present Bill should only be the stepping-stones to the grand staircase, and they would succeed."

In the same way, at a gathering of the National Reform League, which, I believe, has held meetings throughout the country, the following Motion was submitted by a gentleman now well known to the House —Mr. Odger—

> "That the council, while strictly adhering to the principle of manhood suffrage as the only just, sound, permanent, and satisfactory basis of representation for this country, deems it its duty to give its cordial support to the measure of Reform now before Government as tending to the object the League has in view."

These expressions of opinion are important in my eyes as casting light upon the sentiments which have been enunciated by the hon. Member for Westminster during this debate. The hon. Gentleman had been asked what reforms he would introduce to the legislation of the country. He was told that it was illogical to ask for a change in the House of Commons unless he could point to a change in our legislation as likely to ensue on that Reform. The hon. Member for Westminster made a very pregnant reply. He said it would not be a practical proceeding to tell the present House of Commons what legislation would result from the adoption of this measure. Now, Sir, knowing the opinions entertained by the hon. Gentleman the Member for Westminster, as expressed in his writings, upon the subject of property and land — knowing that he regards the landowners as servants of the State, and as men who may be discarded at any moment, I confess that I regard with the greatest apprehension the concealment of the objects with which the new Parliament is to deal. But on whatever side you regard this measure, you find it beset with concealment. The right hon. Gentleman the Chancellor of the Exchequer will not tell us of what constituencies this new Parliament is to be composed, and the hon. Member for Westminster will not tell us what measures this new Parliament is to pass. No, nor will he even tell us what measures he desires it should pass. There appears to be something extremely ingenious in the legerdemain of modern statemanship which, with a singular want of concealment and reticence, exposes the very machinery by which we are to be deceived. The Government asks us simply to vote for this Bill, and transfer our power to persons of whom it tells us nothing; and the hon. Member for Westminster tells us to transfer our power to a body which will pass measures of which he will tell us nothing. I feel certain that whenever there is this concealment there is something to conceal. I am quite sure that if the Chancellor of the Exchequer could tell us of schedules which would recommend his Bill to the House, he would have told us of them long ago; and I am quite sure that if the hon. Member for Westminster could have named any measures to be passed in a Reformed Parliament which would have recommended this Bill to the House, he would have named them long ago. But the very fact that they have found it necessary to preserve silence as regards the particulars of those things which they look forward to with so much complaisance convinces me that, so far from being pleased, the majority of the House would recoil from what they anticipate. So far as my vote is concerned, I will not vote for this kind of legislation; I will not speculate in the dark; I will not follow a guide who tells me that he is going into an unexplored country, but declines to inform me at least as to its nature or the probable results of the expedition, and who will give me no other information than that he has destroyed bridges behind him and burnt his boats. We have been threatened alike by the right hon. Gentleman the Chancellor of the Exchequer and by the hon. Member for Birmingham. We have been told that if we resist this Bill we shall discredit our party permanently, and the working classes will never vote for those who refused to give them the suffrage. I disdain to look upon such considerations at a juncture of this constitutional importance. We have been told to be wise, and wise in time. I know of only one thing that is truly wise at such a time as this, and that is to have courage to vote honestly. Whatever may happen to our party, it is clear that the Government is offering an indignity to the House of Commons by the course they are pursuing; it is attempting to break and bind down our independence; it is attempting to force us to vote for a Bill of the nature and effect of which we have no knowledge upon which we can depend, and therefore it seems to me that whatever the consequences may be, our first duty to our country and to ourselves is clear, and that is to resist the Bill to the utmost.

Captain GROSVENOR: Sir, the noble Lord who has just sat down has been eloquent and incisive, but he has not been persuasive—at least he has not persuaded me; for I do not feel able now, any more than I did before he rose, conscientiously to vote for the Amendment which is before the House; but although I cannot do this, it would ill become me either to disparage the intentions of its author, or to impugn the motives of hon. Gentlemen on this side of the House whose view of their political obligations is at variance with mine; and although it will be difficult for me to refrain from adverting to that which has fallen from them, it is to hon. Gentlemen opposite in particular that I wish to address myself. They for the most part have candidly pointed, by the arguments which they have used, to the fact that it is not wholly, that it is not chiefly, the importance of the Amendment which they uphold, but the principles of the Bill which they oppose. Sir, the noble Lord the Member for King's Lynn must be taken as a partial exception to that rule. He certainly did argue very comprehensively in favour of the Amendment, and I cannot help thinking that no happier thought ever struck the mind of his party than that which prompted them to place him in the van of the battle; for ever since he spoke hon. Gentlemen opposite, without attempting to enforce or to illustrate his reasoning, have been enabled either at the commencement, or at the close of their philippics against the Bill, to brandish those arguments victoriously in our faces written upon the original paper, tied up with the original string, and labelled "unanswerable." Sir, I am disposed to admit that the arguments of the noble Lord, in so far as they embrace a theory, have not been completely answered. I will go a step further, and admit that up to that point they are unanswerable. I believe there are very few Members in this House who would not have preferred to deal with redistribution in connection with an extension of the franchise. I believe the right hon. Gentleman the Chancellor of the Exchequer himself would have preferred that course if he could have seen his way to any practical result; but may I ask what reason the Government had to suppose that a comprehensive measure would be more successful now than it was in the year 1860? The hon. Gentleman the Member for Lambeth (Mr. Doulton) in a speech which he made a few days ago, from which I understood that he would vote for the Amendment, though I thought the arguments which he used ought to have induced him to vote for the Bill, referred to the fact that the Bill of 1860 was baffled, not so much by hon. Gentlemen opposite, as by the obstructiveness of hon. Gentlemen on this side of the House. Can he wonder, then, that the Government, deeply impressed with the importance of legislating immediately upon this subject, should have pursued that course which they deemed most likely to ensure them, not only against the hostility of their opponents, but also against the lukewarmness of their supporters. The hon. Gentleman proceeded to allude, with questionable taste, as I thought, to the emotion exhibited by Earl Russell upon the compulsory withdrawal of that measure, and he said that although the Chancellor of the Exchequer could not be expected to weep—and I am sure I do not know why not—some other Member of the Administration might have been found to occupy that humiliating position. Sir, I have yet to learn that manly tears wrung forth by strong emotion are humiliating to him that shed them; but if the hon. Gentleman thinks so, can he wonder that the Government, having once witnessed that humiliation, are anxious by every means in their power to avoid its recurrence? There was one more remark in the hon. Gentleman's speech which I confess struck me as somewhat strange—he sneered at the virgin affection of new Members for Reform, attributing it to their political inexperience, and to their present immunity from sacrifice. But, Sir, I never heard before that virgin affection is less valuable than any other. I did not quite understand what he meant by our immunity from sacrifice; but I do think it rather hard he should have arrived at the conclusion that those of us who never had seats in Parliament before have necessarily spent our time in total ignorance, or in total blindness to the history of their country, or to the politics of the period; and I can only imagine, as he mentioned those two individuals, that it is in the antecedents of his colleague and of mine that he finds grounds for such a conclusion. Sir, upon a former occasion when I had the honour and the privilege of addressing this House this discussion was in an elementary, and perhaps I might say in a tentative state. It has now assumed the practical form of a good old-fashioned party contest, waged on the one side for a judicious extension, on the other for a monopoly of electoral rights; and, in saying this, I particularly wish not to be understood to impute selfish motives to hon. Gentlemen opposite. If I were so inclined, I might very fairly express my surprise that they are arrayed against us this afternoon in such a phalanx of compact hostility; for they have been assured upon the highest authority, upon authority no less than that of the right hon. Gentleman the Member for Calne, that if this Bill passes into law the effect of it will be to relieve the Liberal Benches of their accustomed occupants, and to oppress those opposite with an unwonted crowd. Perhaps they do not believe the right hon.

Gentleman because he sits on this side of the House; but I think I can venture to explain that to their satisfaction, for when he speaks he not unnaturally prefers, as a matter of prospect, the smiles of the new love to the frowns of the old. But, Sir, sound or unsound, I assume that hon. Gentlemen opposite would not be swayed by such an argument as this. I entirely disclaim any intention of imputing selfish motives to them; and in alluding to the nature of the contest I only wished to call attention to the fact, that whereas the object of the one side is to give, it is the object of the other to retain—and to retain what? I do not say a right, I will not say a trust, for these are debatable expressions, what I think I fairly may say, without any fear of contradiction, is a privilege which a portion of their fellow-countrymen have earned by patience, by culture, and by integrity, and why is this privilege to be retained? Is it because the constitution of this House is so perfect that more patience, culture, and integrity, brought to bear upon the election of its Members cannot hope to increase that perfection? Or is it because the present constituencies are so faultless that more of these qualities infused among them cannot hope to improve such an excellent state of things? Or is it because constitutional monarchy can only exist within certain limits traced in the year 1832 by men wise in their generation—but in what a generation? One that had never read a penny paper worth perusing; one that knew little or nothing of iron roads as a means of communication; one that had never dreamed of electricity as a vehicle for thought. Reasoning like this, Sir, would argue an amount of bigotry which I should be sorry to impute to hon. Gentlemen opposite. I have already assumed that they are not selfish; I now assume that they are not bigoted. Why, then, do they oppose this Bill? I suppose it is because they are patriotic; but I must add, with very erroneous notions of what patriotism is. I, for one, cannot call them patriots, because they entertain alarms which the only possible test—experience of the past—points out to be fallacious. I, for one, cannot call them patriots, because they think they see the spirit of democracy keeping guard while this Bill lies upon the table of the House. Surely, Sir, hon. Gentlemen are in the dark, and that is why they think they see a spirit. If they will but turn the light on a little stronger, that which they take for a spirit will assume the honest, palpable, familiar form of the British artizan; and I, for one, cannot call them patriots if they think that the British Constitution, which of all Constitutions alone has stood the test of time, is so feeble in its nature, and so delicate in its fabric, as to crumble into pieces at his touch. But, Sir, the opposition of hon. Gentlemen to this Bill touches something more than their patriotism—it also touches their consistency. But of this I do not complain; and if further consideration induced them to think the promises they had made through their leader in this House unwise, I think they were quite right to retract them. But let it be for them to promise and to retract; let it be for us who have made the same promises, and who think their fulfilment both wise and expedient, to look to it as a matter of public honesty. Sir, this question of public honesty is one which I do not think ought to be lightly dealt with in this House; and yet I have heard it mentioned in these debates as if it had little signification, and still less importance. The right hon. and gallant Gentleman the Member for Huntingdon, in a speech which he recently delivered, drew a distinction between the personal and the political honesty of Her Majesty's advisers, saying that for the one he had a very profound respect, for the other none at all. I confess this seemed to me a very unnatural severance; but granting that it could be made, was it not with their political rather than with their personal honour that the right hon. Gentleman was concerned, and if he really thought the Members of the Government were men of no political integrity, was he doing his duty in discussing this Amendment at all? Ought he not, as soon as he had formed that impression, to have risen in his place and cast a direct vote of censure in the teeth of those unworthy Ministers. The right hon. and gallant Gentleman proceeded at considerable length to discuss the point of honour as involved in this measure, and as affecting the Government; it is no business of mine to follow him through the course of argument which he used, and I am sure I can leave it to no more impartial person than himself, in his cooler moments, to decide whether the line which he then adopted was dignified, generous, or fair. I only wished to give the House an instance of the way in which public honour has been dealt with in connection with responsible Ministers; and now may I ask, have private Members fared any better? It has been repeatedly insinuated, it has sometimes been well-nigh asserted in the course of these debates, that hon. Gentlemen on this side of the House were going to vote for this Bill, in reckless indifference to the interests of their country on account of pledges which they had given upon the hustings; and upon this part of the subject the right hon. Member for Calne laid down a very curious proposition, that proposition has been referred to more than once in debate, and will hardly be necessary for me to repeat it now, but right hon. Gentlemen attempted to enforce it by quoting two lines from The *Idylls of the King*, and great I should think must have been the surprise of the poet, if he read the right hon. Gentleman's speech, to discover the moral those lines were called upon to point. Perhaps, however, being a man of imagination, he may have discovered some faint parallel between Launcelot and the right hon. Gentleman, for Launcelot, as we know, proved faithless to pledges which he had previously accepted—he did not however abandon them in the interest of his country, but in those which, under the misguidance of passion, he deemed to be his own. I said the parallel was faint, and so it is, for I venture to think that the right hon. Gentleman in deserting the cause of Reform has promoted neither the interests of his country nor his own. I do not propose, Sir, to enter upon the wide field of argument connected with the effect which a further infusion of the popular element into our Constitution might be supposed to have upon our foreign and financial policy; first, because as the hon. and learned Gentleman the Member for Exeter said, such arguments can only rest upon the merest conjecture; and secondly, because I have already trespassed too long upon the attention of this House; but I hope the House will bear with me for a few moments longer, because if I sat down now, I should be open to the accusation of having neglected a form, the constant observance of which by preceding speakers leads me to conclude that it is one of courtesy and etiquette. Hon. Gentlemen will understand what I mean, they will kindly correct me if I am wrong; but I have not as yet made any allusion to the hon. Member for Birmingham. That hon. Gentleman, in a speech which he made upon the first reading of this Bill, which, as a matter of course was able, and which also, though not, perhaps, so much as a matter of course was temperate, alluded to the accident of violence as possible, nay probable, if hon. Gentlemen opposite did not moderate their tone and their views in regard to the working classes; and, Sir, I was sorry he should have introduced such a threat into debate, because as an argument, it is the very last in the world to have any effect upon hon. Gentlemen opposite. They are wedded partly by conviction, partly by inheritance, partly I venture to think by prejudice, to a domestic policy of timidity and alarm; but the very last thing from which they would recoil is personal inconvenience, or personal danger, however imminent; the very last thing to which they are likely to listen, is the trumpet of menace, however certain in its sound. One word more, Sir, and that also will have reference to a very distinguished Member of this House. It was my misfortune to be absent from the House when the right hon. Baronet the Member for Hertfordshire spoke in this debate; but in the year 1859, I had the eminent good fortune to hear upon this question, and from his lips, one of the most eloquent speeches I suppose that ever was delivered within these walls, and he concluded that speech with some very remarkable words which I think I shall quote correctly from memory, for they have ever since remained engraven on my mind. The right hon. Gentleman, after stating to the House that the working classes had in it no better friend than himself, that none was readier than he to invest them with such privileges as they were fitted to enjoy, asked "this House to hesitate before it placed the property and intelligence of this country at the mercy of impatient poverty and uninstructed numbers." Sir, those eloquent words were spoken in defence of Lord Derby's Reform Bill, a Bill which contained no provision for the extension of the Borough Franchise, and in which every one under the ten-pounder was included in one sweeping clause of impatient poverty and uninstructed numbers; but, Sir, since that time we have had an illustration such as never occurred before in any age or in any country, that poverty can be patient even amid cruel and bitter privations, that numbers are sufficiently instructed to appreciate the action of cause upon effect even in matters affecting their daily sustenance; and I, in my turn, honourably and respectfully ask this House to hesitate before it rejects the principle of this Bill at the risk of throwing this people into a state of uneasiness, aye, and of discontent at the risk, too, of putting a stop for an indefinite period to that brilliant system of commerce and finance which in the recent past has proved of such unmeasureable advantage, and the continuance of which for the future is of such vital importance as regards the power, as regards the resources, as regards the happiness of this great country.

MR. BUTLER-JOHNSTONE said, that he had listened with attention to the eloquent address of the hon. and gallant Gentleman who had just resumed his seat, and observed his strictures on the able and convincing address of the noble Lord the Member for King's Lynn (Lord Stanley). When, however, he should have taken the trouble to cut out the speech of the hon. and gallant Member, and wrap it up and tie it round in paper, he confessed that he should docket it in a different manner from that in which the speech of the noble Lord was docketed. The hon. and gallant Member for Westminster had borrowed an argument from the speech of his hon. Colleague (Mr. J. Stuart Mill), who confessed that a great part of the speech of the noble Lord was unanswerable. Now the hon. and gallant Gentleman said the same thing —that a great deal of the speech was unanswerable. He further expressed himself somewhat to this effect:—"I am going to answer the rest; to show you how much the noble Lord has omitted, how much further he ought to have gone, and that though a large part of the noble Lord's speech was true, a larger part was untrue. You must not think I am a novice; I have studied the history of my country, I have studied the politics of the day, and, fortified with this historic knowledge, and the penny press so much read by the working classes, I shall point out to the noble Lord where his logical argument fails. But I am going to do more," said the hon. and gallant Gentleman, "I am going to make a confession of faith of a rather tender nature, for it is the confession of virgin affection; and you must not be surprised if it calls forth emotion in my mind. Even if I should shed tears there is nothing unmanly in that." He (Mr. Butler-Johnstone) had tried to turn a strong light on the object of this virgin affection, and what had he found it to be? Why, the hon. and gallant Gentleman had fallen in love with the working classes of the country. There need be no wonder at that, because the hon. and gallant Gentleman had given the working classes such a character that a man should be made of stone who did not fall in love with them. He spoke of them as possessing culture, patience, and integrity. When, however, the gallant Member for Westminster said that the noble Lord the Member for King's Lynn had omitted a great deal in his speech, he listened for an argument; but although he listened with great patience, he did not hear a single argument in favour of the second reading of the Bill, and against the Amendment of the noble Earl. What was the speech of the hon. and gallant Gentleman? It was full of denunciation and admonition to Members on the Opposition side of the House. They were told that they would not listen to menaces; that they were extremely good, that they were extremely honourable, that they were extremely thickheaded and stupid, and incapable of appreciating sound arguments —such, of course, as were offered by the hon. and gallant Gentleman himself. But when the House heard the hon. and gallant Gentleman, they must have felt that his arguments were impalpable as a spirit. The House had been told that the working classes ought to have a share in the representation, but that was a proposition which was not controverted by many Gentlemen in that House. There were very many Gentlemen on his side of the House who agreed that it would be very desirable to introduce a class of men who would fairly represent the working classes in the exercise of the franchise; but they wanted to know what share the working classes were to have? Now, the Bill of the right hon. Gentleman the Chancellor of the Exchequer afforded no solution of that problem. The right hon. Gentleman gave them a problem to solve in which there was an x—an unknown quantity, which the House had to make out for themselves. Let the right hon. Gentleman tell them what the unknown quantity was, and they could work the problem out; but the House of Commons was not to know what was the value of the x. They had been told that the object was to catch their votes, and the right hon. Gentleman the President of the Board of Trade had avowed that the intention of the Government was to drive the House into a corner. But the House did not desire to be caught unawares, or to be driven into a corner. The House of Commons had a right to know the facts of the case and ought not to be told to take a leap in the dark. For his part he (Mr. Butler-

Johnstone) declined to discuss the merits of a Bill, which was no Bill at all. The measure before them was not a whole Bill: it was scarcely even part of a Bill. A man did not consist of legs only, or of even arms, legs, and a trunk. A man was a great deal more than that. It was impossible that a measure of Reform could be constructed out of the Franchise Bill during the present Session. That must be manifest. How was it, then, that this measure had been thrust upon them? They knew that Lord Russell was a Reformer. The noble Earl could not help it. He was born under a Reform star, and his mission was to spread Reform through the world. When in the Foreign Office he was a Reformer. How had he tried to conciliate other nations? He had undertaken to reform the Continent of Europe. He had introduced a Reform Bill for Poland, which was no doubt a most excellent Bill, but Russia was too strong for him. He had promulgated a Reform Bill for Schleswig and Holstein. Everybody said it was an excellent measure, but Count Bismarck smashed it. It appeared to be the province of Earl Russell not to carry Reform Bills, but to introduce them. And, indeed, if he succeeded in carrying a complete measure of Reform his occupation as well as office would be gone. The noble Lord could not have his cake and eat, it but he could cut it into a dozen slices, such as re-distribution, extension of franchise, the boundary question, &c.; and those who wished for it could eat a slice when their appetite was sharp-set. He was not going to advise the Government or Gentlemen on the opposite side of the House; but he would venture to express his conviction that no Reform Bill could be carried for this country till the Opposition side of the House was treated with confidence by the party who desired to carry a measure of Reform. Although there were on that side of the House some hon. Members who were opposed to all Reform, that feeling was by no means general, and any statesman really anxious to carry a Reform Bill would say, as the late Mr. Cobden did, "Get all the support you can for the measure you have in hand. Do not do all you can to irritate any party in that House." If the Government desired to pass a Reform Bill they must not only conciliate all the support of their own side of the House —which the Government had in this case failed to do—but they must also conciliate all the support they could among the moderate men on the Opposition side of the House. If the Reform question was ever to be settled, it would not be by a conference, but by a tacit understanding amongst the heads of both parties in the House as to what was a satisfactory measure. But no measure could be satisfactory which was not upon the table of the House. The Government brought in their Reform Bill like a thief in the night; it was masked; half its features were disguised, and yet they were surprised that the House did not fall in love with the object. The right hon. Gentleman the Chancellor of the Duchy of Lancaster had said he had heard it stated that the Government were shuffling their cards under the table. Now that was precisely what the Government were doing. He (Mr. Butler-Johnstone) did not say they meant to cheat, but they did not mean to show the House what they were doing. That might be honourable warfare, but it was not a species of warfare likely to conciliate support. This was not a question of the merits of the working classes. Unfortunately for those classes, they were a very numerous family—so numerous that if they were admitted to the extent proposed their numbers would swamp the other classes of society in this country. The House did not want the rule of three to tell them that. Any baby could tell it. He thought that the portion of the Whig party who opposed this measure deserved well of that House and of their country. His conviction was that if that party allowed themselves to be dictated to by the extreme Liberals—between whom and them there was a greater difference than existed between the two sides of the House—the Government would become so democratic that those of their party who represented the real mind and feeling of the country would not only be banished from office, which was a comparatively small matter, but they would cease to exercise that beneficial influence of the legislation of the country, which he believed the moderate Liberal party now possessed upon the great questions of the day.

The O'DONOGHUE said, the right hon. Member for Calne had yesterday reminded the House that he had nothing to say to the arguments of the Chancellor of the Exchequer, and he (The O'Donoghue) would venture to tell the right hon. Gentleman the Member for Calne that the House had nothing to do with his arguments. The Royal word of the Sovereign had been several times pledged to the undertaking entered into by both sides of the House of Commons, that Parliament would deal with the question of Reform ; but the arguments of the right hon. Gentleman the Member for Calne were against all Reform, and therefore he was justified in saying that the House had nothing to do with those arguments. But the speech of the right hon. Gentleman was not without its use. It was useful as indicating the bias of some hon. Members. It was useful, curious, and instructive, as showing how ardently Reformers on the Opposition side of the House could cheer a speech that was diametrically opposed to all Reform. The various constituencies were watching with interest and anxiety the issue of this debate. The intelligence of Parliament was ordinarily applied to the solution of questions of social well-being, or the material progress of the people, or questions of foreign and colonial policy affecting the national prosperity and honour. It was now performing a more serious duty; involving the solution of the question of the government of the country, and upon the result would depend the future legislation of the country. They were all aware that the object of Government was the promotion of the happiness of the people, and when they came to consider the various forms of Government, he owned his partiality for that form for which mankind always exhibited a preference commensurate with the growth of civilization and intelligence. It was unquestionably true that both absolute monarchy and the exclusive rule of an aristocracy became unbearable as the mind of a nation became intelligent ; and men sought to relieve themselves from the annoyances and dangers of such a system by substituting either a system such as the Republic of America or a system such as the limited Monarchy of England, both of which provided against the monopoly of power by an individual or a class, and secured or admitted of the fair distribution of power among all classes. He could not understand how the right hon. Baronet the Member for Hertfordshire had been able to arrive at the conclusion that a democratic form of Government was best suited for the youth of a nation. For his part he ventured to think that the testimony of history pointed to a directly opposite conclusion, and that the youth of a nation was the period when it was most likely to submit to the concentration of power in the hands of one or a few, and that, as the nation grew older, wiser, and more educated, it acquired the faculty of thinking for itself, and evinced a repugnance to yielding blind obedience to the will of a monarch, or of an oligarchy, and manifested a desire to have a share in the conduct of public affairs. At the present time the most civilized nations of the Continent longed for a share of political power, and would not tolerate their despotic rulers for a moment if the power of those rulers were not sustained by huge standing armies. England was now in the prime of life, and if the position of the right hon. Baronet were tenable, the working men would not show that they wanted an extension of political power by exhibiting a desire to obtain it, but would, on the contrary, aim at contracting and narrowing the political power of the country. Successive Administrations had by introducing measures of Reform recognized this desire of the working men to obtain a share of political power, and those who now wished to deal fairly with the working men ought to take care that the measure of Reform to be passed, should be a reality and not a sham. Hon. Gentlemen ought to be careful in regard to this, from considerations which appealed to their sense of honour both as individuals and as a great national Assembly ; because if the House failed to carry a substantial measure of Reform it would lay itself open to the imputation either of incapacity, or of trifling with a question which vast masses of the people regarded as one of the greatest importance. The way to guard against failure was to keep constantly in view what was really meant by a Reform of the Representation of the People, what such a Reform was intended to accomplish, who those were that asked for it, what it was that they stood in need of, and how their wants might be supplied. All parties in the House admitted the necessity of Reform, or, in other words, all parties recognized the existence of defects in our representative system injuriously affecting certain portions of the community. It was, therefore, necessary to ascertain what these defects were, and to devise a remedy for them. Was the representation of the higher and aristocratic class defective? Not unless the possession of a preponderating power were regarded as a defect. Then what was the position of the middle class which comprised so many different grades and occupations? All must admit that the Reform Bill of 1832 did great things for this class, by conferring upon it political advantages which rendered its voice most potential in the counsels of the State. But what was the position of the great working population of the country compared with that of the classes to which he had referred? The Bill of 1832 had done little for the working class, and though now it was too intelligent to allow itself to be used as a tool in the hands of others, it still had no recognized standing within the portals of the State, and no representative political power of its own. Reform he understood to be the extension of political power to those who at the present time did not possess it at all, or who did not possess it in a sufficient degree, and he had no difficulty in discovering what section of our national community was without it. He had heard the demands of that section, and believed that those demands would be satisfied to a considerable degree by the Bill which had been introduced by the Government. That being the case, he as a Liberal, who believed that prevention was better than cure, and that the extension of political rights was the best guarantee for the public tranquillity, felt himself bound to do all he could to support the measure which in his judgment had been introduced by Her Majesty's Government in a spirit of sincere and earnest patriotism. To him it was plain that those who opposed the Bill were opposed to the principle of the extension of the franchise. He was led to that conclusion, in the first place, by contrasting the present measure with that introduced in 1859 by the right hon. Gentleman the Member for Buckinghamshire. The Conservative party had pledged themselves to the principle of that Bill, and had also pledged themselves to carry out Reform, so that if they were to come into office the Bill of 1859, or one just like it, would have to be introduced. And here he might remark, that in opposition to the opinion of the hon. Member for Birmingham, he held that the principle of our representative system was the representation of classes. Now all would agree that a Bill which merely had the effect of multiplying the representation of classes already adequately represented could not fairly be called a Bill for reforming the representation of the people. Yet this was exactly what would have happened if the Bill of 1859 had been carried. The Conservative party had, in his opinion, made a great mistake in mixing themselves up with the question of Parliamentary Reform at all except as its avowed opponents. He thought it would be admitted that the extension of the franchise was the essence of Parliamentary Reform, and that such questions as vote by ballot and the re-distribution of a few seats were of secondary importance. For the franchise was the motive power that kept the political machine in motion. A man might disapprove the ballot and entertain crotchets about the distribution of seats, and still be a sincere Reformer; but if he refused to enfranchise the working classes to an extent sufficient to give them a share in the management of public affairs, he could only be classed as an anti-Reformer. If the House were willing to give the franchise to the working classes to the extent proposed by the Government, and to the extent which they were willing to accept as an instalment of justice, there would be no danger of the re-distribution of seats being so managed as to defeat the object sought to be attained. Then the question arose—were they all desirous to extend the franchise to the working classes? He believed they were not; and in this fact was to be found the true cause of opposition to the Bill. Why did he say this? Because all the speeches delivered in support of the Amendment of the noble Lord the Member for Chester were in reality speeches against the lowering the franchise. If hon. Gentlemen were really in favour of an extension of the franchise in the direction proposed by the Government, what reasonable motive could there be for not announcing the fact? Would not the process be thereby greatly facilitated of arriving at a conclusion upon the innumerable details connected with the Reform Bill? The lowering of the franchise and the re-distribution of seats were two things wholly distinct, and nobody could pretend, with a show of reason, that a different measure of re-distribution would be required according as the franchise was fixed at £6, £7, £8, or £10. The right hon. Gentleman the Member for Buckinghamshire included both these branches in his Reform Bill; but on that occasion two Members of his own Cabinet, the Members for Oxfordshire and the University of Cambridge, while they approved of the re-distribution of seats, objected to that part of the scheme which dealt with the franchise. For hon. Members to declare that they would not support a Bill for the extension of the franchise till they were in possession of all that was intended as to the re-distribution of seats, would be as reasonable as if he were to say to a man who was hungry, "I cannot think of satisfying your appetite till I know how you use your knife and fork." The Bill of the Government was founded upon intelligible principles; it had been accepted by large masses of our fellow-countrymen willing to share their privileges with others, and it was for those opposing the Bill to free themselves from the charge of distrusting their fellow-countrymen. Although of late there had been no field of action for the Tory, or, as they were now called by the modified title, of the Conservative party, in 1832 they carried resistance to Reform to the very verge of civil war. He trusted those tactics were not to be repeated; but, at all events, if this Bill did no other good, it would define more accurately the boundaries of party, and draw a sharp line between those who were advocates for the privileges of the people, and those who refused those privileges. There was no disguising the fact that the Conservative party were opposed both to the principle and the details of the Franchise Bill of the Government; and, looking to their present attitude as well as to the character of the Bill which they brought in in 1859, the only conclusion at which it was possible to arrive was that they were opposed to a *bonâ fide* representation of the people. And who were the opponents of the Bill? Was it opposed by the middle class, the great merchants and traders, the landed gentry, or the territorial aristocracy as a class? Most certainly not. It was prudent to dwell upon this fact. Could anybody persuade that House or the country that the Duke of Bedford, the Duke of Argyll, the Duke of Leinster, the noble Lord the Member for Kerry, or the noble Marquess the Secretary of State for War were not as true aristocrats as the Earl of Derby; were not as anxious to maintain inviolate the privileges of their order, the rights of their station, the constitutional balance between the Queen, Lords, and Commons? But, on the other hand, there were Tories in every class—among the working classes, the middle classes, the landed gentry, and the great territorial aristocracy; and it was by Tories exclusively that the Bill was opposed; but, happily, for the peace of England, there was no class which as a class was anxious to refuse the working class its fair share of political power. He held it, in fact, to be impossible for any class to plot, combine, or conspire to frustrate the wants and wishes of another. It was easy to account for the opposition of that (the opposite) side, but it was not so easy to account for the conduct of those Liberals who deserted their colours on the present occasion. They accounted for the course they took by the uneasiness which they felt as to the scheme of re-distribution. What was it they were afraid of? Was it that Her Majesty's Government would so manage the question of re-distribution as to give an increase of power to the Liberal party? He put that question distinctly to them, and to their constituents who had sent them to Parliament. There was one question involved in the Motion of the noble Lord the Member for Chester which could not be kept out of sight, and that was the question of confidence in the Government. There were many things the Government had not done that it ought to have done, and many things it ought to have done that it had left undone. Yet truth compelled him to acknowledge that its policy had been more liberal and conciliatory than that of any Government that had preceded it, and than would be that of any Government likely to succeed it. It had dealt with this question of Reform in a just and honest spirit, actuated by a high respect for those principles of Government which alone could be tolerated by the English nation. He was not without hope for the future, and he was disposed to place confidence in the Government, and to give it on this occasion his unqualified support. It was hardly necessary for him to remind the House that the Irish Liberal party had invariably assisted the English Liberal party to carry those measures which it deemed essential to the common cause. It helped to carry the first Reform Bill, to abolish tests, to reform municipal corporations, and to repeal the Corn Laws, and now, when another Reform Bill was to be carried, (said the hon. Member), "here we are again, acting in concert with and by the side of our English brethren, a united body, with one or two solitary and paltry exceptions." No matter what unhappy differences they might have had among themselves, no matter how sore some might feel as to the neglect of measures which they deemed essential to secure the happiness and welfare of their country, in the hour of trial and of action they had never failed, they had never sulked; they had always shown that they were animated by a common instinct and by unswerving devotion to a Liberal policy. O'Connell used to boast that the majority of the Irish representatives voted for the Reform Bill of 1832, while the majority of the English and Scotch representatives voted against it. The hon. Member for Youghal (Mr. M'Kenna) had thought proper to remind the House that Her Majesty's Government had suspended the Habeas Corpus Act in Ireland, and had filled the gaols with prisoners; but the hon. Member neither spoke nor voted against the suspension of the Habeas Corpus Act; indeed, he did not deem it necessary to be in the House at the time the repeal of the Act was under their consideration. Perhaps the hon. Member was not aware that the party with whom he was going to vote on the present occasion, and whom he wished to bring into office, censured the Government for not suspending the Act sooner, and for not acting with greater vigour. The hon. Member must know, that during the recent State trials in Ireland the Irish Law Officers of the Crown acted calmly and dispassionately; there was not the smallest manifestation of party or sectarian feeling; it was plain that they were acting in defence of the authority of the Crown, uninfluenced by any malevolent intentions, and it could not be said of them that they were holding a brief from one body of Irishmen against another; and the hon. Member must also know that when the Law Officers of the Tory party had to conduct similar trials the proceedings were characterized by a spirit of vindictiveness and partizanship. He would not have alluded at all to this distressing subject had it not been that the hon. Member for Youghal had most unnecessarily dragged it into the debate in order to make out of it political capital to which neither he nor his friends were entitled. He doubted much whether this Parliamentary exploit would encircle his brow with a crown of laurels; it might, perhaps, secure for him, at the hands of the hon. Members for the University of Dublin and Belfast, a chaplet of orange blossoms. The speeches delivered by Members of the Government during the Easter recess had furnished an inexhaustible theme to hon. Gentlemen on that (the Conservative) side of the House. They had been quite a god-send to Members on the Opposition side of the House. He read the speeches of the Chancellor of the Exchequer attentively; he found nothing objectionable in them, and he rejoiced to see that they were received with acclamation by thousands of intelligent Englishmen. Never before did a statesman in the high position of the Chancellor of the Exchequer adopt towards Ireland a tone so wise and generous, so calculated to remove from the minds of the Irish people the impression that it is impossible for them to be united with England and at the same time be happy and prosperous. Having read the speeches of the Chancellor of the Exchequer, he put down the paper and said, "Here at last is a great English Minister who has come to the conclusion that the Irish are neither to be laughed nor bullied out of their discontent." Towards such a Minister he owned he was irresistibly drawn, and he hoped that that Minister might be able to carry out those principles of government and that policy of wise and generous conciliation which could not fail to cement the friendship and to establish between England and Ireland a union of sympathy and interest which would be the commencement of a new era in the power, the glory, and the prosperity of the Empire.

Mr. GRANT desired to express his sentiments on this great question. This was a question that had been asked by almost every Member who had spoken in support of the Amendment — namely, why had Her Majesty's Government introduced this Bill? They had not had a satisfactory reply. An answer was given last evening by the hon. Member for Chatham, and it was vehemently cheered by the occupants of the Treasury Benches. He said the Bill was introduced in fulfilment of pledges made by Members of the Government. He asked himself, and he asked the House, to whom those pledges were given? The hon. Gentleman said the pledges were given by the Cabinet on coming into power after Lord Derby in 1859. He asked hon. Members if the Government had now fulfilled the pledges they had then given? On that subject he would bring before the House the authority of an hon. Gentleman who was now in the confidence of Her Majesty's Government, and the House could then form an opinion whether the only pledge that might really be pleaded was the pledge to which the hon. Member for Chatham referred. The passage he would call attention to was from the address of the hon. Member for Birmingham to his constituents in June last. The hon. Gentleman was then speaking of his present allies, and he said the Cabinet climbed into office under the pretence of their devotion to the question of Parliamentary Reform;

but it violated its solemn pledges, and it abandoned the cause it undertook to defend. That being the opinion of the hon. Member for Birmingham, that could not be the pledge to which the hon. Member for Chatham referred ; so it must have been some other pledge. What could it be ? After June, and during the Elections, he was not aware that any pledges were given by Her Majesty's Government that could give him a satisfactory clue to the pledge that was alluded to. There must, therefore, be some pledge made since Parliament was elected. The Government, in preparing the Address from the Throne, introduced a clause which must have referred to the Bill now on the table, and therefore the pledge must have been given since the expiration of the old Parliament and the assembling of the new. In his opinion, that pledge had been made to the hon. Member for Birmingham, and to the advanced section of the Radicals, and in considering the Bill he thought they were bound to consider it as emanating from that party. He did not, however, think there was any demerit in the Bill on that account, for he had no doubt of the honesty of purpose of the hon. Member. He admired the hon. Member's courage, his consistency, his ability of action in connection with the Reform Bill. He did not echo the parrot cry against the hon. Member simply because he had allied himself with the Government. His objection to the hon. Gentleman's doctrines was, that they were not safe for the country, and they were calculated to upset the established state of things as laid down by the Constitution. The hon. Member for Birmingham was dangerous because he was honest. His honesty served him most, his eloquence served him next, and both combined were calculated to put men off their guard, unless recalled by statesmen of more moderate opinions occupying the Benches on which he had the honour to sit. But whilst he opposed the doctrines of the hon. Member for Birmingham, he wished to be absolved from being supposed to belong to that party which the hon. Member for Pontefract called the George III. Tory party. He did not belong to it, if it existed, which he did not believe. The Secretary for the Treasury, who delivered one of the best speeches which had been made in favour of this Bill, had taunted hon. Members on that (the Opposition) side of the House with being opposed to all Reform ; but in this he did them a great injustice, for the truth was that Members on the Conservative side of the House did not yield in their aspirations for real liberty to hon. Gentlemen on the other side of the House. If their aspirations for liberty were not to be tempered by the experience history afforded, he knew not what the word meant. His view of the word liberty was its use, and not its abuse ; and if hon. Members thought that because he supported the Amendment he was opposed to all Reform, they had fallen into a very erroneous opinion. Although the hon. Member for Birmingham might be supposed to have much to do with this Bill, that was not the reason why he entered his protest against it. He hoped he acted on more statesmanlike principles. His objection was that the right hon. Gentleman the Chancellor of the Exchequer had coquetted with the hon. Member for Birmingham in the sense of getting strength and support to his Government, and he had consented to introduce this Bill against his own better judgment. In his younger days, he had been accustomed to look to the Chancellor of the Exchequer as the model of a public man which, if ever he got into Parliament, he resolved to imitate. He could not but admire the talent with which the right hon. Gentleman introduced the simplest measure to the consideration of the House; but he could not but feel now that his introduction of this Reform Bill was not so much his own act as the result of pressure from behind, in having yielded to which he (Mr. Grant) thought the right hon. Gentleman would before long find a matter for regret. He objected to the Bill, in the first place, because it had not been brought forward in a straightforward manner. It was not brought forward in a way to command the confidence of the great bulk of the Members of the House. It was not brought forward in a manner showing that that careful reflection had been bestowed upon it that they might reasonably have expected. It bore traces of hasty legislation, or rather of non-official and irresponsible legislation. It was introduced to the House in a mutilated form, with a view to obtain support by a side-wind. Now, was that consistent with the position of the party that was said, and he believed correctly, to have at the commencement of the Session a majority of seventy votes? Was it statesmanlike to bring forward a measure that would disarrange the Constitution, and call forth the host of objections that had been made against it? Must there not have been something in it essentially bad to have shaken confidence in it on the part of Members both in the front and in the rear? Those who asked them to disturb the existing state of things, were bound not only to prove that it was absolutely necessary to change the existing order of things, but they must show in what manner that which they proposed to substitute would alter the existing state of things. He contended that, according to the calculations of the Chancellor of the Exchequer, this Bill would add 33 per cent to the electors belonging to the labouring population. But when we come to the re-distribution of seats, and the extent of the boundaries of boroughs, it would be clear that the extension of the boundaries must produce an increase of constituencies, almost all of which would belong to the labouring classes. In most places the growth of the town and the increase of rents inside had led to the extension outside, as the only place where rents could be low, and consequently the only places where the labourers could live. While, then, the House was asked to accept the second reading of the Franchise Bill, they were not told how far the 400,000 anticipated increase in the constituencies would be further augmented by the extension of the borough boundaries. He was quite sure that the right hon. Gentleman the Chancellor of the Exchequer would not ignore in his Budget so large a number as 200,000, or even 100,000.

The CHANCELLOR of the EXCHEQUER: The probable increase would be about 50,000.

Mr. GRANT: This estimate by some unhappy chance was now forthcoming. But could there be a valid reason for the Government, in proposing to legislate for the Amendment of the constitution, not placing their whole scheme before the consideration of the House? The present measure proposed to lower the franchise to £7 in boroughs, and to £14 in counties; it proposed all sorts of things as to rating and other details; and it said, "Commit yourself to that, and then we will show you what else we intend to do." He said, let them see the whole Bill at once. The right hon. Baronet the Secretary of State for the Home Department, said the second reading of the Bill was only the affirmation of a principle. [The Chancellor of the Exchequer: Hear, hear!] The right hon. Gentleman said, "hear, hear!" He therefore re-echoed the sentiment. Why, then, did he not come down to the House and say, "This is a new House of Parliament, the House is not pledged to any measure of Reform; and, for what I know to the contrary, this House may not be in favour of Reform." Certainly, in the majority of the addresses of the candidates at the late election, the topic of Reform was wholly omitted, and in some of them Reform was even openly opposed. If the Chancellor of the Exchequer had come to the House and said, "I want a declaration of the House that it is in favour of certain principles," that would have been asking the House to affirm the principles, and he would have taken from the noble Lord the Member for Chester the power of proposing his present Amendment, which, I confess, is embarrassing to both sides of the House. But the right hon. Gentleman did not do this. He came down with part of the Bill, and the right hon. Baronet the Secretary of State for the Home Department said it was only the affirmation of a principle. Now, the Government had either proved too much or shown too little. The Government had shown by the details of the Bill a foregone conclusion. As he had already declared, he was not an anti-Reformer. He was in favour of a Reform Bill, and a comprehensive Reform Bill, a Bill that should deal with the franchise in both boroughs and counties; and if such a Bill should be brought in it would have his strenuous support. But the right hon. Member had not brought in a comprehensive measure. He had brought in a £7 and a £14 franchise Bill. Did they want to discuss a Reform Bill every Session? Clearly not. Had it not been the avowed wish of hon. Members on both sides of the House to have a Bill that should settle the question—one hon. Member said for thirty years, and the hon. Member for Birmingham said for fifty years? But would this Bill settle the question for even thirty years? Was not the £7 a more arbitrary figure? Could they not make it £6, or £5, or £8, or £9? There was no reason against doing so. But was virtue all above a £7 rental, and vice all below it? It was a mere arbitrary figure chosen for making a change; and it would disturb the balance of power which the Constitution had so wisely established. In support of his position the hon. Member quoted from *Warren's Blackstone*. The right hon. Gentleman might ask why not vote for this Bill as an instalment *per se* of what he required? [The Chancellor of the EXCHEQUER: Hear, hear!] The right hon. Gentleman again said "Hear, hear!" He would tell him why he could not. When he solicited the suffrages of his constituents, he promised to consider any well-digested Reform Bill, but to oppose *in toto* any measure brought in by instalments, and which should not appear to him to be a settlement of the question for a long time. And the latter was the character of this Bill. The hon. Member for Westminster said the House ought to be a representation of all classes. He agreed with the hon. Member. But, said the hon. Member, there was something in every class which one of that class could represent better than any one of another class. He (Mr. Grant) would say, carry this out in practice and not in mere theory. Suppose a carpenter elected to represent his class, in all probability he would be totally unable to represent the wants of—say, the miners. And if so, this showed that the *ad captandum* theories of the philosophers were not such as to encourage the House to depart from its usual mode of proceeding. The hon. Member for Westminster had often been appealed to as an authority on Reform, but he found that that Gentleman was in favour of admitting females into that House. If that were done, he (Mr. Grant) should pity the Speaker who would have to maintain order; for he feared that hon. Members would pay far more attention to the feminine gender than to the business before the House. He wished to guard himself against one thing. A sort of terrorism had pervaded the speeches of hon. Members with regard to the working classes. Every man who had said one iota against their political qualification, had been represented as holding them up to detestation. He wished to guard himself against lauding the working classes for merits they did not possess, and also against charging them with offences they were not guilty of. He believed that hon. Members who knew them best respected them highly. Still he could not be blind to their shortcomings, which for want of education and want of leisure they would be unable to throw off. The working classes were neither better nor worse than other classes; but they were more exposed to temptation. He begged the working classes, when they were patted on the back and lauded by those more highly educated, to remember the words of the poet—

"Should man the open palm extend,
Woo thee with words and call thee friend,
Praise thee for merits not thine own—
* * * * *
Condemn thy foes their faults unknown,
Shrink from that man, avoid him, fly—
Friendship like love can mask and lie."

One word more relative to the Amendment which he had placed on the paper. What he had stated was this—that he was a Reformer, and objected to the Amendment of the noble Lord on the ground that it might be, and had been, imputed by the right hon. Gentleman himself and by the Secretary of State for the Home Department to mean, that whilst his side of the House objected to the Bill because it was not sufficiently comprehensive, they had taunted the Conservative side of the House with not wanting any Reform. That this was not his sentiment he had put on record; and he said that a comprehensive Bill for lowering the franchise, re-distributing seats, an extension of the boundaries of boroughs, and the prevention of corrupt practices at elections, should be brought in as a whole, and that then he should be prepared to give that measure his support.

MR. HIBBERT said, the town he represented (Oldham) was a manufacturing town, which had gradually grown into importance during the last twenty or thirty years, and now possessed a population of about 107,000 people, comprising amongst them artizans of the highest intelligence. Out of that large population only 2,200 were on the electoral roll, and this he did not consider an adequate representation. But of these 2,200 electors there were only 315 returned as working men, and of these 315 many were not working men, for according to the Government instructions this number comprised men who kept shops, and public-houses and beershops; in fact, the working men of Oldham possessed only an infinitesimal share of the franchise; and speaking, generally, he was inclined to think that the Government had been far too liberal in their application of the term working men, not only at Oldham but throughout the country. On the question whether he should vote for the Amendment of the noble Lord the Member for Chester or for the reading of the Government measure, he would say that if he wished for delay he would vote for the Amendment; but wishing as he did that the representation of the working people should become a reality, that the measure should go forward, and that the working classes should be admitted into the Constitution, he must give his cordial support for the second reading of the Bill. Judging from the past, he thought the Government had done wisely in bringing forward the Bill in its present shape. Three former Bills had been brought forward as comprehensive measures, but what had been their fate? They had disappeared from the House, and there had been disappointment in everything connected with them. Therefore he did not see that the Government would have had any better chance in carrying their measure, if they had added to the present enfranchising Bill clauses for regulating the distribution of seats. He believed the people of this country were not to be put off with an Amendment like that proposed. The people were now a reading people — they were a reflecting people— and they were, he might say, too wide awake to believe that the Amendment was meant to further the question of Reform. He would detain the House a few minutes to show the proportion of working men who enjoyed the privilege of voting in five towns in Yorkshire, and five towns in Lancashire, where, if intelligent artizans were to be found at all, they were certainly to be found. In Huddersfield the working men were 12 per cent of the constituency; in Wakefield, 11 per cent; Halifax, 9 per cent; Bradford, 8 per cent; Leeds, 7 per cent. In Ashton the percentage was 19; in Blackburn it was 17; in Oldham, 13; Stockport, 9; and Rochdale, 5. This could not be said to be a very extreme percentage of working men in the possession of the franchise. It had been said that within the last thirty years a great number of men had been admitted to the franchise. But although this assertion might be true to some small extent, it was far from being true generally. In comparing the increase of the population in the undermentioned towns between 1831 and 1865, and the increase of electors within the same period, he found that while the increase of population in Ashton had been 157 per cent, the increase of electors had been only 123 per cent; Oldham, population 113 per cent; voters 104 per cent; Rochdale, population 129 per cent; voters 109 per cent; Bury, population 115 per cent; voters 115 per cent; in the whole of England and Wales the increase of the population had been 78 per cent, the increase of voters 73 per cent. It was thus clear that while this increase had been going on, and while wealth had increased the wages of the working men, it had not been such as to enable them to get possession of the franchise to the same extent as when the Reform Act was passed. Therefore, he contended they should do something to admit that class of the people. It had been said that if the working men were admitted to the franchise in the manner proposed by this Bill, they would obtain the preponderance and ruin the institutions of the country. But what was the present condition of things in towns with the largest proportion of working men in the constituencies? In Coventry, where the working men were 69 per cent of the constituency, what happened? Why, two Conservative Members were returned. At Stafford, where the working men were 57 per cent, one Conservative and one Liberal were returned. At Maldon, where the working men were 55 per cent, two Conservatives. At Newcastle-under-Lyne, where the working men were 55 per cent, one Conservative and one Liberal. At Beverley, 53 per cent of working men, two Conservatives. At Pembroke, 54 per cent of working men, a Liberal Conservative. At St. Ives, 51 per cent of working men, a Conservative. Summing up, in the places named, where the working men were a large proportion of the voters, and twelve Members were returned, nine of them were Conservatives, one a Liberal-Conservative, and two were Liberals. So that, judging from experience, if the effect of the admission of the working men to the franchise was likely to ruin the Constitution, it would do so by handing the Government over to the hon. Gentlemen opposite. If this Bill should pass, the Conservatives would find it a measure in every way Conservative of the interests of their party, and he believed that it would prove greatly beneficial to the interests of the whole country. It had been said that the working men were likely to return men entertaining their own views. But what was the experience of the present system? Of 572,000 electors, there were 371,000 who were in possession of houses the rental of which varied from £10 to £30. The argument that if you gave a preponderating influence to any particular class that class would return men of their own views, was not borne out by present experience; for the small occupiers between £10 and £30 had never returned persons following their own trades, and he could not conceive why the working men should be more likely to return men of their own class. He denied that if working men were returned to that

House they would attempt to deal with questions between capital and labour. The question of wages, for instance, in which they were so greatly interested, was one that must be fought outside the House, between capital and labour, and not by political discussion. If, therefore, working men were returned, they could do no harm, even if they did no good; but he thought real representatives of the working classes would be productive of the greatest good on the deliberations of the House. It had been said that the fitness of the working classes to exercise the franchise ought to be shown before conferring the privilege upon them. And, on the other hand, it had been urged that during the last thirty years everything which Parliament could do had been done in the direction of educating and raising the position of the working men. But he did not agree with the Chancellor of the Exchequer that Parliament had raised up the working men. He believed they had been gradually raising themselves and fitting themselves to undertake the duties of electors and enable themselves to take a part in the Government of the country. In a publication entitled *Facts of the Cotton Famine*, published by Dr. Watts, the following reference was made to what the working men of Lancashire had done for themselves:—

> "At the end of 1853 there were in the cotton districts 118 co-operative stores, with a paid up capital of £270,000, receiving for goods sold £1,171,000 per annum. There were also about fifty manufacturing companies, whose nominal capital amounted to about £2,000,000, a large proportion of the shares in which had been subscribed by working men. In 1861 the mortgages to building societies in Lancashire amounted to about £220,000. The bulk of this sum consists of deposits by the lower, middle, and the upper stratum of the working classes, and when taken in connection with the 14,068 owners of the £3,800,000 in the savings banks and about half a million sterling owned by about 1,250 friendly societies, and probably half as much more owned by trade societies, shows an amount of prudent forethought and practical frugality, for which few people give the working classes credit, and which must be productive of important results."

Instead of weakening the State, therefore, he believed they would assist in governing it in a better manner than it was governed at present. It was impossible that the settlement of the question could be long delayed. The working classes were becoming more and more intelligent, and acquiring greater power, and it would be most unwise to dally with the question. In his last speech at Rochdale, Mr. Cobden said—

> "Do you suppose it possible, when the knowledge of the principles of political economy has elevated the working classes, and when that elevation is continually progressing, that you can permanently exclude the whole mass from the franchise? It is the interest of the Government to set about solving the problem, and to avoid any danger, they ought to do so without further delay."

A great deal had been said with respect to finality. Now, he thought hon. Gentlemen ought not to hesitate to pass a measure merely because they were afraid of what might come hereafter. If our ancestors had not from time to time improved our Constitution, we should have enjoyed none of those liberties of which we could so justly boast. We ought to endeavour to adapt the institutions of the country to the wants of the times, and to build up the Constitution on still broader and surer grounds. The right hon. Member for Calne had read a quotation from Lord Macaulay, for the purpose of showing that the country ought to be satisfied with things as they are. But Lord Macaulay, during the Reform discussions of 1831, expressed quite different views on that point when he gave utterance to the following sentiments:—

> "The great cause of revolutions is this, that while nations move onward Constitutions stand still. The peculiar happiness of England is that through many generations the Constitution has moved onward with the nation. . . . The English have long been a great and happy people. But they have been great and happy because their history has been the history of a succession of timely reforms. The Great Charter, the assembling of the first House of Commons, the Petition of Right, the Declaration of Right—the Bill which is now on our table, what are they all but steps in one great progress? To every one of those steps the same objections might have been made which we have heard to-night, 'You are better off than your neighbours are. You are better off than your fathers were. Why can you not leave well alone.'"

They could not be satisfied with things as they were. They might be blessed with great prosperity, but it must not be forgotten that that prosperity was built up by the bone and sinew of the very classes it was proposed to admit. Taking all these matters into consideration, he could not do otherwise than give his cordial assent to the second reading of the Bill, and he would conclude by asking the House, in the words of Mr. Burke, to allow "the Commons House of Parliament to be one and the same with the Commons at large."

SIR MICHAEL HICKS-BEACH could not hope to offer anything new on the subject under discussion, but desired to give his reasons for supporting the Amendment. In doing so he could not do better than quote the words of the hon. and gallant Member (Captain Grosvenor), who said, "he was in favour of a judicious extension of the suffrage, but opposed to a monopoly of political power." He contended, however, that it was the Conservatives who were in favour of a judicious extension of the suffrage, and that it was the other side of the House who were in favour of placing a monopoly of political power in the hands of the lower classes. The Members of the Conservative party had been twitted with having added nothing to the arguments of the noble Member for King's Lynn, but there was a very good reason for this, for those arguments had never been refuted. One of the strongest arguments which had been advanced was that the Government, in asking the House to assent to the second reading of the Bill without having before it a Bill for the re-distribution of seats, were attempting to play off the representative body of the country against the constituent body. They professed their readiness to place on the table a Bill for the re-distribution of seats, and they held over the House the penalty that if after passing the Franchise Bill they did not assent to any of the subsequent parts of Reform they were liable to be dissolved. That was an unfair position in which to place Parliament. Hon. Members who had been elected as supporters of Lord Palmerston and now felt it their duty to vote for the Amendment, might thus be deprived of the opportunity of explaining their reasons to their constituents and justifying that political honour and consistency which in voting for the Amendment they would fully maintain. He did not believe there was a single Member unconnected with the Government who was prepared to accept the Bill as an entirety. Some objected to the disfranchisement of the dockyard men, others to the savings bank qualification, while that side of the House objected to the swamping of the county constituencies by borough leaseholders. Measures had been promised for the re-distribution of seats and for the regulation of boundaries, and probably there would be some Bill extending the Corrupt Practices Act, so that the present Bill was only to be made useful by a succession of measures each of which would effect an important alteration in the constitution of the country. Nothing could make a proposition like the present more doubtful than the admission of the Government that they were bringing forward a measure the anomalies of which it would be necessary to rectify by further measures. Hon. Members might justly complain, too, of the defiant language which had been applied by the Chancellor of the Exchequer to the House, and of the manœuvre which had been resorted to. There were two minorities in the House, one opposed to the extension of the franchise, and one opposed to the re-distribution of seats. The Government thought to get a majority by keeping their intentions secret, and thus preventing those two minorities from combining with each other. The Government were setting up their own judgment as to what was fit and proper, against the opinion of Parliament itself. In a matter of this kind it was for Ministers to yield to Parliament, and not Parliament to Ministers. The real reason for the introduction of this Bill was that which was also applicable to the Bill of 1852, "to keep the Government in office;" and to bring in a Bill for which the country were not anxious was a fault in any Government. As to any pressure from without, the thing was utterly ridiculous. He did not mean to say that the interest of towns should not be considered, but he believed he was stating the fact when he said that the whole agricultural population in the smaller towns were opposed to such a change as that proposed; and in the large constituency which he represented, he had no doubt that were they asked to choose, nine persons out of ten among those connected with agriculture would prefer the repeal of the malt tax to this Bill. At the time of the first Reform Bill great distress existed, and it was believed by the people that that Bill would relieve that distress. But at present there was no necessity for such a Bill. Since the Reform Act of 1832, the population of the country had increased 44 per cent, the electoral body 56 per cent, day scholars 146 per cent, and our imports and exports 250 and 350 per cent, while the deposits in savings banks had increased 36 fold, whereas crime and pauperism had diminished. It was surely a fair inference that that system was good which had produced such good fruits. No doubt there were many things in our Constitution, as in all old-established systems, which could not be defended on philosophical grounds, as, for instance, the small boroughs; but such things must be judged by their practical workings, and he might mention a small and corrupt constituency which had recently come under his notice, and which had elected a Manchester gentleman and the relation of a neighbouring landowner, thus giving representatives to the commercial and agricultural interests. He had listened patiently to the arguments advanced against this Bill, as well as to those in favour of it. The argument of the Government was that the Bill would not increase the power of the working classes so as to swamp the other classes in the constituencies; but the contrary had, he thought, been conclusively demonstrated, and the estimate which had been given of the probable increase of voters could not be relied upon, for in thirty-one boroughs there had been no re-valuation, so that numbers of houses returned at £5 or £6 might really be worth £7, and the proportion of the working classes in every constituency would be annually augmented by the natural increase in the value of houses. The Chancellor of the Exchequer had told them that the working classes would not act together in political matters; but in the large constituencies of the metropolis the lower middle classes acted together in such a manner as to fairly drive the higher classes from the poll. The argument of hon. Gentlemen sitting below the gangway in favour of the Bill was that a large number of people who now had no votes were fit to be admitted into the franchise. He did not wish to say anything against the working classes, and he would without hesitation admit to the franchise the members of the co-operative societies of Rochdale, and the *élite* of the working men of Lancashire and the West Riding; but under this Bill agricultural labourers in many of the small boroughs would possess the vote, and he had as yet heard no one in or out of the House maintain that they were fit to exercise such a trust. He would take the case of eight boroughs in which the working population had at present 50 per cent of the representation. It appeared from a Return which had been presented to the House a short time since, that four out of the eight he referred to had been disgraced by the Reports of Election Committees as places where corruption had extensively prevailed. In two others there was a large proportion of dockyard labourers, whom it was proposed to disfranchise by the Bill, and in one of the two remaining, the elections had been conducted in a very noisy manner. Now the result of extending the franchise in those boroughs would be to place the power practically in the hands of certain agents and public-house keepers, who would always be able to command a certain number of votes. With regard to the proposed franchise of £14 for counties, he admitted that persons who occupied £14 houses in county districts were quite worthy of the franchise, and were infinitely superior to many persons who paid a higher rent for worse houses in large towns. But he objected to increase the urban interest in a manner that would be detrimental to the agricultural interest. For instance, there were a large number of £14 houses in the suburbs of boroughs, the occupiers of which would, under the Bill, have votes for the counties, and the result would be that those people whose interest was more in the town than in the country would bear an unfair proportion to the residents in the agricultural districts. He objected to this Bill, but he did not wish it to be understood that he was opposed to any good measure of Reform. It was not because Government brought in a measure that they called a Reform Bill that it must of necessity be a good one. He should be perfectly ready to discuss the question whenever it was brought forward in a proper shape. He objected to the present measure, because he believed it would give a preponderance in boroughs to the lower classes, and that it would give a preponderance of town interest over rural interest in the counties. He did not believe that the country desired that the settlement of 1832, placing the power in the hands of the middle classes, should be not only disturbed, but that it should be entirely taken out of their hands and placed in those of the lower classes. The questions likely to arise under this Bill were not those between Whigs and Tories but between the rich and the poor. It was the beginning of a contest between the aristocracy and the democracy of the country. As he did not think that the country was anxious that the rich should be ruled over by the poor, and that the intelligence and education of the nation should be subjected to the dominion of an inferior order of civilization, he should give his vote for the Amendment.

MR. BAINES said, he thought the hon. Baronet who had just spoken would regret having stated that the question was one between the rich and the poor—between the aristocracy and the democracy of the country. [Sir MICHAEL HICKS-BEACH had said that the question would be that, not that it was so at present.] The only way in which the matter could be a question between those two interests would be by uniting them, and thus adding to the security of the State and of our institutions. A noble Lord opposite had spoken of Gentlemen on the Ministerial side of the House as desiring to give the democracy sovereign power in the country. He could only say that he knew of no person who had such a wish. He had himself always been attached to the mixed Government of this country, and he had defended the aristocracy when they were attacked. Still, he looked upon this Bill as one which would only do fair justice to the bulk of the people. At this advanced stage of the debate, and seeing also the great number of Members who were yet desirous of addressing the House, he felt the necessity of being extremely brief in his remarks; and he would therefore not avail himself of the opportunity he had to advert to many interesting topics in connection with this subject. He would content himself with bearing his personal testimony to the character and to the high qualifications of the class which the Bill would admit to the franchise. He was disposed to look upon the question of the admission of the working classes not merely as one of their personal fitness, but also as one involving the balance of power among the different classes of society. He had always thought that the mere fact of personal fitness was not sufficient to warrant the admission of large numbers of voters to the franchise. But he was prepared to defend the measure which had been introduced by the Government on both grounds—namely, first, on the ground of fitness; and secondly, upon that of the balance of power. He had for many years been intimately connected with the working classes; he had had an opportunity of observing their character and their conduct; and therefore he was a witness competent to speak on their behalf. In 1832 the working classes as a body, that is the great majority of the people, were excluded from the franchise on account of their want of education and general want of intelligence. Since that time the working classes had advanced so much in intelligence and education that large numbers of them might safely be admitted to the franchise. Take the increase of education. In 1832, when the last Reform Act was passed, there were 1,250,000 scholars in our day schools. In 1865 the number had increased to 3,100,000. Did not that prove an enormous increase in the education of the country? Of the 320,000 teachers in our Sunday schools who were giving gratuitous education to 2,500,000 children, one-half belonged to the working classes, and most of them were at present excluded from the enjoyment of the franchise. Yet they were men of piety, intelligence, and good conduct. The mechanics institutes had increased by hundreds and thousands since 1832. They included numbers of worthy and excellent men, and yet many of these members, who were the *élite* of the working classes, were excluded from the franchise. The vast increase in the cheap literature of the country implied a great increase of reading and mental improvement. In 1831 the number of newspapers circulating in England was 38,000,000 copies; in 1864 the number had increased to 546,000,000 copies. The circulation of the magazines and serials, weekly and monthly, literary, scientific, religious, and moral, had increased in the same time from 400,000 copies a month to 6,000,000 a month—an increase of 1,500 per cent. He might go on to illustrate the improvement in the character and condition of the working classes in regard to their habits of saving, their temperance, their modes of living, and many other particulars, but he must refrain. There was, however, one matter of great significance to which his attention had been drawn by a member of the corps of Leeds Engineers, himself an unenfranchised artizan, and he would read an extract from the letter he had received. His correspondent said—

> "The War Office Returns just issued give the following results as to the merit and efficiency of the volunteers of Great Britain. Order of merit, No. 1, Leeds Engineers."

(Then follow other Yorkshire regiments, which Mr. Baines did not name.)

> "The Leeds Engineers thus stand first in merit even to all those crack corps which we have heard so much talk about: it is well know that the privates of this corps are all working artizans. It is likewise well known that the great body of the other regiments are composed of persons who have votes, or sons of those persons; they are gentlemen or sons of gentlemen. I say, then, that this is another reason that working men should have a vote, as they are able to stand their ground with the most aristocratic of the land."

He (Mr. Baines) also read an extract from the address of Lieutenant Colonel Child to his corps, congratulating them on the high honour they had attained; in which he said—

> "I heartily congratulate you and myself upon the attainment of this great and honourable national prize, earned in fair competition with the whole Volunteer force of the Empire, by labour in the drill-room, in the field, in the trench, in the battery, and at the bridge. We have been most successful in providing for the improved intellectual and physical education and training of the men of the corps. Your gymnasium is replete with every necessary appointment; your library is large and increasing; your chess and conversational rooms are well furnished and comfortable, and they are regularly and freely opened to you, and, as is proved by your constant and orderly attendance, duly appreciated. The greatest number of you are artizans, and it is an object of pride and pleasure to you, and justly so, that a corps so composed should be in merit at the head of the Volunteers of the Empire."

He (Mr. Baines) adduced these things, not to show the honour gained by a particular regiment, but to show that working men were enrolled among the defenders of their country, acquiring distinction in that character, and receiving every advantage for the improvement of their minds. Yet they were not allowed to vote for their representatives in that House; and he thought this was a state of things not unattended with danger. The country had been blessed with a period of unparalleled prosperity, but if ever a period of distress should arise claims would be made for a large admission to the franchise. He rejoiced, therefore, that the present measure had been brought in by the Government, though it did not go so far as he had wished. He had the utmost confidence in the purity of their motives, and that this Bill, if it should pass, would be attended with nothing but good. Hon. Gentlemen opposite need entertain no fears in regard to the preponderance of the working classes; for, according to the calculation of the Chancellor of the Exchequer, which was considerably in excess of the actual number, there would be about 120 seats in the United Kingdom in which the working classes would have a majority, and 538 in which they would be in a minority. The number of adult males belonging to the working classes in England and Wales was 4,000,000. The number of adult males belonging to the upper and middle classes was 1,300,000. Of the latter three out of four were placed upon the register, while of the 4,000,000 only one in twelve would be placed on the register under this Bill. Would any one say that was giving a preponderance to the working classes? He was quite certain that in those cases where the working classes had a positive majority the influence of education and property would remain as great as ever it was. He felt bound to bear his personal testimony to the excellent character, the great merits, and the independence of the working classes living in houses between £7 and £10, and to their fitness for the exercise of the franchise. He should, therefore, give his cordial support to this Bill, which he regarded as an eminently safe, moderate, and constitutional measure.

MR. NEWDEGATE said: I am perfectly aware that we are drawing near to the close of this protracted and important debate. I will therefore state what I have to say upon the question before the House in the fewest possible words. I join most heartily in the tribute which has been paid by the hon. Member for Leeds (Mr. Baines) to the merits, the virtues, and the progress of the working classes. It would, Sir, indeed, be most singular if, as a county Member, one of the 160 Members of this House who endeavour to represent the majority of the working classes in this country, I should fail in appreciating those high qualities which I have seen tried and tested in periods not only of prosperity, but of adversity. Sir, I have seen the working classes under the temptations of violence; I have seen them tried when they might have been misled by the arguments and incitements, not only of what may be termed Radical, but Chartist orators; and, in my humble capacity, I do most heartily bear my unfeigned testimony to the merits, to the virtues, to the common sense, and, in many cases, to the acquirements of the working classes. But I should be doing an injustice to the hon. Member for Leeds (Mr. Baines), and I should be doing an injustice to the hon. Member for East Surrey (Mr. Locke King) who sits behind him, if I failed to object to the Bill now before the House in the form in which it has been presented to the House, because I have voted against the mere reduction of the county franchise when it has been proposed by the hon. Member for East Surrey, and I have voted against the mere reduction of the borough franchise when it has been proposed by the hon. Member for Leeds. And, as I am one of those who are not ashamed of being consistent, I feel it my duty, as a matter of consistency, to give my vote for the Amendment of the noble Lord the Member for Chester (Earl Grosvenor). There are other grounds for my taking this course which, with the permission of the House, I will shortly state. Before I do so, however, I wish to take this opportunity of expressing my sense of the conduct of the noble Lord the Member for Chester. Sir, the noble Lord's conduct on this occasion is well worthy of his high position, and will be remembered for many years to come. If this debate has been unusually protracted, why has it been so? Because we are debating a portion of a measure of Reform, the whole of which is not before the House. And I say, Sir, in the words of Mr. Fox—

> "That the duty of this House is vigilance in preference to secrecy, and deliberation in preference to dispatch."

When a Government comes to this House, and produces a measure which it calls a Bill for the Improvement of the Representation of the People, but which is, in fact, only a measure for the reduction of the franchise, justifiable, perhaps, in that respect, but imperfect nevertheless, inasmuch as it does nothing to adapt the representation to the extension of the franchise they propose—when such a measure as this is submitted to the House without any explanation in the first instance, but merely thrust upon our attention, I take it that the noble Lord the Member for Chester is performing a duty which Mr. Burke described as—

> "Not yielding to the fear of differing with the authority of leaders on the one hand, and of contradicting the desires of the multitude on the other, which induces them (Members of Parliament) to give a careless and facile assent to measures as to which they have never been consulted; and thus things proceed by a sort of activity of inertness until whole bodies, leaders, middlemen, and followers, are all hurried with every appearance and with many of the effects of unanimity into schemes of politics in the substance of which no two of them are fully agreed, and the origin and authors of which, in this circular mode of communication, none of them find it possible to trace."

Now, Sir, I believe that the noble Lord has performed a great duty, and I have quoted the language of Mr. Burke in order that my tribute to him may not rest upon my humble authority alone, but on the authority of one of the greatest political thinkers that ever left the legacy of his inquiries to the people of England. In paying this tribute to the noble Lord, I may be permitted to add that the circumstances of to-night, when a relative of his has opposed the course which he has taken, must convince the House that he has not yielded to any feelings but those which have respect to the public good; and that he has discarded every feeling of family connection as well as party ties in order to perform a duty which, I say, this House will hereafter appreciate more fully than perhaps it does at present. Sir, we have been relieved from all doubt as to the origin of the conduct of Her Majesty's Government. The hon. Member for Birmingham (Mr. Bright) has informed us that six years ago he recommended the noble Lord at the head of the Government to adopt the course of proposing merely a reduction of the franchise without any re-distribution of seats; that is, without providing for the adaption of the representation to the increased constituencies, trusting that he would thereby obtain a lever by which the representation might subsequently be adapted to his views. Sir, I have a distinct objection to this course. Much has been said in the course of this debate of the vices and the dangers of democracy, in all of which I concur; but you may have all the vices and the dangers of democracy, by the undue aggregation of those who form a minority of the electors; and that is precisely what will ensue if this measure passes, and a dissolution of Parliament takes places. This House will be elected with exaggerated constituencies, and without a representation adapted to the aggregation of the voters which you are now asked to create. The distribution of seats would, in that case, be left to the discretion of a Parliament elected by a body confessedly not accommodated with a representation that would secure the due and proper expression of public opinion. I object to this measure, then, upon the same grounds that I objected to the Bills of the hon. Member for East Surrey, and to the Bills of the hon. Member for Leeds. I hold that, if the Reform Bill of 1832 deserved its name, the present Bill is not a Reform Bill at all. The effect and intention of the measure of 1832 was actually to raise the qualification for the franchise, by providing for the gradual extinction of the scot and lot voters, and providing also for the gradual extinction of the freemen. It absolutely raised the qualification; nevertheless it has been justly called a Reform Bill, because it so re-distributed the representation, that the will of the people could be adequately expressed through their representatives by that re-distribution. Although I felt the force and the beauty of the speech addressed to this House by the right hon. Gentleman the Member for Calne (Mr. Lowe); although I rejoice that one of the small boroughs has vindicated its claim to the long period of existence they have enjoyed by sending to this House a Gentleman who is capable of calling up to the memory of the House the nature of the Constitution under which this country has risen to its present greatness, as well as of showing us how fallacious are some of the views which militate against the basis of that Constitution; my position is different as representing a constituency—which was created in its present dimensions by the Act of 1832, and is intimately connected by representation with the town of Birmingham, which is from hour to hour increasing in population at the rate of six thousand a year; and seeing that, in the case of Birmingham, and in the case of North Warwickshire, the electoral body increases in a greater ratio than the population by a natural process—I feel it my duty to enter my protest, as I shall do by voting for the Amendment of the noble Lord the Member for Chester, against any measure which proposes to extend the franchise without adapting the representation to the extended franchise that it creates, without granting increased representation to populous districts such as that of which I share the representation, in which the constituencies are increased by a natural process, through which the working classes have already a large share by occupation in the boroughs, and in the counties by the acquirement of freeholds, which I rejoice to say have been greatly extended. And here I beg to remind the House that I objected to the Bill of Lord Derby's Government in 1859, because I could not consent to the inhabitants of Birmingham or other towns who might hold or acquire freeholds in those towns being deprived of the right of sharing in the election of the Members for North Warwickshire, one of whom it has been my privilege to be for so many years. But to state the main grounds of my objection to this measure, I must refer to the figures which have been presented to the House. In 1862 I moved for a Return showing the population, the property, the number of houses, and the allocation of seats in boroughs and counties at that time. Well, what is now the state of things in England and Wales which this measure does nothing to meet? I find that the population of the counties, according to the Returns laid before the House, with the view of inducing the House to adopt this measure, is 11,427,655; that the gross estimated rental of the counties is £67,010,983; that the number of electors for the counties is 542,633, and yet that they are represented by only 162 Members in this House. On the other hand, I find, with regard to the boroughs, that they have a population of only 9,326,709; that the gross estimated rental of the property in boroughs is only £41,068,325; that the number of electors is 514,026; and that they are represented in this House by not less than 334 Members. This is the position of the population, the property, the number of electors, and the number of representatives in England and Wales. Now take the houses. I find that in the counties—that is, outside the boroughs—there are 2,290,061 houses, whilst in the boroughs there are only 1,449,444 houses. I must say, therefore, that I cannot consent to any Bill for the reduction of the franchise, that I cannot consent to any step in the direction of Reform until Her Majesty's Government give proof that it is their serious intention in some degree to mitigate this gross anomaly—an anomaly which exists neither in the representation of Scotland nor that of Ireland—an anomaly which is confined to England and Wales alone. Until, Sir, I have some proof that Her Majesty's Government will consider this gross anomaly, I cannot consent to any Bill which assumes to be, though this measure does not deserve the title of being, a Reform Bill. The hon. Member for Birmingham once said that the proposal which I made to consider this gross anomaly was a most democratic proposal. Sir, I have no insane fear of democracy; the basis of this House is democratic; but does my anxiety to consider this gross anomaly deserve to be called democratic? Lord Chatham was not a democratic Minister, yet he proposed to disfranchise largely, and to transfer 100 seats to the counties. In 1783, Mr. Pitt introduced a proposal for Reform; and what did it propose? To add considerably to the number of Members for the counties, and to abolish a number of small and corrupt constituencies. But does the House consider that the noble Lord at the head of the Government, that the late Lord Palmerston, that the late Sir James Graham, and that the late Lord Aberdeen were democratic statesmen? Yet, when Lord Aberdeen was at the head of a Government, in which were associated the noble Earl the present Prime Minister, the late Sir James Graham, and the late Lord Palmerston—three of the statesmen who passed the Reform Act of 1832—and when in 1854 that Government proposed a Reform Bill, they proposed to deal with more than sixty seats, to transfer more than sixty seats; and so sensible were they of the anomaly I have pointed out, that they proposed to give not less than forty-six additional Members to the majority of the people in counties. And the House itself has acted in a certain degree upon the same principle. For of the seats which have been taken from disfranchised boroughs, three have been given to Yorkshire and Lancashire. Sir, I am quite willing to consider the question of a reduction of the franchise. I was in favour of the plan of the right hon. Gentleman the Member for Oxfordshire, and of the right hon. Gentleman the Member for Cambridge University in 1859. I thought they were right in proposing that the franchise in the boroughs should be reduced to £8, and that in counties should be reduced to £20. I say, then, that I am ready to consider the question of a reduction of the franchise; but, as one of the few Members in this House who represent the majority of the people, I will consent to no Bill purporting to be a Reform Bill which does not in some degree remove this gross anomaly—that the majority of the people in England and Wales are represented by a number of Members in this House which, if you subtract from the 162 county Members those who would properly fall to the share of the urban voters for the counties, does not exceed 100, or less than one-sixth of the whole House. Sir, I repeat, and with this observation I conclude what I have to say, that I never will give my consent to any measure of Reform that does not propose in some degree to mitigate this gross anomaly.

MR. P. A. TAYLOR said, they had had many eloquent speeches from hon. Members against this Bill—but none of them were addressed to the plain issue before them. The real question which they had to consider was whether the House of Commons was prepared or not to accept the principle of the extension of the suffrage by reduction of the qualification. Many hon. Members who professed to be Reformers at heart, made speeches in favour of the Amendment. But their speeches showed that while it was not difficult to "dissemble their love," they had besides very little objection to "kick it down stairs." The cry was for a large and comprehensive measure. They professed that "their pain was great because the Bill was small," but before their speeches were ended they contrived to show that it would not be greater "were there none at all." The advocates of a re-distribution of seats might be divided into two classes. The actual Reformers who were in favour of a reduction of the franchise, but who advocated a Redistribution Bill as additional and supplemental to the good they expected from it, and those who were afraid of the reduction and advocated re-distribution as a check and counterpoise and diminution of the good which Reformers expected from it. There might, however, be a very few opponents of the Bill who were in favour of reduction if accompanied with a restrictive Re-distribution Bill; but their idea of reduction must be of an infinitesimal character, as they would even hesitate to support a measure so inadequate as a £7 franchise. The noble Lord the Member for King's Lynn was the only Member who had avoided committing himself against Reform, and yet before the conclusion of his speech, there slipped out two or three sentences which showed that even he was afraid of the measure, for he used the enormous exaggeration that the transference of political power under this measure would be as great as it was under the Reform Bill of 1832. As an illustration of the real character of the opposition to this Bill he might refer to the speech of the noble Lord the Member for Galway, who professed to be an ardent Reformer, and a warm friend of the Government. He said if this Amendment had not been proposed, and he had been called upon to meet this Motion with a direct negative, he must have voted with the Government, and yet at the close of his speech he spoke of the utter hopelessness of passing a Re-distribution of Seats Bill. What was this, then, but a suggestion to Her Majesty's Government to tie this millstone of re-distribution round the neck of their Reform baby, and then throw it into the water to drown? Then the right hon. Member for North Staffordshire was in favour of Reform, but he regarded the re-distribution as the keystone of Reform, and he did not leave it doubtful that his idea of re-distribution was more Members for the counties and increased power to the landed interest. Then the noble Lord the Member for Haddingtonshire was indignant that he was not considered as a Reformer. Yet he lamented the loss of Lord Palmerston mainly because, as he said, Lord Palmerston would never have brought in a Reform Bill. The noble Lord the Member for Chester had told them that the Government having been deprived of their Leader, and having no other resources, were compelled to come to the Members below the gangway and purchase their support by a Radical measure of Reform. But he, as a humble Member of the Radical party, repudiated the idea of such a measure as this coming from the Radical party. He believed that if the settlement of the Reform Question had been left to hon. Members below the gangway they would not have brought forward any extreme measure such as the Bill for Universal Suffrage proposed by the Duke of Richmond in the year 1780; but they would have submitted to the House some such measure as that introduced by the late Lord Grey, and by Mr. Fox in the year 1797, for the establishment of Household Suffrage, or such a measure as that which the late Lord Durham and other Members of the Cabinet were ready to advocate in the year 1831. The fact was that upon the present occasion the Government had not gone over to that party which sat below the gangway; but that party had gone over to support the Government, because they found in them the first Ministry that was really honest and in earnest in dealing with the question of Reform, and were prepared to stand or fall by the success of their measure. It had been said that what we meant by an honest Bill was a one-sided Bill. It was so, but it was right-sided. That was to say, that as far as it went it was a good Bill and an honest Bill. It would really confer the franchise on a number of members of the working classes, and in that respect it differed from the measure proposed by the Government of Lord Derby, which took away with one hand somewhat surreptitiously what it gave with the other somewhat ostentatiously. He remembered that a late Member of the party opposite had explained to him the grounds on which he believed that the party below the gangway had made a mistake in not accepting the measure of the right hon. Gentleman opposite. He had said, "Do you not see that if that measure had become law we should have handed over the counties to the Tories, and the boroughs to the Radicals, and should have left the Whigs out in the cold." Now he (Mr. P. A. Taylor) thought his friends were justified in repudiating a measure brought in for such party purposes, and he could not but think that such conduct on their part deserved from the Whig magnates better treatment than that shown by the Motion of the noble Lord the Member for Chester. But it might be asked whether that Bill would be a settlement of the question. Now that was a point on which it would be idle to attempt to give any absolute assurance. No Parliament could limit the action of its successors; and all that could be said upon that subject was that the more largely and liberally they extended the franchise the longer was their measure likely to endure. The working classes had received the proposal in a spirit that reflected the greatest honour on their prudence and intelligence. They knew that under the operation of the Bill the great majority of their body would still be excluded from the franchise, but they nevertheless supported it as an honest and well-meant proposal on the part of Her Majesty's Government. The Government ought, on the other hand, not to forget that political magnanimity. They ought to stand firmly and honourably by the measure; they ought not to allow any of its main provisions, such as the reduction of the borough franchise to £7, and of the county franchise to £14, or the abolition of the ratepaying clauses, to be struck out in Committee; but they ought to stand or fall by the substantial success of the proposal. And if the House showed itself so little the representative of the people as to reject the present measure, then the Government should appeal from a "Palmerston and Peace" Parliament to one of national and reforming instincts. In such a case they ought not to limit themselves to the provisions of the present Bill, which were not such as they themselves approved, as all that the people might fairly ask for, or that they might safely give, but were tendered in a spirit of conciliation to hon. Members opposite, and to avoid, if possible, the turmoil of a general election. But in the event of making their appeal to the country, if they were compelled to adopt that course, they ought to put forward a measure more in harmony with the popular feeling, and with the circumstances of the time; and if this were done, he ventured to promise them favouring gales that would carry the good ship Reform to her desired haven in safety.

Mr. R. J. HARVEY said, that as an independent Member he had pledged himself to his constituents that he would advocate any measure, come from whatever source it might, which he believed would be for the good of the country. And, therefore, although sitting on the opposite side of the House, he felt he should not be doing wrong in giving his support to the proposal of the Government. But he was aware that on whatever side of the House a Member might sit, he was expected to make an apology whenever he acted in opposition to the general opinion of his party; and he now begged to make that apology, while he claimed for himself a right to pursue upon that, and upon all other matters, a perfectly independent course. But the Bill itself he regarded as a mild and moderate measure, requiring some Amendments in Committee, but still upon the whole a Bill rather leaning towards Conservative ideas, and such a measure as that (the Opposition) side of the House was fairly committed to support. He was perfectly certain that if hon. Members succeeded in carrying the Amendment they would find on appealing to their constituents that by delaying the passing of Reform for a whole year, they had not increased their claims to confidence, and that the demand for Reform had meanwhile acquired far larger proportions. With these views — Conservative in their way—he begged to say that he should give his support to the second reading of the Bill, although in Committee there would be many clauses which he thought might with advantage be amended.

MR. W. E. DUNCOMBE said, that the stress laid by all advocates of the Bill upon Parliamentary pledges in favour of Reform had been effectually removed by the argument, so constantly in the mouths of hon. Gentlemen opposite, that no Parliament had power to pledge its successors to any particular line of action. If any instance were needed of the fallacy of pledges it might be supplied from the career of the Chancellor of the Exchequer himself, who in the year 1853 committed Parliament to a declaration that the income tax should be abolished in 1860, and afterwards, having the power in his hands, not only failed to carry out that pledge, but actually induced the House to double the amount. It was urged as a reason why Reform measures should be divided now, that complete schemes of Reform had failed on former occasions. But surely Ministers had not rightly interpreted the experience of the past. Because these measures had failed — because they did not receive the support either of Parliament or of the Country, was that a ground for raising the question once more, gratuitously, and in the most obnoxious form? The noble Lord the First Minister of the Crown told his supporters that it was not desirable that Constitutional changes should be frequietly made. How came he, then, to advocate a one-sided, half-measure, avowedly supported as a step to further changes? The hon. Member for Leeds had brought forward a Bill for the reduction of the borough franchise to £6; but that Bill was rejected because it was a partial, or, as it was called, a one-barrel measure, and yet Her Majesty's Government were at present submitting to Parliament another one-barrel Bill, although it was loaded with a somewhat heavier charge; and then, as if bent on self-destruction, they levelled it against their own breasts. He could not agree that it was an honest measure, since it was impossible to estimate the full scope and extent of the reduction of the franchise till the scheme for the redistribution of the seats was presented. He maintained that this Bill was one of the most dishonest measures he had ever met with. He now desired to refer to a branch of the subject which had as yet been only lightly dealt with in that House—the county franchise. To his astonishment, on a recent occasion the noble Earl at the head of the Government had said the Chandos clause in the Bill of 1832 had detracted much from the usefulness of that measure, and coupling that statement with the proposition to reduce the county franchise to £14, and to bring in the urban voters in the shape of leaseholders and copyholders, it would appear that the noble Earl was anxious virtually to disfranchise that large, independent, influential, and intelligent class of men—namely, the tenant farmers of England. Until the measure of re-distribution was before the House, it was impossible to know the effect of this Bill on the county franchise. Hon. Gentlemen opposite spoke as though the representatives of the counties did not represent the working classes; but it was a curious fact that of the county constituency the £50 occupiers were but 22½ per cent, and that one-half of the remainder in all probability belonged to the working classes. The county constituencies, therefore, comprised a very large portion of the working classes. Notwithstanding what had fallen from the hon. Gentleman the Member for Bradford

(Mr. W. E. Forster) on a former evening, he was informed that houses which ten years ago let at 2*s.* 6*d.* a week were now let for 4*s.* a week, which was £10 a year, and the better class of working men occupied them. The ordinary house rent of this class in Leeds and other large towns in the West Riding of Yorkshire was about £6 a year, and if the Bill now before the House, giving a £7 franchise to boroughs, were to be passed, nothing would be easier than to raise the rental of those houses £1, and in that way enormously increase the number of voters. Besides, the working classes were receiving higher wages than formerly, and work, he was glad to learn, was abundant in the West Riding; and thus the rent of £6 houses being increased to £7, the great mass of the working men of that district would be admitted to the franchise. The hon. Member for Bradford had told the House that it was very difficult to get the working classes to combine in trade unions, because they ran a great risk of being thrown out of employment, and in that way causing themselves and their families to suffer great privation. Supposing that to be the case, the formation of political unions would not present this difficulty, as it would not involve loss of employment to the men; and he had no doubt they would combine for political objects. The Government never would persuade that House or the country that in this matter they had not followed the advice of the hon. Member for Birmingham. That hon. Member, however distinguished his ability, was undoubtedly the great political agitator of the country, and during the whole of his career up to the present time, he had been labouring to set class against class. He had pursued one continued system of vituperation and hostility towards the landed aristocracy of this country; he had consistently lauded the institutions of America, and had never concealed his dislike of ours. Yet this Gentleman was the adviser and counsellor of Her Majesty's Government; and such a fact did not inspire him, nor did he imagine it would inspire Parliament and the country with a disposition to place reliance on Her Majesty's Ministers. As he believed that this measure was an attempt to change the Constitution of England—that Constitution which had lasted so long, had brought such prosperity and happiness to the people of this country, and had given them an amount of public liberty such as never had been enjoyed by any other nation in the world—he should give his support to the Amendment.

MR. LOCKE KING said, that having frequently addressed the House on an important branch of the subject, he thought it right to say a few words on this occasion. He could not help expressing his regret that the opposition to this Bill had originated from his side of the House; for, in spite of what had been said to the contrary, he was of opinion that the measure was an honest, a straightforward, and a moderate one. He regretted, therefore, that a noble Earl, having a name which was well remembered in that House, and so highly respected by the whole Liberal party as having been borne by a relative of the noble Earl, who had represented the great county of Middlesex, should have consented to play the game of hon. Gentlemen opposite. He thought it would have been better for the noble Earl, if instead of leading those hon. Gentlemen, he had allowed them to play their own game. It was a matter they must all regret to find that the noble Earl had been the means of causing what he must call a split to a small extent on the Ministerial side of the House. The Amendment was very cunningly worded—it was worded with the view of catching the support of a large number of the Liberals, but by accident—he said "accident" advisedly, for they had been told that no Tory had had anything to do with its composition—the whole of the party opposite, with two or three exceptions, were ready to vote for it. He had had a great deal to do, from time to time, with this franchise question, and he must say that of all the expedients made use of in connection with that question the present was the most extraordinary one ever resorted to. When he brought forward his County Franchise Bill every excuse and—if he might use the word—dodges of all descriptions had been made use of to put off the question; but he had little expected to find that those who from all their antecedents might be supposed to be against Reform should oppose this measure on the ground that it was confined to a simple extension of the franchise. He, who had opposed Bills which only went to an extension of the franchise, could not now come and say that he wanted a more comprehensive measure, and refuse to support this Bill on that ground alone. The right hon. Gentleman the Member for the University of Oxford had entered into a long argument to show that this House was not pledged to Parliamentary Reform. Now, he would not enter the lists with the right hon. Gentleman, who probably might throw him over in the argument. But he would venture to assert that it was solely in consequence of the introduction of his measure for the extension of the franchise in counties that the Reform Bills were introduced, and that it was solely in consequence of that measure that Lord Derby's Government proposed the reduction of the county franchise to £10. He deeply regretted that his right hon. Friend the Member for Calne should be opposed to the present measure. Every one must respect the talents of the right hon. Gentleman, and he must candidly confess that he entertained the greatest respect for the right. hon. Gentleman's views and his thoroughly Liberal opinions on every question, with the exception of this solitary one as to the extension of the franchise and Reform generally. There could not be the least chance that the right hon. Gentleman, with his enlightened views, would ever coalesce with hon. Gentlemen on the other side of the House, and he hoped they would not for one moment delude themselves with such an idea. He thought, however, that his right hon. Friend had scarcely done justice to himself. In 1854, being then a Member of Lord Aberdeen's Government, the right hon. Gentleman had been a party to a measure of Reform which proposed a £6 borough franchise. Again, if he mistook not, the right hon. Gentleman supported the Reform Bill which was brought in during Lord Palmerston's Government in 1860, which proposed a similar reduction of the franchise, and how could he now with any consistency object to the reduction of the borough franchise to £7? The right hon. Gentleman had swallowed the camel and was now straining at the gnat. Since he first proposed to lower the franchise in counties the question of Reform had had to contend with the greatest possible difficulties. The opinion of the country on the question was more advanced in 1850 than it was just previously to the introduction of the measure now under discussion. At the former period there were loud cries for Reform, and his own little measure for extending the county franchise was, on its first introduction, positively ridiculed and laughed at as being too limited in its scope. Since then there had been many obstacles to Reform. There was the dissolution of Parliament by Lord Derby's Government in 1852; then the Crimean war created difficulties; and a further obstacle was created by Lord Derby's Reform Bill in 1859. Again, Lord Palmerston had been a great impediment to a settlement, and he might even say that the right hon. Gentleman the Chancellor of the Exchequer himself had unwittingly been an obstacle to Reform; for, by effecting such great reductions in the taxation of the country, he had caused the people to be less eager for the lowering of the franchise. He thought, too, there was reason to complain of a Liberal Government in respect to the manner in which they had placed different men in office. For the chief objectors to Reform on that side of the House had been trained by Liberal Governments. As instances, he might mention the noble Lord the Member for Haddingtonshire and the right hon. Gentleman the Member for Stroud. In conclusion, the hon. Gentleman intimated his intention to support the Bill, and appealed to the other side of the House not to refuse to the working classes of England a boon to which they were justly entitled.

MR. DISRAELI: Mr. Speaker—Before I address myself to the Amendment of the noble Lord the Member for Chester, I would make one remark upon the reasons put forth for the introduction of the Government measure. They are two-fold—Parliamentary pledges and Ministerial promises: the first must be fulfilled; the second have been violated. Now, Sir, the House should be cautious in accepting some views upon this head of the subject which have been advanced in the course of this debate. They are touching on very dangerous ground. Hitherto the freedom of Parliament has been the boast of our predecessors. But the freedom of Parliament did not mean merely freedom of discussion or freedom from arrest; it meant, above all other privileges, liberty of legislation. When we hear of Parliament being pledged, are we, then, to understand that the conduct of a preceding Parliament is to deprive us of the enjoyment of the highest and most exalted of our functions? Why, Sir, in this country great authorities upon this subject have been so jealous of any attempt upon the liberty of legislation enjoyed by Parliament, that they have even maintained that with such a Constitution as that of England no such thing as a fundamental law can be recognized, and that such muniments must be sought for only in Imperial chanceries.

I would not myself maintain such a proposition without great reserve; but I think we shall agree in this — that no Parliament can be bound by the acts of its predecessors, except so far as they take the forms of law; and such forms Parliament has the power to revise. No doubt the conduct of preceding Parliaments is for our example and instruction; and we should indeed be indifferent to the highest sources of political wisdom, in a country so practical in its politics as England, if we disregarded the precedents furnished by those who have gone before us in this House. But, Sir, I hold it cannot for a moment be maintained that we can be at all estopped in our course by any result which a vote of a single House of Parliament—for that is all that is alleged—can effect. Our course is free. Then let us look to the plea that is founded on the conduct of public men. It may be possible that a statesman may have entered into rash engagements upon a subject of vital importance; but I think no one will for a moment maintain that Parliament is bound to pursue a course of which they disapprove, because a Minister has entered into engagements which are precipitate. Such conduct on the part of a public man may be a very good reason for his leaving the public service or retiring from public life, but it never can be a ground for his appealing to the country to support him, for the sake of his honour and consistency, in a course which Parliament may deem to be unwise and inexpedient. I think there is only one ground on which he can rely for the support of Parliament, and that is that he has a policy which they believe is wise and expedient, and that he submits to their consideration a measure proposing means adequate to accomplish the object in view.

But, Sir, I will take the question out of the region of abstraction, in which, for convenience of argument, I have for a moment considered it. Is this Parliament pledged to deal with the subject of Parliamentary Reform? If ever there was a Parliament less pledged than any other to deal with the subject, it must be the present Parliament. It has been announced to us—or I would not have alluded to the fact—that before the dissolution of the late Parliament a Cabinet Council was held to consider the subject and to decide upon the course which the Ministry should pursue. We know that the chief organ of the Government in this House (Sir George Grey), in the absence of the Prime Minister, informed us what the decision was at which the Cabinet had arrived on this subject. He told us that they had come to the conclusion that they would not go to the country on the question of Reform or in any way pledge themselves on that matter. We know that, under these circumstances, the Chief Minister issued an address to his constituents—which in this country is looked upon as the programme or manifesto of a political party—immediately afterwards, and that in that address even the word "Reform" did not appear. We know also that when the new Parliament assembled the Government, with great discretion, did not in the Address from the Crown call upon us for any expression of opinion on the question. Papers were promised, and it was announced that when those papers were produced the views of the Government would be laid before us. So far, therefore, as the present Parliament is concerned, every hon. Member will, I think, concur with me in saying that on both sides of the House we were perfectly free to act upon this subject in accordance with those convictions which should guide us to take whatever course we deemed to be best for the country.

Let us now see whether existing statesmen have broken their promises in reference to this question. The charge of having done so is a serious one, and it was made by a high authority, the noble Lord the Secretary for War (the Marquess of Hartington), who represents, as he informed us on one memorable occasion, just after he had entered public life, the educated portion of the Liberal party. He ought, therefore, to be cautious in speaking of broken promises in the case of persons among whom figures chiefly his own leader. But it becomes my duty to vindicate on this occasion, as I have done before, the conduct of Lord John Russell, and that I am prepared to do. Lord John Russell thought fit in 1852, for reasons to which the hon. Gentleman opposite has just referred, and to which I shall advert in due time, to introduce a Reform Bill. That Bill was in itself a very good one; it is indeed probable that a long time will elapse before we again see so good a measure. It had only one fault, and that was that nobody wanted it. Years elapsed, but Lord John Russell did not relinquish his policy. In 1859 he had an opportunity of asserting that policy, and, having induced his party to support him, succeeded in effecting a change in the Government. He then became a leading Member of a Ministry which was pledged to introduce a Reform Bill. Did he break that pledge? No. He brought in a Reform Bill, and does any one, I would ask, doubt the sincerity of Lord John Russell with respect to that measure throughout? I need not allude to the emotion which he evinced when he withdrew the Bill. I saw in that emotion nothing to provoke the derision in which his conduct was spoken of by those who professed most to sympathize with him. But what I want to know is, where are those violated promises to be found? Lord John Russell felt some emotion when he withdrew his Bill—that is on record; but the circumstances led to the withdrawal of something more important than the Bill, for it clearly led to the withdrawal of Lord John Russell from this House. He therefore fulfilled his promises, and fulfilled them at a great sacrifice. So far as he was concerned, then, the charge of broken pledges on the part of public men in connection with this question has no foundation. Lord John Russell may, I think, be looked upon as a fair representative of the Whig party, and I may take it for granted that they, too, were not justly open to this charge. No pledge, therefore, has been broken by them. Lord John Russell left this House; and the only time when he afterwards expressed an opinion on the subject of Reform was when he recommended to the country a state of tranquil contentment. This Parliament, then, and the Whig party as represented by Lord Russell, have broken no vows on the subject. How, then, stands the case with respect to another statesman who represents the Conservative party? Lord Derby was sent for by the Queen in 1858. There was in this House a majority against the friends of Lord Derby of more than 140; and under these circumstances Lord Derby thought it his duty to decline the honour which Her Majesty was pleased to offer him. But he gave a reason to Her Majesty, and that was, not only that he was in a great minority in the House of Commons, but that such was the position of the Parliamentary Reform question that he felt conscious that the minute he took office that question would be brought forward and he would be put in a minority. The House is aware that, after deliberation, Her Majesty felt it her duty again to appeal to Lord Derby, and if the majority against him in the House of Commons had been 240, instead of 140, it would have been impossible for Lord Derby to refuse to obey Her Majesty's wishes. But that happened which he had anticipated. I do not think that we had been six weeks in office before the question of Reform was brought forward by the hon. Member for East Surrey (Mr. Locke King), and we were placed in a minority. What was the course to pursue under these circumstances? It was quite impossible for Lord Derby to retire from office. The discord in the Liberal party which caused the break up of their Government still prevailed. It was absolutely necessary, therefore, for Lord Derby to consider his position. He did not consider it. He felt it his duty to deal with the question of Parliamentary Reform. He introduced a Bill on the subject, and he staked his administration on its fate. The measure was defeated, the Government ultimately resigned, but Lord Derby fulfilled his pledge, and at a sacrifice which proved his sincerity.

I now come to the real reason why Lord Russell in 1852 and Lord Derby in 1859 brought forward Reform Bills; and in reference to this matter an accurate recollection of facts is most necessary. If there was any subject of which a man was a master, Lord Russell was master of Parliamentary Reform. It was to him what currency was to Sir Robert Peel. No man knows its points more completely, or is more fully acquainted with all the bearings of the case, than the noble Lord. Lord Russell and Lord Derby are the only two existing statesmen who were concerned in passing the great Reform Bill of 1832, and it is well known that to their youthful energies the success of that measure was greatly, if not entirely, to be attributed. Therefore, neither of them could view the subject with any of that besotted prejudice which is imputed so frequently to both of those statesmen by differing sections of politicians. Lord Russell was naturally satisfied with the settlement of 1832, and he resisted all attempts, year after year, for general and comprehensive changes in our representative system; on the principle of finality he always successfully resisted them. But, having resisted them successfully, a new school of Reformers arose—piecemeal Reformers, or bit-by-bit Reformers—not an elegant, but a Parliamentary expression. These met with a different success. Persons called moderate—generally men who do not take the trouble of thinking for themselves—took it into their head that bit-by-bit Reform was a harmless thing; that it could not do much harm, and might give a little satisfaction. But Lord Russell, knowing that the distribution of power is the real point, and that the interests of England depend on the whole question always being considered, and that if you deal with a single franchise for example, which moderate men might consider an affair of no great importance, and did not deal with other parts of the question, you might effect a complete change in the British Constitution felt in 1852, when pressed by piecemeal Reformers, that the only way to prevent them from proceeding was to devise a large and general measure of Reform, by which he might baffle their endeavours. You know the result. He went out of office. Lord Derby, too, was beaten by the piecemeal Reformers, and therefore he was obliged to resign, or to submit the question himself to Parliament, and so baffle the efforts of the piecemeal Reformers. Both Lord Russell and Lord Derby were influenced by the same cause, and had the same object. But the most singular thing is—and to this I call the attention of the House—Lord Russell is again Minister, and we have him now introducing a measure of piecemeal Reform.

Well, Sir, I have shown that Parliament has not been pledged on this subject, and I think I have shown that there have been no broken vows of the great parties in the State, as represented by their chief men, Lord Russell and Lord Derby. What, then, is the origin of this £7 franchise Bill? The origin of it is this—that some eighteen or nineteen months ago the Chancellor of the Exchequer came down to the House one fine summer morning appropriated to one of those dreary debates on the £6 franchise to which we all look back with a feeling of horror—made a most remarkable speech, in which he established the franchise on the rights of man, and at the same time announced his conviction that the working classes of the country, on whom he delivered a high panegyric, possessed no share, or only an infinitesimal share, of that franchise; the inevitable consequence being that a large measure should be brought forward, as an approximation to the rights of man, to confer the suffrage on the working classes. That speech was received with enthusiasm by a party in this House—not a numerous party, but represented by great talent—in one individual by commanding talent—while among his followers are men of activity, intelligence, and experience in organization. They have also a party in the country, not a contemptible party, though I think not a predominant party; and from that moment this party has been at work—working on the declaration of the Chancellor of the Exchequer; checked for a moment by the prudence of Lord Palmerston; but the moment he left us, instantly a new character was given to the Administration, and the consequence has been the measure we have now before us—a measure of piecemeal Reform; and I oppose it at once as a measure of piecemeal Reform, and support the Amendment of the noble Lord to which I am now going almost strictly to confine myself.

Sir, my great objection to the measure of the Government is this—that though others may, I cannot really understand it—I cannot calculate its consequences—I cannot fathom what may be the result of its provisions, unless I have those further measures upon the subject which are promised by the Chancellor of the Exchequer. But if I do consider the measure without reference to those further measures, I think I can show to the House that it must land us in a condition of such confusion, I believe little contemplated by the great body of the Ministers and of those who support them on this occasion, that I verily declare—and I will give the proofs why I have arrived at that conclusion—if this Bill pass and it should be the duty of Ministers to advise Her Majesty to recur to the sense of Her people—I do verily believe they would have to hold an autumn Session in order to revise and modify this Bill before really they could dissolve Parliament. I propose to show, in the first instance, the inconsistency, the inconvenience, the immense injury that may be produced by this Bill if it passes alone, and in the sense in which it is given us as a complete measure—for it was introduced as a complete measure, and as such we are asked to-night to give our assent to its principle. I do not think I can put it in a more convenient manner than by referring to the county franchise. I never have been a stickler for a contracted or exclusive county franchise. My opinions on the subject were taken from my earliest political friend, who preceded me in the representation of the county, and who was the author of the Chandos clause. I am satisfied that the principle of that clause was a right principle. It was supported by Mr. Hume and the leaders of the Liberal party. It was opposed by Lord Althorp upon what I cannot but conceive in the days in which we live an old-fashioned notion—namely, that you should confine your suffrage in counties entirely to the proprietor, and the suffrage in boroughs entirely to the occupier. But at a time when, in 1832, you were ostentatiously and avowedly, and very properly, giving a large share in the government of the country to the middle classes, it was most monstrous and inconsistent that the most important section of the middle classes —I say most important because the largest employers of labour—the farmers of England, should have no share in the suffrage. Therefore, I think the measure proposed by Lord Chandos was a wise and proper measure. The Bill now before us proposes a very considerable reduction of the occupation franchise in counties. Now I want to show the House how that will act if this Bill which is brought in as an incomplete Bill is passed. And I would do that first, by showing the effect upon the proposed franchise in counties of the population of the Parliamentary boroughs. The House, perhaps, has not realized, as it ought to do, the increase in the population of the Parliamentary boroughs since the Act of 1832. It is very large. It is larger than the population of several European kingdoms. The increase of population in the Parliamentary boroughs is considerably over 4,000,000, and the greater part of it is located without the boundaries of those boroughs. I know it may be said that a considerable proportion of this increase is supplied by the metropolitan districts. I think it is likely that the greater part of the increase in the metropolitan districts may be comprised within the Parliamentary boroughs; although I have no doubt that the increase of the population in the metropolitan boroughs has materially affected the contiguous counties of Essex, Surrey, and Kent. But I think it will lead to more precise results if we deduct the population in the metropolitan districts; and then there will be an increase of upwards of 3,000,000 in the population of the Parliamentary boroughs, much the greater part of which is located without the boundaries. I do not know that I could give a happier instance of this than the borough from which I presented a petition to-day—the borough which the Chancellor of the Exchequer referred to in his opening speech as a conclusive proof of the unsatisfactory position occupied by the working class in respect to the suffrage—the borough which was made the subject of comment in the admirable speech of my right hon. Friend the Member for Hertfordshire (Sir E. Bulwer Lytton), and which also was made by the hon. Member for Birmingham the other night, the main ground upon which he urged the necessity of this Bill—I mean Rochdale. I admit that when you recall the general character of the artizans of Rochdale—a most flourishing part of the country—when you recall the high reputation they enjoy for some of the greatest virtues which men in their position can exhibit, and when you observe the nominal share of votes which they appear from the papers before us to possess in the constituency of their own borough, the case is very striking. But, Sir, when I come to examine the question, I find that the population of Rochdale without the Parliamentary borough is larger than the population within the boundary. The boundary of the borough of Rochdale happens to be peculiarly limited. There is only a radius of three-quarters of a mile from a central point, and beyond that radius the population spreads over seven valleys in a remarkable manner. It considerably exceeds the population of the town, and the great body of the workmen live in that part of Rochdale which is beyond the Parliamentary boundary. I observe that the mills belonging to the family of the hon. Member for Birmingham, and among the most distinguished establishments of that kind in the country, are all without the Parliamentary borough. They employ at this moment about 1,000 hands; and I believe those hands, almost without exception, live outside the boundary. [Mr. Bright: No; the great bulk of them live within the borough.] Well, I have the names of most of them before me. But I will not now pursue this point with reference to the borough franchise, because that is of little importance to my present argument; but with reference to the county franchise it is a matter of much importance. Here is a population of 40,000, 50,000, or even 60,000 without the boundary of the borough of Rochdale; and this is the population which is to produce the county voters under this Bill. Remember that they will have only to live in £6 houses. If a man has a £6 house there—and a £14 house is, I believe, not a rare thing in that part of the world—but if he has a £6 house, with an accommodation field of £8 annual value, he may be a county voter. No one would object to such persons having the suffrage; but is it not proper and just that they should vote where their capital exists and their industry is exercised? In the community of which they are members, and to which they are bound by every political and social tie? Ought they not to be electors of Rochdale, and ought they to be electors for Yorkshire or Lancashire? That is the question, and I put it to every candid man whether this is a state of things that ought to be allowed to exist? I believe the hon. Member for Birmingham was once Member for Rochdale—[Mr. BRIGHT: No!]; at all events he may be, or some of his friends—and I put it to him what he would say if, at three o'clock, when he was not much a-head on the poll, and was a little anxious, a stalwart body of Yorkshire or Lancashire farmers were to ride into the town, and, on the faith of some old-fashioned franchise, should give their votes in Rochdale borough, instead of voting for the county. Why, we should soon hear, I am sure, from the hon. Member, a new argument for Parliamentary Reform, to put an end to such injustice. Well, now, all the boroughs of the North, as a general rule, are in this condition; the boroughs of the two Lancashires, the boroughs of the West Riding, the boroughs of the county of Durham, the boroughs of Cheshire, are all in the same condition. It is not easy to get precise information upon this subject before the House, because we have not authentic Returns—but then that is the very thing of which I complain; but we have it every now and then in our power to illustrate the case. Now, I will take the case of the town of Halifax. The population within the Parliamentary borough of Halifax is 38,000; but there is, fortunately, a more recent political creation than the Parliamentary borough—there is the municipal borough—and we have a Return of the boundary of the municipal borough of Halifax, and of the population contained in it. The population within the Parliamentary boundary is, as I have said, 38,000; but the population within the municipal boundary is 60,000. It is this difference of 22,000 which is to feed the county constituency; and I want to know, is that a state of affairs which is to be tolerated when you have before you a scheme of Parliamentary Reform, which certainly a fortnight ago was not a complete and conclusive one? But, Sir this is not peculiar to the North. I will take the borough which the hon. Gentleman certainly represents, the borough of Birmingham; and what is the state of affairs there? Why, much more monstrous even than in Rochdale, and most of the northern towns. The population beyond the Parliamentary boundary in Birmingham—and, mind you, when I say beyond the boundary, you would not if you were walking about the streets see the line of demarcation with respect to that boundary; it is like London and Westminster, a homogeneous community, having the same feelings and the same interests—the population beyond the Parliamentary boundary is immense. In the suburb of Aston alone, according to a statement which I have here from a person whose word cannot be questioned, and who has every opportunity of knowing the facts—in the suburb of Aston alone there are 2,000 persons who could qualify under a £10 franchise, but who do not vote for the borough of Birmingham, which they ought to vote for; but 1,400 of these will, he says, immediately qualify under this Bill, if it passes, as county voters. Now, I ask again, is this a state of affairs which ought to be permitted? If you pass this Bill with all these anomalies left unremedied, what, I ask, will be the condition of the county constituencies; I take it for granted—there may be individuals in this House who think otherwise, but I will not dwell upon their eccentric opinions—I take it for granted that the great body of the Members of the House of Commons wish to maintain the legitimate influence of the landed interest of England, as being one of the best securities, certainly, for public liberty, and the only security for our local government. I take it for granted, I say, that is the feeling of both sides of the House. Why, then, should you make these great changes, and make them in this imperfect manner, instead of having before you, as this Amendment asks you to have, a complete scheme? Well, Sir, I know it will be said by the right hon. Gentleman the President of the Board of Trade, while he admits this condition of affairs, and that it ought to be remedied, that Lord Derby did not bring forward a Boundaries Bill. Well, now, in the first place, that is not an argument; it is only a captious remark. If there is a great evil, and if I have shown that there is a great evil, it is not the slightest argument on the part of the right hon. Gentleman to say that Lord Derby, when placed in a similar position, did not remedy it. If, indeed, the Cabinet take Lord Derby as their model, if they avow that their Government is established on the principle of imitating Lord Derby, then there would be something in the remark of the right hon. Gentleman. But that is not the case, and therefore, I say that it is no argument whatever. But is it true, on the other hand, that Lord Derby neglected this question? Is it not true that Lord Derby, when I, on his part, introduced into this House a former Reform Bill, wished that the very day the Bill passed there should have been a compulsory revision of all the boundaries of Parliamentary boroughs? Was not that plan of Reform combined with an arrangement which would have rendered such a revision morally certain to have taken place immediately? The great difficulty of passing a Boundary Bill was this:—Hon. Members recollect, or have heard, that when the Reform Bill of 1832 passed the question of settling the boundaries of the Parliamentary boroughs was the source of contention, of misrepresentation, of imputations of injustice and corruption. At that time the Boundary Commissioners were appointed by Government; but Lord Derby by his Bill, profiting by his experience, took the power of appointment from the Government and placed it in the hands of the Inclosure Commissioners. The late Mr. Ellice, who was a great partizan and greatly admired our Bill, though he voted against it, said that that portion of Lord Derby's Bill was perfect—that we had solved a great difficulty, and he defied any one to make a party question out of decisions of the Inclosure Commissioners—in fact, the plan met with general approval. But now nothing is done—nothing is even promised to be done—upon this subject. I ask the House to consider the effect which this immense population spread around the Parliamentary boroughs will have upon the county constituencies if some measure to regulate the borough boundaries is not brought in by the Ministry? What will be the effect if those who will be enfranchised by the Bill are admitted to the county constituencies having no sympathy with the county constituencies whatever? I do not pretend that there is any political principle in the figure £50 in the counties any more than there is in the figure £10 in the boroughs. The only advantage I see in those figures is that some degree of prescription has gathered round them. And as it has been determined to disturb the settlement of 1832, I am quite prepared to consider the revision of the county franchise. But I say there is a principle in the county franchise when you deal with it, and it is this—the franchise must be a county franchise. It must be a suffrage exercised by those who have a natural relation to the chief property and to the chief industry of the county. Those who are to exercise it ought to be members of the same community, and not strangers whose thoughts, feelings, interests, capital, and labour are employed and occupied in another place. That is the principle I contend for.

Now, having shown what will be the effect upon county constituencies of admitting the thousands—perhaps the hundreds of thousands—who are to be enfranchised by this Bill into those constituencies, I will ask the House for a moment to consider what will be the effect upon the county constituencies of the admission into them of the population of those boroughs which are not Parliamentary boroughs. This is the next step in considering the effect of this Bill upon the county constituencies. The House knows very well that in almost every county in England there are towns whose population exceeds 5,000 which are not represented. Many of these are rural towns, and have a keen interest in the property and industry of the counties in which they are situate; and the admission of the population of these towns into the county constituencies would not make much difference, as they would have a community of interest and of feeling with the counties, and would doubtless vote for those men who would best represent the interests of the county. But in cases where large towns have sprung into sudden population in consequence of some particular and distinctive industry what would be the effect of permitting the population of such towns suddenly to exercise the franchise of the county, in which they have only a limited interest? Why, such a change must of necessity lead to the great inconvenience and injustice, and must sensibly operate in reducing the legitimate power — for we ask no more—of the landed interest. In the Bill of 1859, referred to by the hon. Member for Birmingham the other night, there was an allotment of seats of which he spoke with some contempt, although he was obliged to admit that it was of such a character that there was not a single unrepresented town of 20,000 inhabitants, and scarcely one of 15,000, not provided for, and that the effect of admitting the population of the unrepresented towns into the county franchise was proportionately relieved. As to the effect of the unrepresented towns by the reduction of the franchise on the county constituencies the answer of Government now, no doubt, will be, "Wait until you see our Bill for the Re-distribution of Seats." My first and principal reply to that would be, "If we consent to the second reading of this Bill to-night, what security have we that the subsequent measures which the Amendment calls for, and which we all know to be absolutely necessary for the proper understanding of this Bill, will be passed?" No speech that we have heard has met that argument. Even the new device, the *pari passu* device, which we have heard of to-night, does not in the slightest degree meet it, because by one step you may pass this measure; and by another step you may throw out the other. You may pass the Franchise Bill on Monday, and on Thursday the Seats Bill may be thrown out.

But I will not insist upon this primary objection, because it has been treated so amply; but it was necessary to my argument that I should refer to it. But there are other considerations which appear to me to be worthy of the grave attention of the House. The Government say, "We are going to produce a Seats Bill which will meet all these objections with reference to the population of the unrepresented towns by giving them Members." But what are you going to do for the counties? When you pursue that subject you will find that if you proceed with this Bill without having the scheme of the Government with regard to the distribution of seats before you it will be impossible for you, as I will prove, to come to any sensible and satisfactory decision of the amount of what your county franchise should be. It is absolutely necessary that the House should carry in their mind—I have no doubt they have it—the comparative claim to representation of the counties and the boroughs. I am sure the House will recollect it. It is in round numbers 9,350,000, the population of the boroughs, against 11,400,000, the population of the counties; 514,000 electors in the boroughs, against 501,000 electors of counties; and £33,000,000 of rateable property in boroughs, against £60,000,000 in counties. But the House must bear in mind—I will put it before them very briefly—the most pertinent and pregnant calculation which I think on a subject of this kind ever was made. I propose that the House should for a moment consider this proposition—to transfer to counties the representation of all boroughs under 500 electors. Let us see what that is. There are 87 seats, and see what the result would be. Transfer to counties all boroughs under 500 electors, being 87 seats. It would be necessary, of course, to deduct this population from the boroughs and add it to the counties. The population of boroughs would then be a little under 9,000,000, and the population of counties a little under 12,000,000. The electors of the boroughs would be 492,000 against 523,000 electors of the counties. The rateable value of the boroughs would be about £34,000,000, and the rateable value of the counties would be £59,500,000. None of these great quantities would be much affected; but, instead of the boroughs having 334 Members and the counties 162 Members, the boroughs would have 247 Members, and the counties 249. It is necessary that the House should bear in mind this striking and singular instance of inequality in the relative representation of counties and boroughs. Well, then, under those circumstances, I address to the Government these questions: What are you going to do for the counties? You are going to increase the representation of the boroughs, and are going, we will say, to transfer the representation of some of the small boroughs to larger boroughs, and thus so far to relieve the county constituencies from the possible danger of being to a great extent absorbed by the population of these towns; but, at the same time, what are you going to do for the counties? Are you, in the first instance, going to add some Members to the counties as well as to the large towns? Or are you going to add a great many Members to counties and some to large towns? On what principle are you going to act? Are you going to establish plurality of representation while you shrink from granting plurality of voting to the constituent body? Are Members to come here to represent numbers and not opinions? I ask these questions because upon your determination respecting them our decision with reference to the amount of the county franchise entirely depends. Or have you found, as others have found before you, and as I have no doubt Lord Russell, in the course of his numerous studies and experiments, has discovered, that this would be a plan extremely inconvenient, if not impossible? It would not faithfully represent the country. Would you, therefore, have recourse to a system of further division of counties, and, perhaps, of the great boroughs and cities? We want your decision on these points, because upon your determination depends the judgment we can arrive at as to the amount of the county franchise. I will give you an instance in point—that of the county of Middlesex. The inhabitants of one portion of Middlesex are strictly rural, and the remaining portion are composed of a flourishing suburban residency. The county is not large, but is very populous, of great wealth, and possesses a very large constituency. If you give Middlesex four Members, the £14 franchise will return to this House four suburban representatives. If, however, you divide the county, and give two to the rural and two to the suburban districts, the £14 franchise may give two capital rural and two excellent suburban representatives. I therefore maintain that until we have the whole scheme before us it is absolutely impossible for us to arrive at any conclusion as to the amount of the county franchise. What, therefore, can be more rational than the Amendment proposed by the noble Lord? There have been rumours and even Ministerial statements concerning further measures—let us then have them all, for while we are without them we cannot arrive at any decision upon the subject. I cannot conceive what answer can be urged against the claim which I now make, speaking strictly, to the Amendment of the noble Lord. We have a right to ask the Government, generally speaking, what is the plan on which they mean to proceed with regard to the distribution of seats? At present, not a word has yet been said on the subject by the Government; but those who have avowedly a very great influence with the Government have made speeches and written on the subject, and if we are to take those speeches as intimations of what the Government intends to do, to my mind the course they are going to pursue is most unjust and injurious to the landed interest —that is to say, to England, because I say the legitimate interest of the land is the interest of England. Nothing can be more simple than the distribution of seats, according to the last statement with which we have been favoured. I have always regarded the distribution of seats as one of the deepest, and most difficult subjects with which a statesman can have to deal. The general principles which he accepts for his guidance must be applied with great forbearance, with much regard to the various circumstances, and, as every man who has had anything to do with the subject knows, with as much temper as knowledge of the complicated interests. But these do not appear to be the opinions of those who would seem to exercise a directing influence in the decision of the Government upon this question. The last scheme to which I listened was propounded a few weeks ago before the commencement of the debate. That scheme is the simplest in the world. In the North of England we will say there is a flourishing borough containing 100,000 or 200,000 inhabitants, and doing what is called a roaring trade. Well, it sends two Members to this House. On the other hand, there is a borough in the South of England with a small population — say of 5,000 — of no great importance, merely a country market, which also sends two Members to Parliament. Now, can anything be more anomalous than that this great borough in the North, with its large population, teeming and increasing, should be represented in the House of Commons by only two Members, while this unknown place, which nobody has ever seen, should be represented by an equal number? It is indefensible, it is unjustifiable, and, if I were in the music-hall of Birmingham, and contrasted these two boroughs, it would not be difficult for me to produce a great effect. Nothing so easy as to disfranchise such a borough in the South of England. Yes; but the moment you do so a new issue arises. The issue is no longer between the borough in the North and the borough in the South, but between the borough in the North and the district in the South, exceeding, perhaps, the northern borough both in population and property, and which is yet but very imperfectly and inadequately represented. Well, let me take another example—for examples are always better than arguments. I will take West Kent, the population of which at this moment is about 500,000. It has several flourishing boroughs and towns with an aggregate population which exceeds 100,000. They are represented by eight Members, and the county of Kent by only two—capital Members, I admit; we have none better, but still only two. Well, a borough in the South of England is to be disfranchised, and its Members are to be given to a borough in the North, because it has a large population. But West Kent is a very wealthy, progressive, and proud county, and will naturally say, "If we are to have our borough disfranchised give more representatives to the county of Kent." Therefore, Sir, it is not such a simple issue, this distribution of seats, as those who are in favour of these sweeping changes allege; and I think the case I have put is perfectly unanswerable — it is not to be answered, at all events, by a statement which I read by a Member of this House at a public meeting the other day to this effect, that the superiority of the property and population of the North would no longer admit the system which now prevails. Now, I think it most unwise to have these constant comparisons between the North and the South. It is as bad as the Americans, and, if pursued, may lead, as Mr. Canning said, to the revival of the Heptarchy. I do not want to make such comparisons; but this I will say, whatever you do with your representation, if you be wise statesmen, you will take care that the representation on the whole shall be distributed over the country. But, notwithstanding all the statements that are made—notwithstanding this rantipole rhetoric—it is not true that the North of England is superior in population or property to the South. Take the traditional and acknowledged boundary line, the River Trent, and you will find that the population and property of the South are equal — nay, superior to the population and property of the North. And therefore those statements have nothing to do with the real issue; they do not touch it. I know the answer to that. The answer is that, fortunately for the South, the metropolis is there. [Mr. Bright: Hear, hear!] The hon. Gentleman says "hear, hear;" well, but is there any reason why the intelligence, the population, and the property of the metropolis should not prefer a claim before these new boroughs? Are they to be neglected? Suppose I was to say to the hon. Member for Birmingham, who cheers me—"You are always boasting of the great preponderance of population, property, and industry in the North of England; but if you take away the West Riding and South Lancashire, you would not count for much." What would the hon. Gentleman say to that? He would not allow it. [Mr. Bright: Hear, hear!] You agree, therefore, that the North is not superior to the South, and therefore that system of disfranchising boroughs in the South in order to enfranchise great towns in the North cannot stand for a moment. The problem is a difficult one, and must be approached with much calmer and more philosophic views.

Now, I have not the slightest doubt to what all these fine measures would lead. I have never believed that they would end in the destruction of the country. I have too much confidence in the country for that. I think there are sense and creative spirit enough in this country to form a Government. But what I think is that they will end in the destruction of Parliament. You may get rid of the House of Commons—I hope you will not destroy England. Now, suppose the present Government make up their minds—as for aught I know they have made up their minds to do—to meet the question on a great scale, and astonish the House with a great scheme founded on their own statistics. Suppose they say, "We are prepared to disfranchise eighty-seven boroughs which have not 500 electors. We cannot give them entirely to the land; it is not practicable. But we will endeavour to approach a fair balance in the Constitution, and will as far as possible represent population and property blended, and at the same time we will every now and then allot for representation some distinctive interest." Suppose they do that, what would be the consequence? If the House will permit me I will tell them. This will probably occur first. I do not suppose you would have, as some think, a Parliament which would not have the confidence of the country. If you had electoral districts to-morrow you would have a very great Parliament, for the character of individuals and the representation of great interests command public respect in England. You would have every great landowner in this House, every great manufacturer, and some merchants. But in a short time you would find that you did not have that hold over the Executive which you had under the old system. The want of diversity of elements in this House would cause that. In proportion as your command over the Executive fades, your great proprietors and your great manufacturers will cease to belong to the House of which the influence and importance proportionately diminish. Then the story will be that the House of Commons is not what it was. So you will extend the franchise again, and you may go to manhood or universal suffrage, but you will not advance your case. You will have a Parliament then that will entirely lose its command over the Executive, and it will meet with less consideration and possess less influence; because the moment you have universal suffrage it always happens that the man who elects despises the elected. He says, "I am as good as he is, and although I sent him to Parliament, I have not a better opinion of him than I have of myself." Then, when the House of Commons is entirely without command over the Executive, it will fall into the case of those Continental popular assemblies which we have seen rise up and disappear in our own days. There will be no charm of tradition; no prescriptive spell; no families of historic lineage; none of those great estates round which men rally when liberty is assailed; no statemanship, no eloquence, no learning, no genius. Instead of these, you will have a horde of selfish and obscure mediocrities, incapable of anything but mischief, and that mischief devised and regulated by the raging demagogue of the hour.

Well, Sir, I think I have shown there is some reason in viewing the county franchise under the two heads—the influence, if we agree to this reduction, of the population in the Parliamentary boroughs, and the influence upon it of the population of the non-Parliamentary boroughs; and I think I have shown to the House that it is quite impossible for us to form any opinion as to the expediency of the change they propose, and of the appropriateness of the sum which they fix for the amount of the county franchise, unless we have before us further information. And what is the Amendment of the noble Lord but a request for that further information? What surprises me most is that the Amendment should have been resisted—or, I may say, that it should have been permitted to exist. Why should it not have been anticipated? I cannot understand, when such expressions of opinion were given in this House on the introduction of the Bill, why the Government should not have felt it had taken a false step. It is unfair to say that the Opposition was the cause of the Government taking this limited move. That is not only unfair and ungenerous, but I may say it is not a well-founded charge, because it is upon record that the measure of Lord Russell in 1860, although we disapproved many of its provisions, was permitted to be read a second time. That was so because it was a complete measure, and therefore the Opposition are not open to the charge; and I never can understand why the Chancellor of the Exchequer should have taken the view which he has of this case, and that he should have repeated with so much bitterness the Amendment of the noble Lord. It appears to me to be a rational Amendment, and not only that, but an Amendment expressed in language so clear, so simple, and so explicit that it cannot be misunderstood. I know that there is nothing so difficult as to draw up an Amendment; Lord Russell, in his time, was looked upon as a man who could devise as cunning an Amendment as any man in Parliament, and if the Amendment of the noble Lord, instead of being, as I really believe it to be, the reflex of his own candid mind, were the cunning device that some have pretended that it was, I can imagine Lord Russell, when it was brought to him, even though feeling that it might lead to awkward results, still entertaining something of the sympathy of a master hand and some of the envy of rival ability. But what is the Motion that would have suited the Chancellor of the Exchequer? The House is not satisfied with the course you have taken; and even if the noble Lord the Member for Chester had not come forward to oppose this Bill, somebody on these Benches must have done so; for while we were perfectly willing to consider a complete measure of Reform, and have shown our readiness to do so, we must still have opposed this measure for the reasons I have stated in connection with the county franchise, and which I could on many other points pursue. Assuming, therefore, opposition on our part to have been inevitable, what is the Motion that would have satisfied the Chancellor of the Exchequer? The other day I was looking over the records of a celebrated Assembly—I will not say as celebrated as the House of Commons, though unquestionably men as illustrious as any that ever figured in the House of Commons belonged to it—and the period was one similar to the present. The time was when the great Reform Bill was introduced in 1831. The country then was greatly agitated. On the 16th of May, 1831, at Wyatt's Rooms—I am sure hon. Gentlemen opposite will remember Wyatt's Rooms and the Oxford Union—the Parliamentary Reform Bill was before the Union, and an ardent Member, Mr. Knatchbull, moved the following Resolution with regard to it:—"That the present Ministry is incompetent to carry on the Government of the country." It was supported—one remembers it almost with a sigh—by Mr. Sidney Herbert, and the debate was adjourned. But there was a Member of the Union who was not satisfied with the bald expression of opinion by Mr. Knatchbull, and who next day moved a rider to the Resolution, and that rider was in these terms—

> "That the Ministry has unwisely introduced and most unscrupulously forwarded a measure which threatens not only to change the form of our Government, but ultimately to break up the very foundations of social order, as well as materially to forward the views of those who press these projects throughout the civilized world."

I shall be perfectly willing to take that Amendment instead of the one now moved by the noble Lord. The Amendment as I have read it was moved by Mr. William Gladstone, of Christ Church. ["Oh, oh!"] The utterances of hon. Members prove what I say—how difficult it is to devise an Amendment that will please everybody. But that Amendment, as I have said, I should certainly be prepared to adopt, for I think the Ministry have "unwisely introduced, and unscrupulously forwarded" this measure.

Sir, I wish to confine myself strictly to the Amendment, and not to enter into a discussion of the Bill; but there is one point that I cannot pass over—the clause referring to leaseholds. That alone would prevent our assenting to this Bill; and I cannot help thinking that the suggestion was not made with a sufficient knowledge of the subject. It has always been considered a very great anomaly that freeholders in towns should vote for the counties on behalf of freeholds situate in towns. At the time when the Reform Bill was under consideration Lord Althorp was very favourable to a provision that freeholders should vote where their freeholds were situate. But the Cabinet, as a whole, found the arrangement difficult. It was desired, however, by many Whig Gentlemen, and the division on that subject was the only one by which Government was seriously inconvenienced. Indeed, Sir, you, yourself supported the Motion at that time as a county Member. A great deal, of course, is to be said in favour of an old franchise; but when we were called on to deal with the question we determined to encounter it. We did so, because not merely was the anomaly in itself a great one, but because it had been terribly abused. A great number of split votes had been forged. I still think the anomaly cannot be defended, but prescription is in its favour. But the present Government have gone out of their way to aggravate the evil. I am sure they must have done so without a fair understanding of what the consequences will be, because my hon. Friend the Member for Staffordshire (Mr. Adderley) the other day showed what its operation would be like, in stating that in a district of his county one town alone would send forth 5,000 voters under this qualification. I am, however, now obliged to pass from that subject, because there are several topics on which I wish to touch. There is one which I have no wish to avoid, and that is the borough franchise. A reduction in the borough franchise is the real cause of the introduction of this Bill; and the real cause of the reduction of the borough franchise is a wish to introduce the working classes to their fair share in the constituent body. Upon this subject I shall speak without reserve; I think it is not becoming in a public man to speak on such a subject with reserve. I shall divest the question entirely from all sentiment; and I think, after the speech of my right hon. Friend the Member for Hertfordshire (Sir E. Bulwer Lytton), and the speech of the right hon. Member for Calne (Mr. Lowe), yesterday, the Chancellor of the Exchequer must have had quite enough of the sentimental view of the case. The Chancellor of the Exchequer asked us whether we were afraid of the working men; but I do not think that is the question before the House. I take it for granted that Gentlemen on this side of the House, as well as Gentlemen on the other side, are not afraid of anything which, as rational men in the exercise of their duty, they are bound to encounter. The question before us is not whether we are afraid of the working man, but whether we can improve the English Constitution. Now, I hold the English Constitution not to be a phrase, but to be a fact. I hold it to be a polity founded on distinct principles, and aiming at definite ends. I hold our Constitution to be a monarchy, limited by the co-ordinate authority of bodies of the subjects which are invested with privileges and with duties, for their own defence and for the common good; the so-called Estates of the Realm. One of these Estates of the Realm is the Estate of the Commons, of which we are the representatives. Now, of course, the elements of the Commons vary, and must be modified according to the vicissitudes and circumstances of a country like England. Nevertheless, the original scheme of the Plantagenets may always guide us. The Commons consisted of the proprietors of the land after the Barons, the citizens and burgesses, and the skilled artizans. Well, these are elements I wish to see in them, which I wish to preserve, and if necessary to increase; but I wish also to retain the original character of the Constitution. I wish to legislate in the spirit of our Constitution, not departing from the genius of the original scheme. The elements of the Estate of the Commons must be numerous, and they must be ample, in an age like this, but they must be choice. Our constituent body should be numerous enough to be independent, and select enough to be responsible. We, who are the representatives of the Commons do not represent an indiscriminate multitude, but a body of men endowed with privileges which they enjoy, but also intrusted with duties which they must perform. When we had to consider this question in 1858-9 we had to discover what was the proportion which these skilled artizans, these handicraftsmen of the Plantagenets, possessed in this great scheme. After the best computation that we could make we arrived at the result that they were about one-eighth of the constituent body. That did not seem to us to be enough; and therefore we had to consider how they could be increased to that amount which we deemed was a sufficient proportion. We had first to consider whether that should be done by a reduction of the borough franchise. We acknowledged no political principle in the existing borough franchise; but we believed it a convenient arrangement, a satisfactory, a successful, and a popular arrangement, which every year grew stronger, and which it was most unwise unnecessarily to disturb. But we should never have hesitated for a moment between the questions whether we should reduce the borough franchise, or whether we should exclude the working classes of the country from a fair share in the Estate of the Commons. We believed it was dangerous to reduce the borough franchise. We did not see where it would end if we once commenced to reduce that franchise; and we were of opinion that to reduce it a little would not open an entry into the Estate of the Commons for those whom we desired to see admitted. We, therefore, endeavoured by other means to obtain that result; and by careful calculation we thought we had arrived at those means. We calculated that by the means we proposed, but on which I shall not dwell now further than to observe that some of them have been adopted by the present Government, we should have doubled the number of the constituent body. Well, Sir, the House knows what was the fortune of those efforts, and I do not for a moment wish to impugn the decision. But the Chancellor of the Exchequer and the Secretary of State for the Home Department taunted me because in 1859 I expressed a willingness on the part of the Government of Lord Derby to reduce, if necessary, the borough franchise. Why, there was no inconsistency in that. Sir, in our appeal to the country we had to deal with a majority of 140 against us, and though we received much support, there was not eventually an absolute majority in favour of our policy. But we felt bound not to desert the subject, and after this appeal to the country we were obliged to consider it in reference to the result of the general election. But has nothing happened since 1859 with regard to this question? Have not the seven years which have elapsed since that time been some of the most remarkable that have ever passed in the history of England? Though the working classes have been occupied, prosperous, and contented, though they have not been studying the principles on which the representation ought to be founded; on the contrary, during these seven years, the intellect of England, the thought of the most intelligent, and cultivated, and most enlightened men in the country, have intently been studying the principles of representation, and considering those questions which hitherto have baffled statesmen. Sir, I do not give it as my opinion, but I give it as my observation of what I believe to be the opinion of the country—I mean that impartial and intelligent opinion which really regulates the country—is this—that though they are desirous that the choicest members of the working classes should form a part—and no unimportant portion—of the Estate of the Commons, they recoil from and reject a gross and indiscriminate reduction of the franchise. That, I believe, is the real opinion of the country, and, Sir, no one has contributed more to that opinion than the hon. Member for Westminster (Mr. J. Stuart Mill) himself. I listened with surprise to the speech which he made the other night, because it appeared to me to be not at all consistent with his writings, and with those opinions of his which have very much influenced the convictions of society. I am not going to taunt the hon. Gentleman with writings which he published twenty or twenty-five years ago—I speak only of his recent writings, with which we are all acquainted, and particularly of his last edition of his latest book, written after the failure of 1859, and after the other experiment of Lord John Russell, when the mind of the hon. Gentleman was full of those considerable political events, and after he had given all his thought to the subject. All that I have read in that work is inconsistent with the recent language of the hon. Gentleman, because, as I understand the purport of the speeches here, he is in favour of an indiscriminate reduction of the franchise, and—as far as I understood him—of an illimitable reduction. Now, that was not the opinion which I gathered from the most recent writings of the hon. Gentleman. He was certainly always in favour of a general, not to say universal suffrage, but qualified by conditions of a character which probably might induce almost every Gentleman on this side of the House to accept his proposition. There was certainly to have been the representation of minorities. The principle of plurality of voting was also strongly enforced; but certainly we did not hear anything about the representation of minorities or plurality of voting in the speech of the hon. Gentleman the other night. The conditions on which he upheld universal suffrage might recommend its adoption to us to-morrow. The first is—that the suffrage should not be confined to the male sex. Now, I have always been of opinion that if there is to be universal suffrage, women have as much right to vote as men. And more than that—a woman having property now ought to have a vote in a country, in which she may hold manorial courts and sometimes acts as churchwarden. But there is another condition of the universal suffrage of the hon. Member for Westminster to which I must really call the attention of the House and of the Chancellor of the Exchequer. It is that, though the suffrage is to be universal, no man is to exercise the franchise who does not pay taxes. That is an excellent condition. I know what hon. Gentlemen below the gangway will say. They will say that everybody pays taxes—on sugar, tea, tobacco, and so forth. But that does not satisfy the hon. Member for Westminster (Mr. J. Stuart Mill). He says, "I do not mean indirect taxes. Indirect taxes are no security whatever for the prudence of an individual, or the fitness of a man to have a vote. I must have direct taxes." Well, that seemed to me rather a difficulty, but I have confidence in philosophers, and I felt that the difficulty would be solved. Statesmen and politicians are a narrow-minded race of men. They live within a limited sphere of experience, and you do not get much out of them if they leave it. But a philosopher is an exuberant and imaginative being, and the hon. Gentleman was ready with an admirable expedient which somewhat surprises me, though it is rather simple than original. He said, "We must have universal suffrage and every man must pay direct taxation, and what I would propose would be that there should be a poll tax." It is a very great thing to have a future. We know now what will be the future of this country when that philosophical Cabinet, which I understand is intended, shall take its place upon that Bench. A poll tax for England! Such is the basis of your future finance; and we know that there are some other measures preparing in the same armoury. A poll tax for England, combined with a compulsory measure of education and compulsory cleanliness—it will be the admiration of cosmopolitan Europe; but I fear before nine months are passed the whole country will be in a state of insurrection.

There is one point of primary importance which ought not to be evaded in this debate. I have stated my view as to what ought to be the position of the working classes in reference to their share in the constituency. I wish them to take their position in the Estate of the Commons, and have an adequate share of that great and privileged order. What is the number of the working classes now enfranchised? That is a subject upon which the greatest mystery exists. Information has been given to the House which seems to have startled everybody, and Ministers more than anybody else. Yet it appears to me that the subject is one on which we ought to have accurate information before we can give any opinion upon this Bill; and I want further information. There is one startling fact. We always used to be told, when we were discussing questions of this kind, that before the Reform Bill all the freemen and scot and lot voters were working men. It turns out that at no period before the Reform Bill were the majority of the freemen and the scot and lot voters working men. On the contrary, they were to be found in quite different classes of society; and many of them were among the gentry. We have a Return showing that the number of freemen and scot and lot voters now is 50,478, of whom 28,000 belong to the working classes, so that 45 per cent of the whole are working men. We may take that proportion as a good guide to the relative proportions at the time of the Reform Bill, when there were 108,000 freemen and scot and lot voters, of whom we may take it 48,000 were working men. When the Reform Bill was passed there were 174,000 ten-pounder householders; and we want to know now how many of them were working men. There is an estimate of the time of Lord Althorp, which set them down at one-twelfth; but I think that an under-estimate. I would calculate that they formed one-ninth of the whole, and put them down at 19,000. These figures give a total of 68,000 freemen, scot and lot voters, and ten-pounders at the time of the Reform Bill belonging to the working classes, compared with 128,603 now; so that they have increased 90 per cent, and the proportion is 27 or 28 per cent now compared with 23 per cent then. These figures show that the House ought to hesitate a little before it comes to a decision upon this subject, because at the present rate of increase 10,140 a year are added to the borough constituency, and, giving to the working classes 60 per cent of this increase in ten years, that increase would make the working classes one-third of the whole borough constituency. One-third of the borough constituency seems to me to be rather a fair proportion. But, says the Chancellor of the Exchequer, "the working classes have, I admit, one-fourth of the borough constituency; but as regards the borough and county constituencies taken together they have only one-seventh." Now that, I think, is a fallacy. If you want to estimate the amount of the working classes which ought to be in the borough constituencies, you must make your calculation in connection with the borough constituency alone. If you desire to calculate the position in this respect occupied by the working classes generally, then you must make your estimate having regard not only to the borough, but to the county constituencies. That, however, is an estimate, in making which we have no official information to guide us. I must not exactly go so far, because I have something here at which the House will perhaps be startled. The Chancellor of the Exchequer seemed to doubt what I said on this subject the other night, when he said that the working classes had no share in the county constituencies, and spoke of the working man in a county constituency as "the fly in the pot of ointment." But I was not satisfied with his view. I recollected that the number of land societies in the rural districts was very considerable, and I had observed that in villages in Buckinghamshire and Hertfordshire, in which when I first knew them there was not a single working man in the constituencies, working men now composed one-sixth of those constituencies. But let me turn to the North. I have by me a statement which I will put before the House briefly, but which I regard as of great importance. I have received it from a Yorkshireman who is known to every Yorkshire gentleman in the House, and who is high authority on the point to which he refers. He analyses the county constituency in his township of the West Riding, ranking those who compose it under four different heads—the upper class, the middle class, the lower middle, and the working men receiving weekly wages under 30*s.*; he gives me these lists in detail, and he adds that he is as well acquainted with the whole Riding as he is with his township, and that he is confident there are at this moment upwards of 15,000 working men living by weekly wages who possess the suffrage in the West Riding. ["No, no!"] An hon. Gentleman says "No," but I leave him to digest this statement at his leisure. Such information comes to hand every day. Here is a land agent who states that he is Conservative agent for South Derbyshire—I do not know him—and he assures me that he believes he is correct in stating that there are more 40*s.* freeholders in South Derbyshire than all the other freeholders and £50 occupiers put together. I think I have shown, then, that the condition of the working classes in this respect is not such as has been stated. The question is, have they or have they not a fair proportion of that Estate of the Commons of which they are entitled to be members? I do not say they have. I say that you should inquire—that you should pause—that you should obtain sufficient information, before you make a change; but, above all, that you should act in the spirit of the English Constitution. I think that this House should remain a House of Commons, and not become a House of the People, the House of a mere indiscriminate multitude, devoid of any definite character, and not responsible to society, and having no duties and no privileges under the Constitution. Are we to consider this subject in the spirit of the English Constitution, or are we to meet it in the spirit of the American Constitution? I prefer to consider the question in the spirit of our own Constitution. In what I say I do not intend to undervalue American institutions, quite the reverse. I approve of American institutions, for they are adopted in the country in which they exist. The point I would always consider is, whether the institutions of a country are adapted to the country where they are established. But I say none of the conditions exist in England which exist in America, and make those institutions flourish so eminently there. If I see a great body of educated men in possession of a vast expanse of cultivated land, and behind them an illimitable region where the landless might become landowners, then I should recognize a race to whom might be intrusted the responsibility of sovereign power. The blot of the American political system is not essential to it, but accidental: it is those turbulent and demoralized mobs which exist in the cities of the sea coast which constitute so great a reproach to American institutions. If, however, you introduce those institutions into England, I believe the effect would be disastrous. You would not gain that which is excellent in the American system, but that which is not an essential quality, but a most disgraceful and demoralizing accident. You would have the rule of mobs in great towns, and the sway of turbulent multitudes. If a dominant multitude were to succeed in bringing the land of England into the condition of the land in America, they would after all get but a limited area, and that only after a long struggle, in the course of which the great elements of our civilization would disappear, and England, from being a first-rate Kingdom, would become a third-rate Republic. I regret to hear principles which must pull down the prosperity of an old country like this advocated in this House by men of ability. The hon. Member for Montrose (Mr. Baxter) deprecated any allusion to speeches elsewhere. That is very convenient. It is very convenient to make speeches in two places, and not to be answered in either. I am not one of those who depreciate the talents or character of the Member for Birmingham. I admire his great abilities, I listen to his eloquence often with delight, and I recognize his unexampled energy. I regret, however, that such gifts should be exercised—I doubt not conscientiously—in favour of principles which, if successful, I believe would be fatal to this country. Sir, it is very disagreeable to me, as it must be to any Gentleman in our debates in this House, to be constantly commenting on the language and conduct of any individual Member. I feel the embarrassment and pain of it all; but, Sir, it is not my fault. If the Member for Birmingham were in his right place this would not occur. I have to make remarks on Gentlemen opposite, and they in turn make remarks on us. It is the policy of a Government that we oppose, it is the manœuvres of an Opposition that they impugn; and the knowledge that we are dealing with corporations softens the asperity which must sometimes occur in the heat of our political conflicts. If the Member for Birmingham were seated on that (the Treasury) Bench, where he ought to be seated, we should fear him no longer. We should only fear Her Majesty's Minister. And, therefore, if the Member for Birmingham, who really, though not avowedly, dictates the policy of the country, is not in the position in which he ought to be, I must, disagreeable as it is to me, comment on the conduct of so eminent an individual. Some of my friends have spoken with indignation of the manifesto which the Member for Birmingham has thought fit to publish. My feeling, when I read that letter, was not a feeling of indignation, nor was it one of contempt—nothing of the kind—it was a feeling of mortification, I felt I had totally misunderstood the character of the individual with whom we had been so long in communion, which I thought was at least dignified. I thought, for example, that the Member for Birmingham was proud of being a Member of the House of Commons, and I confess I saw with satisfaction that the House of Commons sometimes seemed not disinclined to be proud of him. But that he should leave us only to hold us up to public obloquy, was to me a cause not of indignation, but of disappointment that he should speak of us in a manner utterly deficient in feeling and candour, wanting alike in truth and taste, was—I speak it unfeignedly—most painful. He was the last man, knowing what I know of him in this House, that I should have supposed would hold up the House of Commons to public reprobation, almost with the truculence of a Danton. Sir, it is not for me to vindicate the House of Commons—that is not my proud position—that is the privilege of another; and I must say it was a source to me of astonishment that the leader of the House of Commons, who must have been in that part of the country at the time—I know not whether at the same meetings—with no lack of opportunity, attending theatres and making speeches after dinner should not have noticed that address—should not have vindicated the character and the honour of that Assembly of whose privileges and honour it ought to be his greatest pride to be the champion. They were no hurried words—they had not the excuse of oratorical excitement—they were penned, and penned with malice prepense. The right hon. Gentleman could not find time to notice them at one of his dinners given to him by the Financial Reformers of Liverpool, or at least attended by some of the most distinguished of those provincial fanatics; though he could find time to criticize the comparatively insignificant letter of the right hon. Member for Calne (Mr. Lowe), which was the staple of one of his speeches. He could not find time to comment on the letter of the hon. Member for Birmingham, although it was an attack upon the character of those of whom he is the leader, and upon the honour of the House of which he ought to feel proud to be the chief and champion. But, Sir, although I have not the honour to be the leader of the House of Commons—although that proud position is not mine—I am here at least, by the favour and indulgence of my friends, the leader of the Tory party. And I take this the earliest opportunity of telling the hon. Member for Birmingham that the attack which he has made upon the Tory party is one which he cannot substantiate. He has said that the Tory party are only anxious to plunge the country into war, in order to divert it from that domestic progress and that beneficent course of policy to which he has devoted all his energies. Sir, I want to know from the hon. Member what grounds he has for making that assertion. We have heard from the Chancellor of the Exchequer enough during the recess about the last thirty years. I have been in this House with the right hon. Gentleman for nearly these last thirty years, of which we have lately been told so much; and the hon. Member for Birmingham himself has sat here for more than two-thirds of that time. He has therefore had some experience in our public affairs, and has taken a part in our deliberations upon them. What war, then, I ask, have we plunged the country into? There was the Crimean war. Were the Tories the authors of that? They certainly might have carried that war on in a different way, but they were not its authors. Why, Sir, when the hon. Gentleman charges us with these great offences against the prosperity and the fortunes of the realm, has he forgotten that the man whom he especially ought to reverence rose in his place in this House and declared solemnly that in his opinion if Lord Derby's Government had not been turned out of office in 1852 the Crimean war would never have happened? These were the words uttered in this House by Mr. Cobden. Well then, Sir, there was another war. Did we take advantage of the Italian war to plunge this country into it? Is it not upon record—although the record was not published till after the delusive Amendment, which drove us from office, was passed—is it not upon record that every fair means was used by this country to prevent that war, and that nothing but the headstrong conduct of Austria occasioned it? But whether that occasioned it or not, this is quite clear, that the moment that fatal step was taken we would not in any way sanction any of those proceedings, and withdrew this country entirely from it. Then, I say, what reason has the hon. Gentleman to say that the Tories are always anxious to plunge the country into war in order to divert the people from civil progress? Well, Sir, there has been another war in Europe during these last thirty years—the war between Denmark and Germany. Did we want to plunge the country into war upon that subject? Is it not notorious—has it not been proved by documents laid on this table—that the late Prime Minister of England and the present Prime Minister of England did wish to plunge this country into that war? Are not the despatches in existence and in the possession of every Member, inviting France to join with England in going to war with Germany on behalf of Denmark? And, indeed, nothing but such a policy could justify the promises they held out to Denmark, who was betrayed. And what prevented that war? They resolved to wait until the meeting of Parliament to decide on their policy and to control rebellious colleagues; but the conduct of the Opposition, the declarations that I made with the full consent and by the advice of those with whom I act, prevented that war. [" No, no!" *and Cheers.*] It was notorious, and I believe the hon. Gentleman himself has admitted it, that we prevented that war about Denmark. Well, then, how can he justify these statements, made by a man of his influence in the country, calumniating, I will say, a great political party? But, says the hon. Gentleman in the same manifesto, it is not in Europe alone that they are desirous to engage us in war; the Tories want to involve us in war with America; it is America they hate, it is America to which they are directing all their attention, and if that party were to come into power a war with America is certain. These, Sir, are the representations he makes to the people of England, and I want to know upon what grounds he makes them? Why, Sir, it is upon record that during that painful struggle I did all that I could, assisted by my colleagues, and especially by my noble Friend the Member for King's Lynn (Lord Stanley), to moderate the councils of this House, and to avert that which I believe would have been the greatest evil that could possibly occur—a war between this country and the United States; and I hope, I sometimes hope, that I contributed to that result. No doubt there were Gentlemen, not confined to one side of the House, who expressed different opinions on that subject, and who wished for the recognition of the Southern States; but, Sir, have we come to this pass in England that high-spirited men, on whichever side of the House they sit, are not to give expression to their views on public affairs? No—I confess it there were Members on this side of the House—more than one man of considerable ability—who took a very decided view, and believed it to be for the honour and interest of England that the Southern States should be recognized. They did me the honour of consulting me upon the subject, and I endeavoured to moderate their feelings. And what was their reply? They said, "We have every encouragement from a portion of the Cabinet, and it is your holding back that prevents a great result for the benefit of the country." And had they no cause for their belief? Is it not the fact, and can the hon. Member for Birmingham—who has accused me personally of endeavouring to bring about a war with America; he has accused me in common with the great Tory party—can he deny that those who were desirous of effecting the recognition of the Southern Confederacy had every encouragement from the Government? Is it not notorious that one of the leading Members of the Government—one who is its chief organ in this House—made one of those pilgrimages of passion of which we have lately had a specimen, and not content with speaking in this House, made in another place an inflammatory harangue, which, if it meant anything, meant that the Cabinet of the Queen was on the point of recognizing the Confederate States. Did not that speech disturb every market in Europe? Did it not affect the price of public securities and create confusion throughout the world? And yet this Minister is the tried friend of the hon. Member, who goes down into the country and says that I and my friends are those who are always anxious to plunge the country into war. But, Sir, the hon. Gentleman is not content with imputing to us an anxiety to involve the country in external calamities; he says the Tory party have been the cause of all the abject misery and wretchedness which the people of England have endured. Now, I will take the last thirty years—they have been dinned into our ears often enough at these Liverpool banquets—and I ask any man, whether he sits on this or that side of the House, what has been the conduct of the Tory party in this respect? During the last thirty years there have been twenty-eight measures introduced into this House, the object of which has been to ameliorate the condition of the people—to reduce their hours of labour, to secure for them the payment of their wages, in coin of the realm, to save them from torture and oppression in the mine and in the colliery, to extend to all engaged in their ingenious arts, in lacework, in the bleaching-ground, in the printing works, and the benefits of that successful amelioration which had been introduced into the cotton and woollen factories. Sir, all these measures were passed with immense difficulty. Never was an opposition exercised stronger, more resolute, more pitiless than that which was organized against these measures. But they passed. And who passed them? Not one of those measures but was proposed by a Gentleman sitting upon these Benches. Not one of those measures was passed but by the united energies of the Tory party. And who opposed them? The Liberal Government of that day generally opposed them; but they were opposed mainly and chiefly by the influence of one individual, who offered, as he does on all occasions when he opposes anything, an opposition that is formidable because it is able — who threw all his energy and eloquence into the resistance of those claims, and who for a time retarded their advancement; but, notwithstanding his power of organization—notwithstanding his energy and eloquence — he was ultimately defeated, and that was the hon. Member for Birmingham. Shall I be told that these were merely the schemes of dreamy philanthropists, that they were part of the maudlin humanitarianism that has been referred to in this debate? I appeal to the last thirty years. The hon. Member for Westminster says we know nothing of the working classes, and the hon. Member for Lambeth (Mr. T. Hughes) in his freakish speech, claimed a monopoly of knowledge and interest in them. But all I know is that years ago, when this struggle took place, my home was full day after day, and year after year, of these men. They raised a large fund in the manufacturing districts in order to pay for deputations to be constantly in the metropolis, and communicating with Members of Parliament. They communicated with me, they were always under my roof. I made their acquaintance to this degree, that when a great calamity occurred a few years ago they wrote to recall their names to my recollection. I think then I know them, and I think my noble Friend near me, to whom they are more deeply indebted than to myself, knows something of these working classes. I remember when we passed through the lobby of the old House, which many of you will recollect, there they were, sometimes with their wives and children, and they would cling to you with their petitions when you entered the House of Commons. These, then, were not measures of a pseudo-philanthropy; these men were persons in earnest, and they felt that their interests and their future happiness and prosperity depended on the success of those measures. They felt in them an interest which, perhaps, we cannot experience on any subject. They felt that their all was at stake, and that we were their only friends. But they feared the opposition of those who are now the peculiar friends of the working classes.

Well, Sir, I hope I am justified in vindicating the great party on this side of the House from these elaborate attacks made to the people of England by one who is the representative of new opinions, who influences the policy of the Government, but whose opinions, I confess, in themselves, I do not believe the people of England would rally round. His unrivalled eloquence and his great abilities may enable him to place them before the country in a captivating manner, but they are in my mind opposed to the instincts and to the character of the English people. I believe that English and not American principles will predominate in this country. But I am willing to confess that, though the opinions of the hon. Member for Birmingham may be dangerous, the hon. Gentleman has at least one excellent quality—that of candour. He never conceals his opinions. He states them with frankness which is not observable in the measures of the Government. We all know what the hon. Member wishes to do; and, though his principles are often dangerous, and, if not baffled, might prove fatal in their consequences, we are always able to guard against them. But I think the peril is here, that the hon. Gentleman the Member for Birmingham has, to use a phrase borrowed from the practice of our noblest pastime, a "confederate," and that confederate sits upon the Treasury Bench.

Now, Sir, I ventured to put before the House to-night the principles upon which Parliament ought to proceed with this question of Reform, if it proceed at all. Those principles are English, and not American. It ought to proceed upon the principle that we are the House of Commons, and not the House of the People; and that we represent a great political order in the State, and not an indiscriminate multitude. And in estimating what share the working classes should possess in the power of the State—a share which I do not at all begrudge them—we ought to act and to form that estimate according to the spirit of the English Constitution. The hon. Member for Birmingham takes an opposite view, and states it very candidly. But the right hon. Gentleman the Chancellor of the Exchequer, the leader of this House, and the counsellor of the Sovereign, goes to Liverpool and confesses to American principles in their widest sense. [" No, no ! " *and Cheers.*] Well, I would make no statement to this House that I am not prepared to substantiate. I have expressed pretty clearly my views upon the English Constitution, and confidently assert that they are correct. I say that the right hon. Gentleman, following as he always does the example of the hon. Member for Birmingham, went through the country on a tour of agitation, and I say that he propounded a policy founded upon American and not upon English principles. And I am here to prove what I state. What did he do ? He went to a well-arranged meeting, and had, of course, well considered what he intended to say. And what did he say ? He made some observations about the general policy of the Government, and then referred to the real business of the Session. He said, " We have brought forward a Reform Bill. It is a very moderate measure. It will introduce 400,000 additional voters into the constituencies." Well, there may or there may not be good reasons for introducing 400,000 additional voters, but we have never yet argued that matter. We can do that, indeed, in Committee if we ever get there. But if your views of the English Constitution are the same as mine, it is a very great addition to the Estate of the Commons. The right hon. Gentleman said, " We have brought in a very moderate measure, and we propose by this measure to add 400,000 voters to the present constituency." The right hon. Gentleman treats with great obloquy and contempt all opposed to him. The noble Lord (Earl Grosvenor) proposes this Amendment, the common sense of which is recognized by the country. And what does the right hon. Gentleman say ? He says, " He does this, notwithstanding the moderation of our measure — only 400,000 introduced, while there are 4,500,000 of living and breathing men, citizens like ourselves, payers of taxes like ourselves, bound to every civil duty like ourselves, having an interest in the peace and order of the country like ourselves." Very well, but the object of discussion is to elicit truth. What is the interpretation to be put upon this ? I say — every man of candour must say—there is only one interpretation—that the 4,500,000 have as much right to be added to the constituent body and to exercise the franchise, although it may be prudent for the Chancellor of the Exchequer to propose that only 400,000 shall at present " be brought within the pale of the Constitution." But if you admit the principle that the 4,500,000 behind them have an equal right to enter the English Constitution, you are introducing American principles which must be fatal to this country, though they may be adapted to America. I say, therefore, that no other interpretation can be put on the language of the right hon. Gentleman ; but if there was any doubt, that doubt can remain no longer. Remember the speech he made a year and a half ago, which confounded his Colleagues, confused the House, and perplexed and agitated the country, when he based the title of admission to the suffrage on the rights of man. Well, he published his speech—he published an explanatory preface which nobody understood. He did a good many other things, and the matter passed off. But there was no mistake on the part of the right hon. Gentleman when he made that speech. He published his preface to pacify his Colleagues, but he never changed his opinion ; and in Liverpool on this occasion—a formal occasion, not one when a man speaks in heat, when a Minister, above all, considers well what he says—again expressed the opinion that the suffrage was a moral right, and ought to be so considered. Speaking of the change in the condition and means of the mass of the community, these were his words—

> " This change and that growing and constantly increasing capacity which we see constitute not only a fitness, but in a moral sense constitute a right."

There it is—" constitute in a moral sense a right." The right, we know, does not exist in a legal sense ; in what other sense than a moral sense can it exist? That completely vindicates the statement I have made. Now, Sir, I have a passage here which I am sure the House will listen to with attention, for it contains the words of one of the wisest men that ever sat in this House. Although I was in no political connection with him, but the reverse, I took the liberty, and I remember it not without solace when we lost him, of spontaneously offering my tribute to his character and his services. These are the words of Sir George Lewis—

> "You may talk of the rudeness of Monarchical Government, but I defy you to point out anything in Monarchy so irrational as counting votes, instead of weighing them, as making a decision depend not on the knowledge, ability, experience, or fitness of the judges, but upon their number."

Now, Sir, these are wise words to be remembered. Sir George Lewis was a great loss to this country; he was a greater loss to the House of Commons; but he was the greatest loss to the Gentlemen opposite. Sir George Lewis would not have built up the constituent body on the rights of man; he would not have intrusted the destiny of this country to the judgment of a numerical majority; he would not have counselled the Whig party to re-construct their famous institutions on the American model and to profit in time by the wisdom of the children of their loins. Sir, it is because I wish to avert from this country such calamities and disasters that I shall vote for the Amendment of the noble Lord.

THE CHANCELLOR OF THE EXCHEQUER: At last, Sir, we have obtained a clear declaration from an authoritative source; and we now know that a Bill which in a country with five millions of adult males—["Oh, oh!" "Hear, hear!" *and cries of* "Order!"] Am I to be permitted to proceed? ["Hear, hear!" *and renewed cries of* "Order!"]—and we now know that a Bill which in a country with five millions of adult males proposes to add to its present limited constituency 200,000 of the middle class, and 200,000 of the working class is, in the judgment of the leader of the Tory party, a Bill to re-construct the Constitution on American principles.

Sir, I rise after one o'clock in the morning to review, as well as I am able with the aid of this declaration, a debate which has continued through eight nights. And first, Sir, I would gladly have passed by the defence, as he calls it, and as I must presume he thinks it, which the right hon. Gentleman has made for himself and for his friends with reference to the history of the past twenty or thirty years. I have no desire to interfere in that controversy. I will not attempt to follow him through its details; it will require from me only the briefest notice as to its general scope. I have too much respect for the time of the House to weary it, at this hour, with matters which it is in my power to avoid; and I must say that I have too much respect for the judgment of the House, and for the judgment of those elsewhere who will become acquainted with our proceedings, to have the slightest apprehension that any one of the mistakes, or any one of the misrepresentations consequent on the mistakes, which have proceeded from the right hon. Gentleman, will have an influence on the House or on the people.

Now, Sir, I am afraid that I must begin by owning that I have much to say. I will endeavour, however, to consult the convenience of the House by clearing out of the way at the outset some misapprehensions which the right hon. Gentleman has assisted to propagate, and which have prevailed on the other side during this debate; to these I will refer exceptionally, because I think they have considerably obscured the general issue.

In the first place, I must presume to say a word upon the subject of the references which have been made to a great name among us in this House and in the country—I mean the name of Lord Palmerston. It has been assumed by Gentlemen who are supporters of the Amendment that they honour the memory of Lord Palmerston by describing him either generally as the enemy of Reforms, or specially as the enemy of Parliamentary Reform. Or again, and yet more specifically, by describing him especially as the enemy of that which constitutes the essential point and the very hinge of the whole framework of this Bill; namely, a reduction of the borough franchise. Now, Sir, to throw light upon this subject, I will read but a few words which Lord Palmerston used in supporting his own Bill in 1860. He said, that the provisions of that Bill were open, as without doubt the provisions of our Bill, and of every other Bill are open, to consideration in Committee; but he went on to use these words, "there are certain fundamental principles in the Bill which we could not consent to have infringed, because that would destroy the measure altogether." One main principle of the Bill is, the reduction of the borough franchise. It has been assumed by some speakers, that the life of Lord Palmerston was a security against the introduction of a measure of Reform. I think it no less due to Lord Palmerston than to his colleagues to say that, as far as I am aware—and I presume the right hon. Gentleman will admit that if mischief of any kind had been brewing in the Cabinet I probably should have known it—there never was a difference of opinion between Lord Palmerston and his colleagues on the question of Reform. In my own judgment, we underwent a great responsibility in regard to the measure of 1860. The introduction of that measure was an important step in redemption of a very solemn pledge; of a pledge which might almost have been termed the basis of our official existence at the time. The abandonment of that measure probably must have taken place at some period of the Session in the state of affairs in which we stood; yet it was a matter difficult to determine as to the precise time and circumstances. I admit that in that abandonment we underwent a great responsibility. Differences of opinion there might have been with regard to it; but I know of no Member of the Cabinet of Lord Palmerston who ever thought that, after the abandonment of that measure, and considering the circumstances which prevailed from the year 1860, down to the dissolution of last year, it would have been wise or warrantable for the Cabinet to have revived the subject of Reform. The right hon. Gentleman quotes, and grossly, I must say, misquotes, a speech of mine on the subject of the suffrage: no, Sir, I will not say he misquotes it, for he did not refer to my actual words, but I will only say he misstates the effect. The right hon. Gentleman, however, if he recollected that speech at all, might have recollected that in that speech I declared that in my opinion it would be wrong for the Government to introduce or take up the question of Parliamentary Reform, till there should have arrived such a state of public opinion as might seem to afford a prospect of success. That, I believe, was all along the unanimous opinion of the Cabinet. It has been observed, indeed, that my right hon. Friend the Secretary for the Home Department declared last year that we did not make our appeal to the country as the patrons of a great measure of Reform. Certainly not; we tendered no such profession. We left the country to pronounce its own impartial judgment; and we waited, in the state of things I have referred to, for spontaneous indications of the public mind with regard to the representation of the people in Parliament. But my right hon. Friend himself has stated that when the elections had taken place he individually formed the opinion, which, as far as I know, was the opinion formed by the other Members of the Cabinet, that the manifestations which had been given by the country, and by candidates when appealing to the constituencies, in respect to Parliamentary Reform, had brought again before us the very occasion on which it was our duty to become responsible for another measure of Reform. Nor have we the smallest right, the smallest ground, to suppose that Lord Palmerston differed from that opinion. We cannot, indeed, say that he agreed in it; and why? Because, at the moment of his lamented death, no single Cabinet had been held for the purpose of considering the measures to be adopted during the coming Session. But I do chance to know, and it is a posthumous record of some interest, that Lord Palmerston had a conversation with one, at least, of his colleagues at no very long period before his death — it may have been a twelvemonth, or even more; I cannot further define the time—on this very subject. I have not the smallest doubt in my mind, though I cannot state it as a matter of fact, that he was looking forward to the dissolution as the critical period when a fresh decision would have to be taken. In that consideration he stated his opinion that within a limited time it would be right for the Government again to introduce the subject of Reform. So much, Sir, for the honour of Lord Palmerston, which I confess I think has not been in the most judicious hands during the chief part of this debate. That opinion, I hope, may be expressed without offence, and without trangressing in letter or in spirit the rules of Parliament.

Now, I come to another subject again of a personal character, and one with which the House has been made perhaps sufficiently familiar during our long discussion. I refer to my hon. Friend the Member for Birmingham. It has been made a charge against the Government that they are identified with my hon. Friend. It is admitted that we are the nominal Ministers of the Crown, but it is confidently or boldly declared that he is its irresponsible, yet its real adviser. To such a charge, couched in such terms, I shall make no reply whatever. Such persons as are disposed to admit it must have minds in a position entirely inaccessible, I will not say to deliberative reason or justice, but, at any rate, to any observations I can offer. In truth, such things are said not to convince, nor to persuade, but if not to bewilder, at least to sting. But more specific charges have been made, and these it is right that, as Her Majesty's servants, we should notice. It has been stated that my hon. Friend the Member for Birmingham has been the adviser of this Bill. On that subject, inasmuch as it raises an issue of facts, and is therefore one which admits of being dealt with, let us consider what has really taken place. And I may preface my statement with this remark, that in my opinion, as well as in the opinion so gracefully, as well as manfully expressed by my hon. and learned Friend the Member for Exeter (Mr. Coleridge), it would have been no disgrace to the Government, if policy had appeared to recommend it, that they should have consulted the great organs of opinion in the different sections of their party with respect to the best method of framing a plan of Parliamentary Reform. Had that method been pursued, it would have been impossible to overlook—it would have been culpable if, through cowardice, they had refrained from consulting — my hon. Friend the Member for Birmingham. But Her Majesty's Government felt no such necessity ; and, as far as I am aware, did not in any manner or degree pursue that course of consultation. They did feel that, responsible as they had been for the formation and the introduction of previous Reform Bills, and being, most of them, not wholly inexperienced in conducting the affairs of a Government, they had sufficient confidence in themselves, sufficient knowledge of the state of the public mind, and sufficient sense of their own responsibility to form their own opinion on the leading provisions fit to be embodied in a measure of Reform. We were, indeed, aware of the opinions of the hon. Member for Birmingham just as much, I believe, as, and no more, than the Gentlemen opposite were aware of them. And I apprehend that we were aware of them through the same unfailing channels —namely, the public journals of the country. What we understood to be his opinions he stated in some speech delivered by him, I rather think at Rochdale, during the autumn, we conceived them to be as I will now state them, and my hon. Friend himself will, I doubt not, have the kindness to correct me if I am wrong. There were, I think, four points principally put forward. Firstly, that there was a certain franchise which must be considered to be the maximum for counties, and that this was £10 ; secondly, that there was also a certain franchise which must be considered to be the maximum for boroughs, and that to make this satisfactory it should on no account be above £6 ; thirdly, he considered that the extension of the franchise ought to be separated from the re-distribution of seats ; and fourthly — he will forgive me if I do not quote him with sufficient precision—he thought that separation of the two subjects ought to take place in order that the interval of time between the two might mature and ripen the public mind after the passing of the Franchise Bill, so as to obtain, if a later, yet a more full and conclusive settlement of the question. These, as far as my memory serve me, were the four points of opinion delivered by my hon. Friend. And what have we done? We agreed with my hon. Friend in one of them—we agreed with him in the policy of the separating the franchise from the re-distribution of seats. And should we not have been the most contemptible of all the poltroons ever misnamed Ministers, if, having that opinion, we had shrunk from acting on it because we might know well enough, without any gift of divination, that the leader, forsooth, of the Tory party would found on that circumstance a charge of subserviency which he himself knows to be thoroughly unfounded just as well as we do? If subserviency exists, why has it not appeared in our conduct with reference to the other opinions of my hon. Friend? Why were we to differ with him in everything? Why have we not proposed the £10 franchise recommended by my hon. Friend, and by the right hon. Gentleman himself in the Bill of 1859? Why have we not proposed the £6 franchise introduced in 1860 under the express sanction of the right hon. Gentleman the Member for Calne, and declared by my hon. Friend the Member for Birmingham to be the highest figure that could be allowed to stand in any satisfactory Reform Bill? If this subserviency exists, how is it that these opinions have not been followed? It is true that my hon. Friend, with, I think, great moderation and great wisdom, accepts the Bill as it stands, and his acceptance of it is converted into a charge against the Bill itself. Strange position, indeed, if we have arrived at a state of things in which the very fact that my hon. Friend gives his support to this Bill—a Bill proposing a far less popular franchise than was recommended by Lord Palmerston, whose political calmness and deliberative temper have been so justly commended in this debate ; by Sir George Lewis, and by the right hon. Gentleman the Member for Calne—the very fact that the hon. Gentleman supports this Bill is to taint and, as it were, to poison the measure itself. Is it credible that there are such extremes of party and personal animosity in this House, and that the very essence of facts and objects is to change its nature from its relations to particular individuals? And are these the encouragements to political moderation which my hon. Friend is to receive? Such, Sir, is the state of the facts, so far as we are concerned, with regard to my hon. Friend the Member for Birmingham. Yet I must still say one more word about him. I am sorry to have to do that, but I cannot help doing it. I do sincerely think he is a great deal more obliged to hon. Gentlemen opposite than he is to us. It is my firm opinion—though it may be erroneous—that the Gentlemen who adopt the line of argument which has been adopted by the right hon. Gentleman opposite, with regard to what he terms Americanizing the institutions of the country, are doing their utmost, against their will and against their knowledge—for much of what they have been doing for a long period of time has been not only against their will, but likewise against their knowledge—to magnify and increase the influence of my hon. Friend the Member for Birmingham; and if my hon. Friend be the dangerous man he is supposed to be, and if he nurses in his breast such wicked schemes against the institutions of the country, it is not through Her Majesty's Government, nor through the agency of those who are now thinking and voting with them, that he will ever obtain the means of giving effect to his wicked intentions, but through the line of argument and statement which has been adopted by his and our opponents, and which invests him with powers and attributes which not even his abilities, aided as they are by his known integrity, have ever enabled him to obtain.

And now, Sir, I must bestow two minutes on a question touching several expressions of my own. Perhaps my best apology for troubling the House on such a matter will be that they are expressions which have furnished material in the mouths of others for some hours of this debate. The noble Lord the Member for King's Lynn, in his very clear, very forcible, very argumentative, and I must say, as it seemed to me—though it has been criticized to a contrary effect—by no means uncandid speech, complimented me on not having used any of those expressions which may perhaps be best and most briefly summed up in a single phrase that will be sufficiently understood by the House—namely, the "flesh and blood" arguments. Now, Sir, I wish that the noble Lord, the right hon. Baronet, and the right hon. Gentleman the Member for Calne had a little more considered what really took place with regard to the use of that and of other more or less kindred expressions. The right hon. Member for Calne for I think half an hour, the right hon. Baronet the Member for Hertfordshire for perhaps half an hour more, not having themselves heard me use the phrase which became for them so copious a theme, founded detailed declamation, argument, denunciation, and I know not what, upon an assumption. They assumed, and doubtless they believed I had used the fact, that the working classes are of our own flesh and blood as a reason why the Bill now before the House should be passed. And my right hon. Friend the Member for Calne, in a part of his speech which I admit was quite unanswerable, showed that thus to make use of such a consideration would be the greatest imaginable absurdity. Undoubtedly! But then it so happens I never did use any argument of the kind. There are limits to human folly; and neither here nor elsewhere should I have dreamed of so eccentric a proceeding. I used the expression as a reply—nay, I will presume to go one step further and say, if it be not presumptuous to say it—I used it as a reproof to the language of some of the opponents of the Bill. Sir, in my opinion there are times in debate when extraordinary errors are best met by the declaration of elementary truths. When I heard it stated by a Gentleman of ability that to touch the question of enfranchising any portion of the working class was domestic revolution, I thought it time to remind him that the performance of the duties of citizenship does give some presumption of the capacity for civil rights, and that the burden of proof, that exclusion from such rights is warrantable or wise or (as it may be) necessary, lies upon those who exclude. That as I think very simple declaration was magnified into revolutionary doctrine, and great service has it once more done tonight to the leader of the Tory party. On the same grounds, when I heard my right hon. Friend describing these working men at from £7 to £10, not once only it must now be said, as an invading army, and as something more, as an invading ambush, as a band of enemies, which was to bring ruin and conflagration as the purpose of its mission, into a city all fore-doomed; and when I heard these opinions and this illustration once and again repeated, I thought it was time to fall back upon elementary truths as the proper antagonists to these extraordinary errors, and to say, these men whom you are denouncing, not by argument and reason, but beyond the bounds of all argument and reason, are your own flesh and blood. And now, Sir, having stated thus much, I must so far notice the speech of the noble Lord (Viscount Cranbourne) who commenced this debate to-night as emphatically to deny that in any one point or particular—speaking elsewhere, as he said, and, as has been said by others, in the provinces, but as I should say, addressing my own constituents—have I gone in one jot or tittle beyond the statements made by me on the floor of this House. I do not know really whether I am to look to the principles or to the practice of the noble Lord the Member for Stamford as establishing the rule with regard to what is to be done out of the House by its Members in the use of tongue or pen. I am quite willing, however, to say, without further examination of his practice, that I abide by his precepts; and this I promise him, I will freely submit to any censure he can bestow, and if censure is to be bestowed he is a good hand at it, when on any occasion he can show that I have said elsewhere of Members of this House, or of any proceeding in this House, that which I have not said here, or am not ready to say upon this floor, where in my judgment it is that all our battles may best be fought. I have a more agreeable admission to make. What I have said in the nature of platitudes, or of truisms, or of revolutionary maxims—and the condemned dicta have passed under all these designations alternately as might suit the tastes of the different critics has been said with reference to declarations made by persons of the greatest weight in this House—made, too, amid a tumult and tempest of cheers—and therefore to be taken as setting forth the sentiments not of one but of many. Yet, I am glad and thankful to admit that those cheers and tumult, overpowering as they were, did not represent the universal sentiment on the other side of the House from which they proceeded. The hon. Gentleman the Member for South Lincolnshire explained that certain cheers, which had led me to suppose he might be one of those who entertained opinions of the working class, such as I endeavoured to protest against, had been incorrectly interpreted, and really referred to another subject. My hon. and learned Friend the Member for Suffolk (Sir FitzRoy Kelly), although he has not taken part in this debate, spoke in another discussion upon the malt duty the other evening on the merits of the working class in a spirit which proves that he, at least, entertains none of those ungenerous sentiments in regard to them, and that tone, I feel assured, notwithstanding some instances leading to a contrary conclusion, largely pervades the Benches opposite. But I now pass on from the brief explanation which I have given of the particular epithets and expressions used by myself with reference to the sentiments of others, and I think I may appeal to hon. Members to support me when I say that it was not I who first introduced into these discussions observations of this colour and description. It was not in my opening speech that they had their rise, and so long as our debates are conducted in the manner of which the speech of the noble Lord opposite (Lord Stanley) has furnished us with so good an example I may, I hope, venture to promise that the House will never hear from me any more of such expressions, be they platitudes, be they the truth, or be they fairly characterized as revolutionary and subversive paradoxes.

And now, Sir, I proceed. Now, I come to take a retrospect of this debate. It is natural, it is unavoidable, that my attention should first, and in a principal degree, rest on the remarkable speech which we heard yesterday from my right hon. Friend the Member for Calne. With that speech I shall not attempt to deal in detail, and that for many reasons. One of these reasons, perhaps, is a disinclination to measure swords with such a man. ["Hear, hear!"] That cheer, complimentary as it is, does not, at any rate, precede but follows my own admission. A second reason is in my recollection, and a third lies in my hopes with respect to my right hon. Friend. I cannot forget—although he may—his connection with the men who sit on these Benches. I cannot forget the services which, as a public man, he has rendered, and while I know of no language strong enough to express the grief—nay, astonishment with which I regard his present extraordinary opinions on the question of Reform, passing, as they seemed to do, beyond those entertained, or at least those avowed by other Members, yet I think the evident framework of his mind, as well as his recent conduct on other questions, entitles him to this admission at the hands of his party—that he is pursuing the dictates of his conscience, and that upon general subjects his judgments are frankly liberal. I only hope that when he is again doing battle in the ranks and for the political objects of those among whom he sits, he may display a little more moderation than he has done in the course of the present struggle. With respect to his speech, I may be permitted to observe upon it in either of two aspects. When I look upon it in the light of a great Parliamentary display; when I consider the force of the weapons which he used, the keenness of their edge, and the skill and rapidity of the hand by which they were wielded, I am lost, indeed I was at the time lost, in admiration, though I was myself the object of a fair proportion of the cuts and thrusts which he delivered. But, Sir, when I take another view of that remarkable discourse; when I think of the end and aim to which it was applied—when I think how shallow, unworthy, was the exhibition which he gave us of this great and noble Constitution of England, which I, for one, really thought had struck deep roots into our soil, and was fixed there in a manner to defy the puny efforts of my Lord Russell and his Colleagues—when I recollect how my right hon. Friend, exaggerating more and more as he went on his fears and apprehensions, and colouring every object more and more highly in the phantom visions he raised up—when I found him travelling back to Australia, his old abode, and on discovering there that the public men of that country had, after all, been prosecuting in his absence the career they commenced under his auspices, and when he ended with this portentous discovery—that what he called anarchy must be arrested in the colonies by the paramount power of Parliamentary interference from this country for the purpose of taking away from our fellow-countrymen at the antipodes the powers of self-government which they enjoy, then I confess that the admiration I had felt was lost and swallowed up—I will not say in shame but in grief. Will my right hon. Friend permit me to apply to him the story which is told of the mother of the Regent Duke of Orleans, Elizabeth the Princess Palatine of Bavaria. She said of her son, what I will venture to apply to my right hon. Friend. Her story was, that at his birth the fairies were invited to attend. Each came, and each brought the infant the gift of a talent. But in sending the invitations one fairy had unhappily been forgotten. She came unasked, and said for her revenge, "Yes, he shall have all the talents except one, that of knowing how and for what end to apply them."

The argument of my right hon. Friend depended entirely on a series of unsound and what I may call enormous assumptions. The first which I shall deal with is the assumption that the Government has insulted the House of Commons. Insult, vilification, degradation, harshness, tyranny, despotism—these are some of the flowers of speech which have been applied in the course of this debate by my noble Friend the Member for Haddington, on the part of those whom he calls moderate Liberals, and by others to the conduct of the Government. But, to do him justice, my right hon. Friend never deals in generalities, so he fastened on a phrase. He thinks he substantiated his charge by saying that I had used these words, "We know with whom we have to deal." The right hon. Gentleman says that phrase means the House of Commons; and, consequently, that the House of Commons is insulted. But did it mean the House of Commons? It did not. There is no more common political artifice, as far as my experience goes, than this—when a gentleman finds himself stung or fastened down, or aptly described by some particular phrase or sentiment, he shifts the application of it from himself, and he complains that it has been applied, and, of course, disrespectfully applied to the House of Commons. Sir, I did not apply my phrase to the House of Commons. I will explicitly tell my right hon. Friend to whom I did not apply it, and, if it be any satisfaction to him, I will tell him also to whom I did apply it. I did not apply it to my right hon. Friend the Member for Cambridge University, or to the right hon. Gentleman the Member for Oxfordshire, both of whom, as we perfectly well know, are friendly to a reduction of the borough franchise. We may, indeed, have a battle with my right hon. Friend (Mr. Walpole) at the proper time, for he declares, although I own myself unable to perceive it, that a principle is involved in the difference between the rates of £10 and £14 as applied to the counties, and between the amounts £7 and £8 as applied to the boroughs. But he is friendly to the reduction of the franchise in boroughs. He has declared his opinions, and no doubt he will be ready at the proper time to vote in conformity with them. His whole conduct has been open and direct. If I had applied such an expression to him I should have been guilty of the grossest injustice. I had in my mind very different persons. Does my right hon. Friend the Member for Calne recollect how, in one of his plays, that prince of comedians, Aristophanes conveys, through the medium of some character or other, a rebuke to some prevailing tendency or sentiment of the time—I cannot recollect now what it was—too many are the years that have slipped away since I read it—but that character, addressing the audience, says, " But now, my good Athenians, pray recollect I am not speaking of the city, I am not speaking of the public, I am only speaking of certain depraved and crooked little men." And if I may be permitted to make a metaphorical application of these epithets—confining myself most strictly to the metaphorical use, speaking only in a political sense, and with exclusive reference to this question of Reform, I would say it was not of the House of Commons, but of " certain depraved and crooked little men" that I used these words, and I frankly own now in candour my right hon. Friend is, according to my judgment and intention, first and foremost among them. " We know with whom we have to deal," because we know we have to deal with him. My right hon. Friend is opposed to the lowering of the borough franchise. He knows that is the object of this Bill. If I understood his speech aright, and he is so perspicuous that it is hardly possible to be mistaken, he is opposed to Reform in every shape and form; yet, though he is opposed to the measure as a whole, he does not oppose the second reading of the Bill, but has been content to vote for an Amendment which, in effect, says no more than this, " We think that a bad Bill which is already on the table, but you must lay another bad Bill on the table, and then we will consider it." I think, therefore, that I am justified in using the words, significant as I admit them to be, " we know with whom we have to deal." We have to deal with Gentlemen who are opposed to the reduction of the franchise, but who do not think proper to express the ground of their opposition by their vote. The course we have taken is a course that we have taken avowedly upon a principle. We do not deny, we do not dispute, that we are contending for the reduction of the franchise. We are not now contending for a particular amount. We may mean to propose, and we may mean to adhere to a particular amount; but what we are now contending for is a reduction of the franchise. But we are opposed by open antagonists, and we are also opposed by concealed antagonists. We wish to strip away the disguise from this latter class of antagonists. We wish that they should speak audibly, and in the face of day that which they think, that which they mean; and no effort, Sir, on our part, no amount of endurance, no amount of labour than we can give, shall be wanting to attain that object, and to take care that the people of England, as well as we, the Government, shall know with whom we have to deal.

Then the second head of my right hon. Friend's indictment against us as to insulting this House was that after we had produced a certain quantity of statistics, we declared it should not, with our good will, have any more. Sir, I never said anything of the kind. What I said was, that when questions respecting the social anatomy of class, and the conditions and the numbers in particular of the working class reached a point, which, I say frankly, appeared to me to threaten to assume an invidious and offensive character—I mean justly offensive to them—what I did say was that it was time such inquiries should stop, and that as far as the Government was concerned, we would be no party to their being carried to that point. As to further statistics, Members know the reverse; for example, the hon. Member for Northamptonshire knows well that on the very same night when this matter was under discussion, the Government made not the smallest objection to the production of the statistics which he desired.

But my right hon. Friend says—and I think this was the third proof he gave that we were insulting the House—he says that the information on the subject of the redistribution of seats, that is, the measure which we intend to propose on that subject, is kept back out of mere wantonness. And the task he commends to me is this—I have to show, he conceives, that that measure is so entirely detached from the considerations applicable to the second reading of our present Bill, that it ought upon no account to be given to the House before such second reading, and yet that it is so intimately intertwined with the considerations applicable to the Motion for going into Committee that it must of necessity be given to the House before it is about to go into Committee. Sir, I am bound to prove, and I shall prove no such thing. It is not we who have ever held that the measure for re-distribution was so intertwined with the second reading of this Bill that it must necessarily be given before we could go into Committee. On the contrary, Sir, we have frankly declared, knowing, as I said before, with whom we have to deal, that the great apprehension which possessed us was not one merely respecting the course that would on that night be taken by the representatives of the small boroughs, naturally and not unwarrantably alarmed on behalf of their constituents. That is a comparatively small matter. But our main dread was that the covert enemies of the reduction of the franchise would make use of that whole wilderness of multitudinous particulars which belongs to the subject, a re-distribution of seats, to perplex and entangle the whole question so as to render progress with it virtually impracticable within the time likely to be at our command. That was the fear we entertained. But as time went on we found that many differed from us as to our mode of procedure, with respect to whom it would have been insolence on our part to doubt that they at the same time concurred with us in a common object —namely, in desiring a reduction of the franchise. Without the smallest reserve, therefore, and in deference to those wishes, we departed from the method of action which our own judgment recommended, and we incurred what we thought real hazard and inconvenience as far as the progress of the measure is concerned. We have, however, adhered all along to the opinion we originally expressed—that the safest course, could we have persuaded the House to pursue it, would have been a complete separation for the moment of the two subjects. I say for the moment, because I am now reminded that I omitted to notice, I believe at the proper time, one point in regard to the opinions of the hon. Member for Birmingham. That particular opinion of my hon. Friend that the re-distribution of seats was a question to be reserved with a view to an intermediate ripening of the public mind on the subject was an opinion that we have never entertained. It was an opinion that my hon. Friend might entertain with perfect honour; but for us— who had formerly combined the two subjects, and for those who now professed to disunite them exclusively upon grounds of convenience and advantage in point of procedure—for us to entertain such a latent purpose would have been a base device, would have been conduct unworthy either of a Government or of any gentleman or any reputable man in whatever capacity or station. And I must confess it is with pain that I can with difficulty allow myself to believe that any such opinion can have been entertained of the Government by any Gentleman who numbers himself among its supporters. I cannot complain or wonder at its being ascribed to us by Gentlemen opposite, for the distinction which the hon. and gallant Member for Huntingdon has made between personal and political honour is a distinction which has been at least conventionally established to a sufficient degree to warrant charges of that kind; but I must say that for Gentlemen who have general confidence in the Government, to think the Government capable of any such act is a thing I am at a loss to understand, and the advice I would respectfully presume to give them is, that they withdraw that general confidence immediately, and make it their first business not to carry an indirect Motion like the Amendment now under consideration, but to put the Government out of office by the most direct and summary means they can discover. Thus much, Sir, as to insulting the House by withholding information.

And now, Sir, I hope I may say a few words as to the general charge of an attempt to domineer or tyrannize over this House. The right hon. Gentleman opposite has given me a favourable opportunity of explaining my position to the Liberal party on that subject. If, Sir, I had been the man who at the very outset of his career, well nigh half a century ago, had with an almost prophetic foresight fastened upon two great groups of questions—the great historic questions of the day, of which the right hon. Gentleman opposite, from the last portion of his speech, seems never to have heard; I mean the questions relating to the removal of civil disabilities for religious opinions, and to Parliamentary Reform—if I had been the man who halting thus in early youth, in the first stage of his political career, fixed upon those questions and made them his own, then went on and prosecuted them with sure and unflagging instinct until the triumph in both cases was achieved; if I had been the man whose name has been associated for forty years, and often in the very first place of eminence, with every measure of beneficent legislation—in other words, had I been Earl Russell, there might have been some temptation to pass into excess in the exercise of authority, and to apply a pressure to this House in itself unjustifiable. But, Sir, I am not Earl Russell. The right hon. Gentleman, secure I suppose in the recollection of his own consistency, has taunted me with the political errors of my boyhood. The right hon. Gentleman when he addressed the hon. Member for Westminster, took occasion to show his magnanimity, for he declared that he would not take the philosopher to task for what he wrote twenty-five years ago. But when he caught one who thirty-five years ago, who, just emerged from boyhood, and still an undergraduate at Oxford, had expressed an opinion adverse to the Reform Bill of 1832, of which he had so long and bitterly repented, then the right hon. Gentleman could not resist the temptation that offered itself to his appetite for effect. He, a Parliamentary champion of twenty years' standing, and the leader, as he informs us to-night of the Tory party, is so ignorant of the House of Commons, or so simple in the structure of his mind, that he positively thought he would obtain a Parliamentary advantage by exhibiting me to the public view for reprobation as an opponent of the Reform Bill of 1832. Sir, as the right hon. Gentleman has done me the honour thus to exhibit me, let me for a moment trespass on the patience of the House to exhibit myself. What he has stated is true. I deeply regret it. But I was bred under the shadow of the great name of Canning; every influence connected with that name governed the first political impressions of my childhood and my youth; with Mr. Canning I rejoiced in the removal of religious disabilities from the Roman Catholic body, and in the free and truly British tone which he gave to our policy abroad; with Mr. Canning I rejoiced in the opening he made towards the establishment of free commercial interchanges between nations; with Mr. Canning and under the shadow of that great name, and under the shadow of the yet more venerable name of Burke, I grant my youthful mind and imagination were impressed with the same idle and futile fears which still bewilder and distract the mature mind of the right hon. Gentleman. I had conceived that very same fear, that ungovernable alarm at the first Reform Bill in the days of my undergraduate career at Oxford which the right hon. Gentleman now feels; and the only difference between us is this—I thank him for bringing it into view by his quotation—that, having those views, I, as it would appear, moved the Oxford Union Debating Society to express them clearly, plainly, forcibly, in downright English, while the right hon. Gentleman does not dare to tell the nation what it is that he really thinks, and is content to skulk under the shelter of the meaningless Amendment which is proposed by the noble Lord. And now, Sir, I quit the right hon. Gentleman; I leave him to his reflections, and I envy him not one particle of the polemical advantage which he has gained by his discreet reference to the proceedings of the Oxford Union Debating Society in the year of grace 1831.

My position then, Sir, in regard to the Liberal party is in all points the opposite of Earl Russell's. Earl Russell might have been misled possibly, had he been in this place, into using language which would have been unfit coming from another person. But it could not be the same with me. I am too well aware of the relations which subsist between the party and myself. I have none of the claims he possesses. I came among you an outcast from those with whom I associated, driven from them, I admit, by no arbitrary act, but by the slow and resistless forces of conviction. I came among you, to make use of the legal phraseology, in *pauperis formâ*. I had nothing to offer you but faithful and honourable service. You received me, as Dido received the shipwrecked Æneas—

> "Ejectum littore egentem
> Accepi—

And I only trust you may not hereafter at any time have to complete the sentence in regard to me—

> "Et regni demens in parte locavi."

You received me with kindness, indulgence, generosity, and I may even say with some measure of confidence. And the relation between us has assumed such a form that you never can be my debtors, but that I must for ever be in your debt. It is not for me, under such circumstances, that any word will proceed that can savour of the character which the right hon. Gentleman imputes to the conduct of the Government with respect to the present Bill. Now, Sir, let me state what I take to be the actual condition of the question that is to be decided to-night. For this is not only a protracted debate—it is not only one upon which the House of Commons has freely lavished from every one of its quarters or its sections the choicest treasures of its wit, its argument, its rhetorical, and its persuasive powers—it is also an historical debate. We are now about the process what is called "making history." We are now laying the foundations of much that is to come. This occasion is a starting-point from which I presume to think the career we have to run as individuals and parties will in many respects take its character and colour. Now, Sir, the main charge brought against us is this —that we have introduced a Franchise Bill alone. Is that, then, a very grave offence? There were two reasons that might, surely, without reproach have moved us to take such a course. One was the reason of policy—the desire to avoid inviting unnecessarily an independent combination of persons, and causing them to join on different grounds for the common and momentary purpose of rejecting the Bill. If we were influenced by that motive, I do not know in confessing the fact we need in any way be ashamed of it. But the conclusive reason which swayed us was that which I mentioned in introducing the Bill—the feeling that the passing of a combined Bill must be regarded as impossible; that under the circumstances which then existed it was not possible for us to ask the House to continue its sittings through the autumn, that the time which we must reckon as likely to be consumed in debate upon the double measure would be more than we could make sure, within the ordinary limits of the Session, we should be able to devote to it, and that, consequently, it we introduced a measure which we knew could not in the ordinary course of things pass the House in the time available for its discussion—not only would there be another failure to be added to the already long list of failures, but one attended on our part with gross dishonour. We should have met with all and more than all the opposition which has encountered us, although not, perhaps, from the same quarters. And we should have had to boot the reproach from within, that we had adopted an indirect method of proceeding, and had claimed credit for being the friends of Reform, while we had laid upon the table a measure which we ourselves knew it was impossible to dispose of. This second and conclusive reason was, then, the question of time. It was the twelve-day or twenty-four day argument which has attained such considerable celebrity, and on which my mind dwells with peculiar satisfaction, because it seems to have been the only point of all those mooted in this debate on which everybody has been agreed. No one, at least, has challenged it. That argument of time was also for us, under the circumstances, an argument of honour; and the noble Lord the Member for King's Lynn owned that the alternative to our method of proceeding was the postponement of the whole question to next Session. Now, after what has passed, let the noble Lord place himself in our position. I ask the noble Lord, for I have confidence in his fairness, to place himself in our position. We were the authors, most of us, of measures which had resulted in two or three former failures. We had taken part, most of us, in the strong and decisive measure which resulted in the ejection of the Government of Lord Derby upon a Bill relating to this very same subject. We had postponed for several years after that resolution the resumption of the subject which was dropped in 1860. We found upon inquiry last autumn that we could obtain in time to legislate all the information which appeared to us to be needed in order to enable Parliament to deal with the franchise. Was it, then, so great an offence, one which deserved to be visited with such severity, that we thought it more honourable to ourselves and more honourable to our party to do at once that which we found we could do at once, and to postpone to a later stage that which absolutely required to be postponed? Was it so strange a thing that after four Reform Bills had failed, and failed egregiously, we should think of varying their form, of removing some of the cargo from the ship? Was not that, indeed, the natural course to pursue when it had been found impossible to navigate her with the whole of it aboard?

And again, Sir, had the House of Commons evinced a deliberate determination on former occasions only to deal with the extension of the franchise and the re-distribution of seats as one measure the case would have been different. But no such determination had been announced, nor can any such opinion be found upon the records or inferred from the acts of the House. In the many debates which have taken place upon the Bill with respect to the county franchise, introduced by the hon. Member for West Surrey, it was never urged that that measure must of necessity be combined with a proposal for the re-distribution of seats, nor have suggestions of this kind been ordinarily made, if my memory serves me right, in the debates which have taken place upon the Bill introduced by the hon. Member for Leeds to effect a reduction of the borough franchise. Again, Sir, is not Ireland a case eminently in point? Does not Ireland present to us the smallest borough constituencies in the Kingdom? And yet we proceeded without scruple in the case of Ireland in the very same manner we have adopted. We added 100,000 or 150,000, or, as I have seen it stated, a yet larger number of voters to the constituencies of Ireland, and still we have never touched the question of re-distribution at all. And yet, because we have adopted a similar course, our conduct is regarded as something monstrous, and as justifying every kind of strange and dishonouring suspicion.

And now, Sir, I will turn to another head of evidence. Let us see what hon. Gentlemen say when they go to their constituents. That is a description of evidence to which, in my opinion, much weight should be attached, because the sentiments of hon. Gentlemen on such occasions are dictated not only by reason but by instinct—by that instinct which as an inward monitor teaches them what to say when they go before the arbiters of their fate. I have been rather curious in examining the addresses of hon. Gentlemen, and I find that there were 117 borough Members who entered into particulars on the subject of Reform, and did not refer to it simply on general terms. Out of these, no more than sixteen referred to the question of the re-distribution of seats; and I believe that every one of those sixteen members who have testified in this unequivocal manner to their belief in the importance of re-distribution of seats, is going to vote with the Government in favour of the present Bill. The remaining 101 declared themselves at the election upon the franchise alone. Whether some of them may since have become conscious of the great importance of the re-distribution of seats I do not know; but on referring to the names, I find that the vast majority of those who think the subject of Reform is worth introducing at all refer to it in making their profession of a political creed, simply in connection with and for its most important branch—the extension of the franchise. Therefore, Sir, I must say I do not think it can be shown that any great reproach attaches to the Government for the course which it has adopted.

Now, Sir, I come to the language that has been held about the inconvenience of the separation? The noble Lord opposite (Lord Stanley) has argued this part of the question very high. I do not blame the noble Lord for what I certainly thought a strain of great exaggeration. I will only say this, I doubt whether it was altogether consistent in the speaker of the speech. For what was the noble Lord's course in 1859? The noble Lord objects to anything lying in prospect only; he wants to have everything in hand. Is that so? There are two heads under which this objection arises; one is with respect to boundaries, and the right hon. Gentleman (Mr. Disraeli) has shown to-night that is much the greater of the two in his opinion. The other has reference to the re-distribution of seats. How did the noble Lord stand with respect to the question of boundaries? Though the Government of which he was a Member had been twelve months in office when they brought in their Bill, though they had ample time for ascertaining all the facts, and for proposing an exact system of delimitation to Parliament, they made no such proposal—all they did was to insert a clause directing that inquiries should be made, which inquiries were to be made after the Bill should have passed, and to be followed by a Bill for fixing boundaries. So that as to this head the noble Lord did the very thing which he charges us with doing. And what did he do with respect to re-distribution? He put in fifteen seats in his Bill; it was not much, but it was the best part of the measure; the other provisions of the Bill of 1859 were such as I would rather not now describe. Well, the noble Lord put in fifteen seats, and having thus satisfied himself, he also proposed to fix a certain rate for the borough and county franchise, and then said, "Though we give you only fifteen seats now, it is because we cannot do more at present; but if you look at the borough and county franchise, you will see that as they are now to be identified bye-and-bye you can re-distribute seats as much as you like." Thus, having by the Bill thrown the entire question of boundaries bodily into the future, and having left the question of re-distribution, in a great measure, to stand over for its real settlement at some time perfectly undetermined, the noble Lord now comes down and delivers this admirable speech—admirable except for the speaker—on the intolerable inconvenience of making any separation at all, between the question of the franchise and the determination of the constituencies among which the seats are to be divided. And now, Sir, I wish to say one word on an illustration used by the noble Lord. Not the figure of the House, for that was well answered by my hon. and learned Friend the Solicitor General for Scotland, who reminded him that we were not going to build a house, for we have got a very good one. But I refer to the illustration which the noble Lord drew from the subject of finance. "But," said the noble Lord, "In finance you would never do this, for in finance the House always has the whole scheme before it." But does the noble Lord forget that controversy of historic fame which closed about four or five years ago, when, for the special purpose of the protection of its privileges, the House thought fit to unite all its taxes and all its chief financial measures for the year in one Bill? Until that year the practice had been to pass all the financial proposals as independent Bills, subject to all the risks which the noble Lord described, and all the dangers and inconveniences which he conjured up, and presented to our view as attendant upon severances of this kind. But who were the defenders of that separate legislation? Why, all it defenders came from behind the noble Lord; they were the very same men who to-night I suppose will crowd one of the lobbies of the House to sustain a vote in flat contrariety to the rule laid down by the noble Lord.

My right hon. Friend the Member for Cambridge made what I must frankly call a commendable and in intention a helpful suggestion. Why do not you proceed by Resolution? he asked. I thank him for it, because I am certain of the spirit in which that suggestion was offered. But had my right hon. Friend thought of the meaning of proceeding by Resolution? We could easily conceive I think, how our first Resolution would be framed; it might be very short, for it would not require much explanation. It would be easy to put into a few Resolutions so much of the Bill as related to the franchise; but I want to know how he would have put the re-distribution of seats into the form of a Resolution? Would he have a Resolution declaring that it is expedient to take away so many Members from thirty or forty boroughs; and would he name those boroughs? If he did not name them the Resolution would be meaningless; and if he did name them, what, I ask, would be the difference between the Resolution and a Bill for re-distribution, so far as regards the main point in issue—namely, the gaining time by avoiding multiplied topics of debate. Nothing would be gained by that course. I fully appreciate the suggestion, but I am bound to say I do not think we have incurred an evil result or deserved any blame for not adopting it.

Now, Sir, what is the real state of the case with regard to distribution? This is very much at the root of our present difficulty. My hon. Friend the Member for Birmingham has said truly that it is conceivable that you may have a scheme of re-distribution such as altogether to frustrate and to intercept the effect of your reduction of the franchise. If we were to introduce a scheme of that kind I admit that everything that has been said against us would be just. But, Sir, we are not persons who have given no indication in former times of our views of re-distribution. My belief is that re-distribution, though an exceedingly important subject, is secondary altogether to the franchise, because it is limited by and regulated upon principles which I think afford little room for difference of opinion among fair-minded and moderate men. The re-distributions of the Bill of 1854, of the Bill of 1859, and of the Bill of 1860 have proceeded upon one and the same set of principles—namely to abridge the representation in one portion of our system, by taking Members from the boroughs of small populations, and to give the seats thus obtained in such proportion as might be thought fair between the new towns and such of the counties and large towns already represented as might appear to have just claims to an increase of representation. Such are the principles; but of course there must be some variety in the mode of applying them. In that view of the subject I think any reasonable man will see that there is nothing at all that can vitally affect in any manner a Bill which extends the franchise. The Bill I think of the right hon. Gentleman and Lord Derby proposed to enfranchise seven towns. Birkenhead has since been enfranchised; but six of those boroughs still remain, and their population averages 20,000, so that altogether the population numbers 120,000. Take 120,000 people out of the counties;

what is the number of £7 voters which would by such a measure be brought into existence? It is not worth considering for a moment. The right hon. Gentleman did, indeed, I think, state that there were 2,000,000 or 3,000,000 of people in the counties that might properly be withdrawn from them and included within the towns. I grant that if you approach the subject of re-distribution with the intention of what is commonly called "cooking the constituency," you will, by seeking to destroy the effects of the reduction of the franchise by the re-distribution of seats, make re-distribution a most dangerous engine. We disclaim all such intentions. I think our former conduct ought to acquit us of any such intentions. But if such intentions be imputed to us, it ought to be by our enemies, for such intentions are not to be imputed compatibly with political friendship. We consider it to be the proper purpose of re-distribution by moderate and reasonable changes to second the provisions of the law touching the franchise, not covertly to neutralize and overturn them. Now, Sir, we have been asked to do some things, and we have done them. But let us just consider what they are and what they are not. It has been stated, and stated assiduously, that we have said that re-distribution must be postponed for another year, and that nothing could be done on that subject until the Franchise Bill became law. We have said neither one nor the other. We have never refused any request or suggestion to proceed with re-distribution during the present year. We said that we should not proceed with the plan of re-distribution until in our judgment the fate of the Franchise Bill had been secured. But that is a very different thing. That security may become apparent at different stages of the progress, according as circumstances happen, which can only be judged of at the moment. But as to the postponement of the Re-distribution Bill for another year, we have not said anything of the sort. I myself, in the name of the Government, distinctly pointed out that if it were the pleasure of the House, in its anxiety for a prompt settlement of the whole subject of Reform, to prolong its sittings during the autumn the Government would not be the parties to object. But, strange to say, although that offer was intelligibly given, not a single one of the Gentlemen who are so keen for considering re-distribution with the question of the franchise has let fall a syllable showing a disposition to agree to that proposal. We said that in our opinion the re-distribution of seats formed an essential part of Reform; we said the political engagement on which we stake our existence as a Government is not confined to the Franchise Bill, but extends to the subject of re-distribution; and we said the process of re-distribution, if there were a mind to undertake it with despatch, should not be interrupted by any tardiness or laziness of ours. We are taunted, and not altogether unjustly, by the right hon. Gentleman opposite with having changed our front, because we have made this further concession in order to meet the views of Gentlemen whom we believe to be united with ourselves in the object that we have in view—that we will lay the Bill for the re-distribution of seats upon the table before asking the House to go into Committee upon the Bill relating to the franchise. And now, Sir, I may fairly ask, what more is desired? Let us hear what is asked, that we may consider whether, compatibly with the main design we have in view, we can give our assent to the demand? The noble Lord the Member for King's Lynn, says, "Give us a guarantee that if the Franchise Bill passes, the Re-distribution Bill shall also pass." Is the noble Lord so much afraid of the consequences of failure as to forget that if our plan of re-distribution fails the Government must fail with it, and consequently that if he is so keen for re-distribution, that he can come in himself and carry his own. The noble Lord is afraid of a dissolution. But there can, I think, be nothing more obvious than this, that the Government having produced these two Bills will have every conceivable motive of a selfish kind for avoiding a dissolution until both the one and the other shall have passed. We shall have conciliated a few, while—proceed as cautiously as we may—we shall have offended many. If you think we may have some favour and interest with the constituencies likely to be enfranchised, it is in your power to gain as great an interest in them, should you but have the wisdom and forethought to desist from the course that you are now pursuing, and to show a little less mistrust of them—that portion of your fellow-countrymen—should you for example henceforward refrain from insisting that to allow them to possess the franchise is to Americanize our institutions.

I wish to be clearly understood upon the question connected with the form and manner of proceeding with the measure, especially after it has been repeatedly stated in debate that there are various rumours circulating in the House. I believe there are Gentlemen who desire of us more than we have promised to do, who are not satisfied with our having said that the Re-distribution Bill should be placed in their possession immediately after the second reading of the measure that is now before them. Let me endeavour, then, to be clear upon this subject. Our object is to draw a separation broadly and unequivocally between those who really desire a reduction of the franchise in counties, and, above all, in boroughs, and those who do not, but who are apparently disposed to make use of the question of the re-distribution of seats, and of every other topic, for the purpose of concealing their hostility and yet effectively prosecuting their opposition to the reduction of the franchise. Now, Sir, I have to say that the Government will be loth to quarrel upon any mere question of procedure with any Gentleman in whom we recognize a community of object and purpose with ourselves. If Gentlemen have the same end in view, we shall have every disposition, as far as we can contrive it, to adopt the same means. We hold every subject of procedure to be wholly secondary to the purpose for which it is intended. What we cannot do, however, is this—we cannot undertake to abandon the ground we have gained, for, in my opinion, we have gained ground. We will not undertake to forego the fruit of the labours which the House has bestowed on that part of the Session which is past; and we cannot undertake to waste that portion of the Session which is yet to come. We will not, as far as depends upon us, either encourage or endure procrastination. I must in the plainest manner convey to my noble Friend the Member for Chester that we will be no parties to procrastination; and that no concealment shall subsist if we have the power to pierce it, and to unveil to the public whatever is beneath. That, Sir, is the state of the case with regard to our intentions upon what may happen after the second reading of this Bill. Now, Sir, in a great question like this, it is well understood what is really involved in the second reading. Let it be clearly understood that we are not now debating the rejection or acceptance of clauses secondary with reference to the main purpose of the Bill. It is no question of savings banks, it is no question of dockyard enfranchisement; nor is it even a question concerning the votes of leaseholders in counties. And here I will, in passing, make an admission to my right hon. Friend the Member for North Staffordshire. He has certainly surprised me by the number of votes which he states would be added to the register of a particular division of a county under the operation of this clause. I do not know that his estimate is precisely correct; I may have occasion to question it. We have proposed the clause I am referring to under the belief that, as a general and almost universal rule, the number of those leaseholding votes are comparatively few. If that be not so, it is a question undoubtedly open to re-consideration.

Nor, of course, are we at this moment asking of any Gentleman to pledge himself as to the particular figure at which he will fix the reduced franchise in counties, nor even in boroughs. We do not conceal our intentions. We do not hold out the smallest expectation that we shall deviate from our position in this respect; we cannot depart from it. But that is not the point to be decided to-night. The point we are to decide to-night is whether the House will, by a majority, vote for the second reading of this Bill—that is to say, for a measure affirming the reduction of the franchise in counties, and especially in towns. That is the question. ["No, no!" *and Cheers.*] It may not be the question in the estimation of the hon. Gentleman; but it seems not improper that those who move the second reading of a Bill should at any rate put the House in possession of what they know to be the intention of the movers, and what they believe to be, and so far as depends on them intend should be, the true significance of the vote for which they ask. Have we, then, good reason for asking that this Bill should be read a second time in lieu of adopting the Motion of the noble Earl? I think we have very sound reasons for asking it. They are these. We gave notice that we would introduce a measure of Reform, and we produced the Bill. We were saluted by my noble Friend with a hostile Motion, and a Motion framed in concert with the party in Opposition. ["No, no!" *and* "Hear, hear!"] On a former occasion I endeavoured to do justice to the moderation of my noble Friend's character. I wish now to bear testimony to the moderation and mildness of his language. But the moderation and mildness of his language cannot blind the Government to the severity of his act. He spoke of his being a follower of Earl Russell, but the Amendment coming from my noble Friend has been concerted with the party opposite. [An hon. MEMBER: I do not believe it was.] [*Much laughter.*] I am bound to say that I am unable to recognize the hon. Member as the leader of the party opposite. I recognize the right hon. Gentleman the Member for Bucks as filling that position, and no one else. But, returning to the Amendment; I am not aware of any case, within our Parliamentary experience, or of any case whatever, in which a Government has consented to accept such an Amendment, so prepared and so produced. I frankly own that if I were to be dragged at the chariot-wheels of any man, I would be as willing to be dragged at the chariot-wheels of my noble Friend as at those of any one whom I have the honour to know. But that is a process to which a Government cannot and must not submit. I marked the words of my noble Friend, looking back at his conduct in 1859. He was then so zealous for a reduction of the borough franchise, that he would not hear of the proposal to read the Bill of that day a second time, because it did not propose such reduction. My noble Friend now repents of that refusal. He says it was a very unwise proceeding. He holds that, having then before them a Government which had introduced a Reform Bill, and which were pledged to stand or fall by it, to stop the Government in its career was not the way to promote the cause of Reform. But, strange inconsistency of human nature—not peculiar to my noble Friend, but only too common in the annals of casuistry! For a moment, and with evident sincerity, he repents; but at the same moment the temptation again presents itself, and again he falls. In the very act of making the confession he repeats and revives the offence. My noble Friend now in truth asks the House to do over again what he laments that it did in 1859. We ask that our Bill may be read a second time. Is our request an unfair one? My right hon. Friend the Member for Calne quoted yesterday, and with great effect, a phrase which has been used by Mr. Hallam. Mr. Hallam says very truly that Ministers have a double allegiance—an allegiance to the Crown, and an allegiance to this House. It is their business, in submitting their measures to the judgment of the House, to consider what their own honour requires; but it is also their duty in deciding as they best can what is expedient for the public interests to consider what may be required for the honour, dignity, and efficiency of the House. Well, Sir, after all that has happened—after the many Bills which have been brought in—after the many unforeseen obstacles ending in miscarriage—after the equivocal and questionable proceedings that have at times been taken with reference to these measures, and the jealousies and reproaches which the public do not understand, but of which they see the effect in the total stoppage of the movement of Reform—we have deliberately thought we were entitled, nay that we were bound, to ask the House for an answer on the question of the reduction of the franchise in counties and boroughs—a question which cannot be affected in its substance by any course which we can pursue with regard to the re-distribution of seats. That is what we have thought, and I think I may ask my noble Friend whether we are not perfectly entitled to ask for that answer.

Sir, there was a wish expressed by one of the heroes of that ancient war to which my right hon. Friend and myself have so often referred, a wish eminently suitable to the present position of Her Majesty's Government. It is this—

> "Let us die in the daylight."

Now, I ask it of my noble Friend that we may die in the daylight. My noble Friend's hostility to this Bill—and the fact of such hostility is notorious, for it was declared in his address to his constituents—is not founded upon the circumstance of its not containing clauses for re-distribution, but on the fact of its being a Bill for the reduction of the franchise in boroughs. My noble Friend differs vitally from the Government on that subject. I do not complain of that difference of opinion. On the contrary, I honour him for acting according to his own opinion; but I do not think it too much to ask that he should state it in plain words. He asks, however, for a Re-distribution Bill with the Franchise Bill. But suppose a Re-distribution Bill of an unobjectionable character were introduced, would my noble Friend then support the Franchise Bill? I think that is a fair challenge. I think that upon the answer to that challenge, or upon the non-answer to it, which will mean pretty much the same thing, the judgment of the House and of the country may very well be taken.

The right hon. Gentleman the Member

for Calne has said that we have given no reasons for our Bill; and he likewise said that we know nothing of those 204,000 persons, whom it is proposed to enfranchise in boroughs; indeed, as I think, he repeated the assertion several times. What, Sir, do we know nothing of those 204,000? Does my right hon. Friend know nothing of them? We were taught to think he knew a good deal about them. We have not yet wholly forgotten his own significant words so loudly cheered: "we know what sort of men live in these houses." My right hon. Friend will recollect the words well enough. They were used in his first speech. They formed part of his declamatory denunciation against the admission of any class below the £10 voters to the franchise. Nor was this all. Who were those Hyperboreans of the speech of my right hon. Friend? And what was the wind that got colder as the traveller went further north? Was not the comparison this—that as on the earth's surface the cold increases as we move in that direction, so in the downward figures of the franchise the voters became progressively more drunken, or more venal, or, to refrain from recalling those words, I would say simply more and more unfit? Now, Sir, we too know something of those men, but what we know is very different from the supposed knowledge of my right hon. Friend. The right hon. Gentleman asked, "Do you think the franchise is good in itself, or do you wish to improve the institutions of the country?" Sir, I find here no dilemma. My answer is, we want to do both. The extension of the franchise within safe and proper limits is good. It will array more persons in support of the institutions of the country, and that is another good. The composition and the working of this House is admirable, and its performances have long since placed it at the head of all the legislative assemblies of the world. It does not follow, however, that it cannot be improved. I will not say with my right hon. Friend that it is perfect. I am not sure, indeed, that he said so, but he seemed to mean if not to say it. I am not prepared to pay the worship of idolatry even to this House. I will mention a point in which I think it might be improved. It is this. I need not say I am scarcely speaking of the present House, which has but just entered upon its labours. I am speaking of the reformed Parliament in general. There is a saying which has been ascribed to a very eminent person, still alive—whose name I will not mention because I have no means of knowing whether it has been truly ascribed to him or not, but I will quote it for its own sake. It is to the effect that the unreformed Parliament used to job for individuals, while the reformed Parliament jobs for classes. I do not adopt the rudeness of the phrase, but the substance of the observation is in my opinion just. I think that the influence of separate classes is too strong, and that the influence of the public interest properly so called, as distinguished from the interest of sets, groups, and classes of men, is too weak. I fully admit I am not perhaps altogether an impartial judge; I speak much from my own experience during a lengthened period as Chancellor of the Exchequer, and as in a special degree and sense the guardian of the public purse. Undoubtedly, if there be a weak point in the composition of the House this is the department in which it would most readily and most clearly show itself. I believe that the composition of the House might be greatly improved; and that the increased representation of the working classes would supply us more largely with that description of Members whom we want, who would look not to the interests of classes, but to the public interest. In presuming to say so much as this, I hope I do not convey any reproach to any party or person; but my right hon. Friend (Mr. Lowe) challenged us so sharply, as if we admitted that no improvement whatever was possible, that I felt bound to state my belief.

Again, Sir, I return to the broad proposition of my right hon. Friend. He says we have no reasons. Perhaps he does not admit as a reason what was stated the other day by the hon. Member for Birmingham, that there have been a hundred meetings—public meetings held in favour of this Bill. I observed, when those words were spoken, that loud murmurs arose on the other side of the House at the mention of the number, and I have not the least doubt of their good faith. I, however, was persuaded that the hon. Member for Birmingham was right, and turning to the Report of the Committee on Public Petitions, I counted the meetings. [An Opposition MEMBER: Got up!] The meetings are "got up!" are they? Then you have yonr remedy. Do you get up meetings against the measure? It will then be seen whether it is or is not an easy matter to get an expression of public sentiment on which to found your operations. I know not whether they are "got up" or not; if Gentlemen think they are, it is open to them who think so to try the experiment the other way. But this I know, that I counted the petitions presented from public meetings, and signed by the chairmen of these meetings individually, and I found that between the 11th and the 17th of April there were 187 such petitions, besides 500,000 or 600,000 signatures from individuals in favour of this Bill. So much then, Sir, I say as respects that description of argument which may with fairness be drawn within certain bounds, from the evident and expressed opinion of the country.

But now I have to grapple with the principal argument, if such it be, of my right hon. Friend the Member for Calne, and to confront all the dismal pictures he draws of the destruction of the British Constitution. My answer is, that it is not going to be destroyed. We are not going to import American principles. It is not an American principle to reduce the borough franchise. It is a return to old English principles—it is a restoration of the state and course of things that subsisted before, and ought to subsist again. What has happened since 1832? I am now going to state a part of the case on the authority of the right hon. Gentleman the Member for Oxfordshire (Mr. Henley)—

> "The working people have been having a less and less share in the representation. They had a considerable representation before 1832, through the scot-and-lot voters and the freemen. I am not going to say anything either for or against the freemen; but through them the working class had their voice in the representation. They are gradually dying out."—[3 *Hansard*, clii. 1066.]

That was the emphatic statement of the right hon. Gentleman in 1859; and has it been counteracted since? No; it has not been counteracted, not even, as I believe, in the least degree, certainly not to any considerable extent. I will now state the growth of electors in boroughs, and not generally since 1832; for when I stated what it had been from 1832 to 1865, I gave an unjust advantage to my opponents —but since 1851. Now, I pray the House to observe these figures which I am about to give. In 1851 the total number of the electors in boroughs was 410,000; in 1865-6 it was 509,000, showing an increase of 99,000: that is to say, an increase of 24 per cent in fourteen years. That, then, has been the increase in the number of the electors. I come next to the increase of population in boroughs. In the year 1851 it was 7,186,000; in 1866 it was 9,266,000, giving an increase of 2,079,000, or, in other words, of 28·9 per cent in the population. That being so, I ask those Gentlemen who speak of the gradual absorption of the working classes into the constituencies and the franchise as being within their reach, to consider these figures. We now see that we have actually a slower growth of the electors in boroughs than of the population. Well, but while the population and the electors have been moving on as I have described, the wealth of the country among the middle and upper classes has, according to the best estimate which I can make, been advancing as follows:—The income tax in 1851, making due allowance for the changes which have been since introduced into the law, may be taken with sufficient approach to accuracy, for the purpose of comparison, as having been worth £850,000 per penny; this year I am enabled to state that it is worth £1,400,000 per penny: that is to say, there has been an increase of 65 per cent in the wealth of the country liable to income tax, or at the rate of 4 per cent per annum. But when I tell you that this vast increase of wealth has been going on almost entirely in the upper and middle classes, and yet that the total number of electors in the towns does not keep pace with the population, I hope we shall hear no more of this supposed absorption of the working classes into the enfranchised body. I am justified, then, in stating that the working classes are not adequately represented in this House. They are not, it is admitted, represented in any proportion to their numbers; and without holding that it would be fit for us to do more than lessen the disproportion, we contend it is right to do as much. They are not represented, as I have previously shown, in accordance with their share of the income of the country. Especially after the events of the last few years, I may boldly proceed to say they are not represented in proportion to their intelligence, their virtue, or their loyalty. Finally, they are less represented now than they were thirty-six years ago, when they were less competent to exercise the franchise. A greater amount of representation with a less amount of fitness was not found to be injurious, but wholesome, for the State; and now, when, as you admit, there is a greater amount of fitness, and, as you must grant, a less amount of representation, you are not disposed to accede to a further measure of enfranchisement. If these are not good reasons for extending the suffrage at the present, I know not what reasons can be good. But if hon. Members think they can hold their ground in a policy of resistance and refusal for the present, I have to ask them, how do they regard the future? My right hon. Friend the Member for Calne has prophesied to us, in the most emphatic terms, the ruin of the British Constitution. His prophecies were beautiful so far as his masterly use of the English language is concerned. But many prophecies quite as good may be found in the pages of Mr. Burke and Mr. Canning, and other almost equally distinguished men. What has been the fate of those prophecies? What use do they now serve? They form admirable material of declamations for schoolboys, and capital exercises to be translated into Greek. The prophecies of my right hon. Friend, like those of even greater men than he, may some thirty years hence serve a similar purpose. They may, for the beauty and force of their language, be selected by teachers at colleges and schools as exercises for their pupils, and my right hon. Friend will have his reward, as others have had theirs, *Ut pueris placeas et declamatio fias.* My hon. Friend says we know nothing about the labouring classes. Is not one single word a sufficient reply? That word is Lancashire; Lancashire, associated with the sufferings of the last four years, so painful and bitter in themselves to contemplate, but so nobly and gloriously borne? The qualities then exhibited were the qualities not of select men here and there among a depraved multitude, but of the mass of a working community. The sufferings were sufferings of the mass. The heroism was heroism of the mass. For my own part, I cannot believe that the men who exhibited those qualities were only a sample of the people of England, and that the rest would have wholly failed in exhibiting the same great qualities had occasion arisen. I cannot see what argument could be found for some wise and temperate experiment of the extension of civil rights among such people, if the experience of the past few years does not sufficiently afford it.

And now, Sir, let us for a moment consider the enormous and silent changes which have been going forward among the labouring population. May I use the words to hon. and right hon. Gentlemen once used by way of exhortation by Sir Robert Peel to his opponents, "elevate your vision?" Let us try and raise our views above the fears, the suspicions, the jealousies, the reproaches, and the recriminations of this place and this occasion. Let us look onward to the time of our children and of our children's children. Let us know what preparation it behoves us should be made for that coming time. Is there or is there not, I ask, a steady movement of the labouring classes, and is or is not that movement a movement onwards, and upwards? I do not say that it falls beneath the eye, for, like all great processes, it is unobservable in detail, but as solid and undeniable as it is resistless in its essential character. It is like those movements of the crust of the earth which science tells us are even now going on in certain portions of the globe. The sailor courses over them in his vessel, and the traveller by land treads them without being conscious of these changes; but from day to day, from hour to hour, the heaving forces are at work, and after a season we discern from actual experience that things are not as they were. Has my right hon. Friend, in whom mistrust rises to its utmost height, ever really considered the astonishing phenomena connected with some portion of the conduct of the labouring classes, especially in the Lancashire distress? Has he considered what an amount of self-denial was exhibited by these men in respect to the American war? They knew that the source of their distress lay in the war; yet they never uttered or entertained the wish that any effort should be made to put an end to it, as they held it to be a war for justice, and for freedom. Could any man have believed that a conviction so still, so calm, so firm, so energetic, could have planted itself in the minds of a population without becoming a known patent fact throughout the whole country? But we knew nothing of it. And yet when the day of trial came we saw that noble sympathy on their part with the people of the North; that determination that, be their sufferings what they might, no word should proceed from them that would hurt a cause which they so firmly believed to be just. On one side there was a magnificent moral spectacle; on the other side was there not also a great lesson to us all, to teach us that in those little tutored, but yet reflective minds, by a process of quiet instillation, opinions and sentiments gradually form themselves of which we for a long time remain unaware, but which, when at last they make their appearance, are found to be deep-rooted, mature, and ineradicable ? And now, Sir, I ask my noble Friend how he proposes to administer the government of that singularly associated family of persons who adopt this Amendment ? There ought to be some unity of purpose among those friends and associates who have linked themselves together on a question such as this ; among those who design to overturn Governments, or to destroy Reform Bills. I will state a portion of the contradictions that are to be gathered out of this debate on one side only. My noble Friend says we ought to have referred this question to the Committee of Privy Council. But the right hon. Member for the University of Cambridge (Mr. Walpole) tells him, and tells him truly, that it would be totally useless ; firstly, it would do no good, and secondly, it would be entirely unconstitutional. That is the first specimen I give. Next, my right hon. Friend (Mr. Walpole) says we ought to have introduced a measure of re-distribution ; but the right hon. Gentleman the Member for Stroud and the hon. Member for Galway say they would have been content, the one to support our Franchise Bill, and both to entertain and discuss it, if we had said nothing about re-distribution. Again, my hon. Friend the Member for Wick says we ought to proceed with the two Bills *pari passu*, but my right hon. Friend the Member for Cambridge University says, and supports his opinion with reasoning to show, that such a course of proceeding would only involve increased delay. The right hon. Member for Calne says that would remove none of his objections. The right hon. Member for Bucks, I think, says the same, and yet the hon. Member for Wick says that if only we will adopt his advice he will ensure for our obtaining every vote on the Liberal side of the House. The hon. and learned Member for Belfast says representation is founded on classes. My right hon. Friend (Mr. Walpole) says, "No, it is not founded on classes, but on communities." The hon. and learned Member for Belfast says fitness is not a ground for enfranchisement ; and the right hon. Baronet the Member for Herts says not merely that he would be satisfied, but with emphatic and expressive gesture that he would be delighted if every artizan who is fit for the franchise could be admitted to it. The noble Lord the Member for Galway (Lord Dunkellin) not only declares his adhesion to Reform, but states that it is in the capacity of an ardent Reformer that he objects to our measure ; while the right hon. and gallant General the Member for Huntingdon (General Peel) frames a catalogue of the mischief we have had to endure during the Reforming era, and seems to consider that we have had not only enough of Reform in Parliament, but even a little more than enough. The hon. Member for Cambridge says, I think very truly, that Parliament is pledged in this matter, not, of course, to do what they think wrong ; nobody ever said anything so absurd ; but what is meant is this — that those pledges of Parliament are pledges which, if they are not observed, will cause discredit to Parliament and will tend to the disparagement of Parliamentary Government with the country. But while my right hon. Friend says that Parliament is pledged, the hon. Member for Dublin and the right hon. Member for Bucks have laboured to demonstrate that it is under no pledge whatever. Lastly, Sir, the noble Lord the Member for Haddingtonshire says he is an ardent friend of Reform. I will not contradict him—that would not be good manners, neither will I cite against him the words of any other Gentleman. But I will cite his own words or opinions. I conceive that in his judgment—a most untrue and injurious judgment as I think—he has contradicted himself ; because he avowedly and pointedly glories in Lord Palmerston as being a man whose life, if it had only been prolonged, would have effectually kept at bay any new Reform Bill. That Sir, which I have represented in these references, is the state of self-contradiction among this party, a party gathered together for a chance purpose, with no bond of cohesion and no declared principle, with no avowed intention —meaning as I must repeat, one thing and saying another thing—saying that which is comparatively small account—not saying but suppressing the thing which the most important persons in it deeply feel, and which they would wish to say. Such is the state of things among our present opponents, such is their harmony of language, their unity of view, upon this the first and only occasion on which they have been able to co-operate.

Sir, the hour has arrived when this protracted debate must come to an end. [*Cheers.*] I cannot resent the warmth with which that last expression of mine has been re-echoed. My apologies to the House are sincere. I feel deeply indebted, not to Gentlemen sitting on this side of the House only, but also and not less to hon. Gentlemen opposite, for the patience with which they have heard me. But a very few words more, and I have done. May I speak briefly to hon. Gentlemen opposite, as some of them have addressed advice to Gentlemen on this side of the House. I would ask them, " Will you not consider, before you embark in this new crusade, whether the results of those other crusades in which you have heretofore engaged have been so satisfactory to you as to encourage you to repeat the operation ?" Great battles you have fought, and fought them manfully. The battle of maintaining civil disabilities on account of religious belief, the battle of resisting the first Reform Act, the obstinate and long-continued battle of Protection, all these great battles have been fought by the great party that I see opposite ; and, as to some portion of those conflicts I admit my own share of the responsibility. But I ask, again, have their results—have their results towards yourselves—been such as that you should be disposed to renew struggles such as these ? Certainly those who compose the Liberal party here, at least in that capacity have no reason or title to find fault. The effect of your course has been to give them for five out of every six, or for six out of every seven years since the epoch of the Reform Act the conduct and management of public affairs. The effect has been to lower, to reduce, and contract your just influence in the country, and to abridge your legitimate share in the administration of the Government. It is good for the public interest that you should be strong ; but if you are to be strong, you can only be so by showing, in addition to the kindness and the personal generosity which I am sure you feel towards the people, a public, a political trust and confidence in them. What I now say can hardly be said with an evil motive. I am conscious of no such sentiment towards any man or party. But, Sir, we are assailed ; this Bill is in a state of crisis and of peril, and the Government along with it. We stand or fall with it, as has been declared by my noble Friend Lord Russell. We stand with it now ; we may fall with it a short time hence. If we do so fall, we, or others in our places, shall rise with it hereafter. I shall not attempt to measure with precision the forces that are to be arrayed against us in the coming issue. Perhaps the great division of to-night is not the last that must take place in the struggle. At some point of the contest you may possibly succeed. You may drive us from our seats. You may bury the Bill that we have introduced, but we will write upon its gravestone for an epitaph this line, with certain confidence in its fulfilment—

> " Exoriare aliquis nostris ex ossibus ultor."

You cannot fight against the future. Time is on our side. The great social forces which move onwards in their might and majesty, and which the tumult of our debates does not for a moment impede or disturb — those great social forces are against you ; they are marshalled on our side ; and the banner which we now carry in this fight, though perhaps at some moment it may droop over our sinking heads, yet it soon again will float in the eye of heaven, and it will be borne by the firm hands of the united people of the three kingdoms, perhaps not to an easy, but to a certain and to a not distant victory.

Question put.

The House *divided* :—Ayes 318 ; Noes 313 : Majority 5.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

AYES.

Acland, T. D.
Adair, H. E.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Anstruther, Sir R.
Antrobus, E.
Armstrong, R.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Baring, T. G.
Barnes, T.
Barron, Sir H. W.
Barry, C. R.
Barry, G. R.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Berkeley, hon. H. F.
Biddulph, Col. R. M.
Biddulph, M.
Blake, J. A.
Blennerhassett, Sir R.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowyer, Sir G.
Brady, J.
Bright, Sir C. T.
Bright, J.
Briscoe, J. I.
Brocklehurst, J.
Brown, J.
Browne, Lord J. T.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir A. W.
Buller, Sir E. M.
Butler, C. S.
Buxton, C.
Buxton, Sir T. F.
Calcraft, J. H. M.
Calthorpe,hn.F.H.W.G.
Candlish, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Castlerosse, Viscount
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clay, J.
Clement, W. J.
Clinton, Lord E. P.
Clive, G.

Cogan, W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Colthurst, Sir. G. C.
Colvile, C. R.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Crossley, Sir F.
Dalglish, R.
Davey, R.
Davie, Sir H. R. F.
Dawson, hon. Capt. V.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Devereux, R. J.
Dilke, Sir W.
Dillon, J. B.
Dillwyn, L. L.
Dodson, J. G.
Duff, M. E. G.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. M.
Ellice, E.
Enfield, Viscount
Erskine, Vice-Adm. J. E.
Esmonde, J.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Fawcett, H.
Fildes, J.
FitzGerald, Lord O. A.
FitzPatrick, rt. hon. J. W.
Foley, H. W.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Foster, W. O.
Fort, R.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
French, Colonel
Gaselee, Serjeant S.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon. W. E.
Gladstone, W. H.
Glyn, G. C.
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Graham, W.
Grenfell, H. R.
Greville, Colonel F.
Gray, Sir J.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Grosvenor, Capt. R. W.
Grove, T. F.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hanbury, R. C.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Harvey, R. J. H.
Hay, Lord J.
Hay, Lord W. M.
Hayter, Captain A. D.
Headlam, rt. hon. T. E.
Henderson, J.
Heneage, E.
Henley, Lord
Herbert, H. A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Howard, hon. C. W. G.
Howard, Lord E.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Ingham, R.
Jackson, W.
James, E.
Jardine, R.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kearsley, Captain R.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Layard, A. H.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Locke, J.
Lusk, A.
MacEvoy, E.
Mackinnon, Capt. L. B.
Mackinnon, W. A.
M'Laren, D.
Maguire, J. F.
Marjoribanks, D. C.
Marshall, W.
Martin, C. W.
Martin, P. W.
Matheson, Sir J.
Merry, J.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mills, J. R.
Milton, Viscount
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Moncrieff, rt. hon. J.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morris, M.
Morris, W.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicol, J. D.
Norwood, C. M.
O'Beirne, J. L.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
Ogilvy, Sir J.
Oliphant, L.
O'Loghlen, Sir C. M.
Onslow, G.
O'Reilly, M. W.
Otway, A. J.
Owen, Sir H. O.
Padmore, R.
Paget, Lord C.
Palmer, Sir R.
Pease, J. W.
Peel, rt. hon. Sir R.
Peel, A. W.
Peel, J.
Pelham, Lord
Peto, Sir S. M.
Philips, R. N.
Platt, J.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, R. G.
Price, W. P.
Pryse, E. L.
Pritchard, J.
Proby, Lord
Rawlinson, Sir H.
Rearden, D. J.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron L. de
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.
Russell, H.
Russell, F. W.
Russell, Sir W.
St. Aubyn, J.
Salomons, Mr. Ald.
Samuda, J. D'A.
Samuelson, B.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Seely, C.
Seymour, A.
Seymour, H. D.
Shafto, R. D.
Sheridan, H. B.
Sheridan, R. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Staniland, M.
Stanley, hon. W. O.
Stansfeld, J.
Steel, J.
Stone, W. H.
Stuart, Colonel C.
Sullivan, E.
Sykes, Colonel W. H.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Tite, W.
Torrens, W. T. M'C.
Trevelyan, G. O.
Verney, Sir H.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vivian, Capt. hn. J. C. W.
Waldegrave-Leslie, hn. G
Waring, C.
Warner, E.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
Whitbread, S.
White, J.
Whitworth, B.
Wickham, H. W.
Williamson, Sir H.
Winnington, Sir T. E.
Woods, H.
Wyld, J.
Wyvill, M.
Young, G.
Young, R.

TELLERS.

Brand, hon. H. B. W.
Adam, W. P.

NOES.

Adderley, rt. hn. C. B.
Agar-Ellis, hon. L. G. F.
Andover, Viscount
Annesley, hon. Col. H.
Anson, hon. Major
Archdall, Captain M.
Arkwright, R.
Baggallay, R.
Bagge, W.
Bagnall, C.
Bailey, C.
Bailey, Sir J. R.
Baillie, H. J.
Baring, hon. A. H.
Baring, H. B.
Baring, T.
Barnett, H.
Barrow, W. H.
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. Hicks-
Beach, W. W. B.
Beaumont, W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.

Beresford,Capt.D.W.P.
Bernard, hon. Col. H. B.
Bingham, Lord
Booth, Sir R. G.
Bourne, Colonel
Bovill, W.
Brecknock, Earl of
Bridges, Sir B. W.
Bromley, W. D.
Brooks, R.
Bruce, Lord E.
Bruce, Major C.
Bruce, Sir H. H.
Bruen, H.
Buckley, E.
Bulkeley, Sir R.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Cairns, Sir H. M'C.
Campbell, A. H.
Carrington, hon. C. R.
Cartwright, Colonel
Cave, S.
Cecil, Lord E. H. B. G.
Clinton, Lord A. P.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R.W.B.
Cole, hon. H.
Cole, hon. J. L.
Conolly, T.
Corry, rt. hon. H. L.
Courtenay, Lord
Cooper, E. H.
Cox, W. T.
Cranbourne, Viscount
Crosland, Colonel T.P.
Cubitt, G.
Curzon, Viscount
Cust, hon. C. H.
Dalkeith, Earl of
Dawson, R. P.
Dick, F.
Dickson, Major A. G.
Disraeli, rt. hon. B.
Doulton, F.
Dowdeswell, W. E.
Du Cane, C.
Duff, R. W.
Duncombe, hon. A.
Duncombe, hon. W. E.
Dunkellin, Lord
Dunne, General
Du Pre, C. G.
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Earle, R. A.
Eaton, H. W.
Eckersley, N.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Fane, Lt.-Col. H. H.
Fane, Colonel J. W.
Farquhar, Sir M.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Ferrand, W.
Fitzwilliam, hn.C.W.W.
Fleming, J.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gaskell, J. M.
George, J.
Getty, S. G.
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Gooch, D.
Goodson, J.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Grant, A.
Graves, S. R.
Greenall, G.
Greene, E.
Gregory, W. H.
Gray, Lieut.-Colonel
Grey, hon. T. de
Griffith, C. D.
Grosvenor, Lord R.
Guinness, B. L.
Hamilton, Lord C.
Hamilton Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Harvey, R. B.
Hervey, Lord A. H. C.
Heathcote, hon. G. H.
Heathcote, Sir W.
Henley, rt. hon. J. W.
Henniker, Lord
Herbert, hon. P. E.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hodgson, W. N.
Hogg, Lt.-Col. J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.
Horsman, rt. hon. E.
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Humphery, W. H.
Hunt, G. W.
Innes, A. C.
Jervis, Captain
Jolliffe,rt.hn.SirW.G.H.
Jolliffe, H. H.
Jones, D.
Kekewich, S. T.
Kelk, J.
Kelly, Sir F.
Kendall, N.
Kennard, R. W.
Ker, D. S.
Kerrison, Sir E. C.
King, J. K.
King, J. G.
Knight, F. W.
Knightley, Sir R.
Knox, Colonel
Knox, hon. Major S.
Lacon, Sir E.
Laing, S.
Laird, J.
Langton, W. G.
Leader, N. P.
Lechmere, Sir E. A. H.
Legh, Major C.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Leslie, W.
Liddell, hon. H. G.
Lindsay, hon. Colonel C.
Lindsay, Colonel R. L.
Long, R. P.
Lopes, Sir M.
Lowe, rt. hon. R.
Lowther, hon. Colonel
Lowther, Captain
Lowther, J.
Lytton,rt.hn.SirE.L.B.
M'Kenna, J. N.
Mackie, J.
M'Lagan, P.
Mainwaring, T.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Marsh, M. H.
Meller, W.
Miller, S. B.
Miller, T. J.
Mitford, W. T.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Noel, hon. G. J.
North, Colonel
Northcote, Sir S. H.
O'Neill, E.
Packe, C. W.
Packe, Colonel
Paget, R. H.
Pakington, rt. hon. Sir J.
Palk, Sir L.
Parker, Major W.
Patten, Colonel W.
Paull, H.
Peel, rt. hon. General
Pennant, hon. Colonel
Percy,Mjr-Gen.Lord H.
Phillips, G. L.
Pim, J.
Powell, F. S.
Pugh, D.
Read, C. S.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, J.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Saunderson, E.
Schreiber, C.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, S. G.
Smollet, P. B.
Somerset, Colonel
Stanhope, J. B.
Stanhope, Lord
Stanley, hon. F.
Stirling-Maxwell,SirW.
Stock, O.
Stronge, Sir J. M.
Stuart, Lt.-Colonel W.
Stucley, Sir G. S.
Sturt, H. G.
Sturt, Lieut.-Col. N.
Surtees, F.
Surtees, H. E.
Sykes, C.
Taylor, Colonel
Thorold, J. H.
Thynne, Lord H. F.
Tollemache, J.
Tomline, G.
Torrens, R.
Tottenham,Lt.-Col.C.G.
Tracy, hon. C. R. D. H.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Trollope, rt. hon. Sir J.
Turner, C.
Tyrone, Earl of
Vandeleur, Colonel
Verner, E. W.
Verner, Sir W.
Walcott, Admiral
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.
Whiteside, rt. hon. J.
Whitmore, H.
Williams, Colonel
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, Sir W. W.
Wynn, C. W. W.
Wynne, W. W. E.
Yorke, J. R.

TELLERS.

Grosvenor, Earl
Stanley, Lord

LAND DRAINAGE SUPPLEMENTAL BILL.

On Motion of Mr. Baring, Bill to confirm a Provisional Order under "The Land Drainage Act, 1861," *ordered* to be brought in by Mr. Baring and Sir George Grey.

Bill *presented*, and read the first time. [Bill 125.]

INCLOSURE BILL.

On Motion of Mr. Baring, Bill to authorize the Inclosure of certain Lands, in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Mr. Baring and Sir George Grey.

Bill *presented*, and read the first time. [Bill 126.]

NATIONAL GALLERY ENLARGEMENT BILL.

On Motion of Mr. William Cowper, Bill to provide for the acquisition of a site for the Enlargement of the National Gallery, *ordered* to be brought in by Mr. William Cowper and Mr. Childers.

Bill *presented*, and read the first time. [Bill 124.]

DEAN FOREST INCLOSURE BILL.

On Motion of Mr. Childers, Bill to Inclose certain portions of the Forest of Dean in Gloucestershire, *ordered* to be brought in by Mr. Childers and Mr. William Cowper.

House adjourned at a quarter before Four o'clock, till Monday next.

* * *

HOUSE OF LORDS,

Monday, April 30, 1866.

MINUTES.]—*Took the Oath*—The Marquess of Anglesey.

Public Bills—*First Reading*—Superannuations (Officers Metropolitan Vestries and District Boards)* (91); Selling and Hawking Goods on Sunday * (92).

Committee—Salmon Fisheries (Scotland) *(85 & 86); Poor Persons' Burial (Ireland)* (77).

Report—Sale of Land by Auction * (89).

Third Reading—Public Offices (Site)* (67), and *passed.*

Royal Assent—Art [29 *Vict.* c. 16]; Cattle Sheds in Burghs (Scotland) [29 *Vict.* c. 17]; Forsyth's Indemnity [29 *Vict.* c. 20]; Parliamentary Oaths Amendment [29 *Vict.* c. 19]; East India Military, &c., Funds Transfer [29 *Vict.* c. 18].

SELLING AND HAWKING GOODS ON SUNDAY BILL [H.L.]

A Bill to Amend the Laws relating to Selling and Hawking Goods on Sunday—Was *presented* by The Lord Chelmsford; read 1^a. (No. 92.)

Their Lordships met, and having gone through the business on the Paper without Debate,

House adjourned at Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, April 30, 1866.

MINUTES.]—New Writs Issued—*For* Sandwich, *v.* Lord Clarence Edward Paget, Chiltern Hundreds; *for* Reading, *v.* George John Shaw Lefevre, esquire, Commissioner of the Admiralty; *for* Devon (Northern Division), Hon. Charles Henry Rolle Trefusis, now Lord Clinton.

Select Committee—On Art Union Laws *nominated;* On Edinburgh Annuity Tax Abolition, 1860, and Canongate Annuity Tax Act *appointed.*

Supply—*considered in Committee* — Civil Service Estimates—Class I.—Public Works and Buildings. Class II.—Salaries and Expenses of Public Departments. Class III.—Law and Justice.

Public Bills—*Ordered*—Tenure and Improvement of Land (Ireland).

First Reading—Dean Forest (Walmore and the Bearce Commons)* [129]; Tenure and Improvement of Land (Ireland) [130].

Committee—Lunacy Acts (Scotland) Amendment* [127]; Harbour Loans* [112]; Hop Trade [128].

Report—Lunacy Acts (Scotland) Amendment* [127]; Harbour Loans* [112]; Hop Trade [128].

Third Reading— Contagious Diseases* [78].

MR. SPEAKER'S ILLNESS.

The House being informed by Mr. Speaker, that he had received notice that a Commission to give Her Majesty's Royal Assent to certain Acts of Parliament is ordered for this day, and that, being still disabled from attending with the House in the House of Peers, he should be obliged, by permission of the House, to withdraw before the arrival of the Usher of the Black Rod:—

Resolved, That during the temporary absence of Mr. Speaker from the House, this day, for the reason stated by him, the Chairman of the Committee of Ways and Means do take the Chair as Deputy Speaker, and do attend with the House in the House of Peers, and do report to the House the Royal Assent to the said Acts. —(*Mr. Charles Forster.*)

Mr. Speaker withdrew from the House, and Mr. Dodson, the Chairman of the Committee of Ways and Means, took the Chair as Deputy Speaker, pursuant to the Resolution of this day.

Mr. Deputy Speaker *reported* the *Royal Assent* to several Bills.

Whereupon Mr. Speaker returned to the House, and resumed the Chair.

BANBURY ELECTION.

House informed, that the Committee had determined,—

That Bernhard Samuelson, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Banbury.

And the said Determination was ordered to be entered in the Journals of this House.

House further informed, That the Committee had agreed to the following Resolution :—

That Bernhard Samuelson, esquire, was not disqualified to be elected and returned to sit in Parliament by reason of his being an alien.

Report to lie upon the Table.

NORTHALLERTON ELECTION.

House informed, that the Committee had determined,—

That Charles Henry Mills, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Northallerton.

That the last Election for the said Borough is a void Election.

And the said Determinations were ordered to be entered in the Journals of this House.

House further informed, That the Committee had agreed to the following Resolutions :—

That Charles Henry Mills, esquire, was, by his Agents, guilty of bribery at the last Election for the Borough of Northallerton.

That it was proved to the Committee that at the last Election for the Borough of Northallerton, Thomas Fowle, the Agent of the said Charles Henry Mills, offered Thomas Lightfoot a valuable consideration to influence his vote.

That it was also proved to the Committee that at the last Election for the Borough of Northallerton, Thomas Fowle, the Agent for the said Charles Henry Mills, offered James Archer a valuable consideration to influence his vote.

That it was not proved to the Committee that the aforesaid acts of bribery were committed with the knowledge and consent of the said Charles Henry Mills.

That it was not proved to the Committee that treating or other corrupt practices prevailed extensively at the last Election for the Borough of Northallerton.

Report to lie upon the Table.

Minutes of Evidence taken before the Committee to be laid before this House.—(*Mr. Sclater-Booth.*)

WAKEFIELD ELECTION.

House informed, that the Committee had determined,—

That William Henry Leatham, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Wakefield.

And the said Determination was ordered to be entered in the Journals of this House.

House further informed, That the Committee had agreed to the following Resolutions :—

That it was proved to the Committee, that Samuel Fieldhouse was bribed by Thomas Gosney and Henry Barrett in a sum of £20 to vote for the said W. H. Leatham, esquire.

That William Hodgson was bribed by Henry Barrett in a sum of £15 to vote for the said W. H. Leatham, esquire.

That Edward Morrison was offered £25 by Henry Barrett to vote for the said W. H. Leatham, esquire.

That Thomas Holroyd was offered £5 by William Speight either to vote for the said W. H. Leatham, esquire, or to abstain from voting.

That J. Batson Rhodes was offered £20 to vote for the said W. H. Leatham, esquire, or £10 to abstain from voting.

That Charles Batty was offered £20 to vote for the said W. H. Leatham, esquire, by George Kenworthy.

That Henry Barrett has absconded.

That it was not proved that any or either of the above acts were committed with the knowledge or consent of the said W. H. Leatham, esquire, or with the knowledge or consent of any of his Agents.

That there is no reason to believe that corrupt practices have extensively prevailed at the last Election for the said Borough.

Report to lie upon the Table.

KING'S COUNTY ELECTION.

House informed, that the Committee had determined,—

That Sir Patrick O'Brien, baronet, is duly elected a Knight of the Shire to serve in this present Parliament for the King's County, and the said Determination was ordered to be entered in the Journals of this House.

IRELAND—OFFICIAL OATHS.

QUESTION.

Mr. MAGUIRE said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of the Government, now that the Oaths hitherto taken by Members of Parliament have been replaced by a simple and uniform Oath, to introduce a Bill in the present Session to substitute a similar form of Oath for that now required to be taken by all persons accepting municipal or other offices in Ireland ?

Mr. O'REILLY said, he would beg to supplement the question by asking whether the Government will abolish the Oath of Allegiance now taken by others than persons holding office in Ireland, and substitute a new Oath of Allegiance ?

Mr. CHICHESTER FORTESCUE said, in reply, that the Government did not propose to introduce any Bill at present for the object mentioned by the hon. Members ; but they proposed and had decided to issue a Commission for the purpose of inquiring into the oaths taken in this country, of reviewing them, and of deciding what oaths ought to be altered, as containing anything unnecessary or objectionable. He might add that the inquiry would include the case to which the question of the hon. Member for Longford (Mr. O'Reilly), appeared to refer—namely, oaths taken by the students of Maynooth.

METROPOLITAN POOR—GUARDIANS OF CLERKENWELL.—QUESTION.

Mr. KINNAIRD said, he would beg to ask the President of the Poor Law Board, If the promised measure for amending the administration of the Poor Law Board in the Metropolis will give proper controlling power to the Poor Law Board over the parishes at present governed under local Acts; whether it will abolish the election of guardians for life, and if he knows whether the guardians of Clerkenwell have discontinued that ill-treatment of paupers which has been repeatedly commented on in the public press?

Mr. C. P. VILLIERS said, in reply, that a measure amending the administration of the Poor Law would be shortly laid upon the table of the House, in which provision will be made as far as it is practicable, to give effect to the recommendations of the Committee that recently reported to the House on the subject. With regard to the Clerkenwell union he was able to say that the guardians had obtained, and now occupy, new wards apart from the workhouse for the accommodation of the homeless poor, by which the mismanagement complained of will cease in future.

TRAFFIC IN THE METROPOLIS.

QUESTION.

Mr. OWEN STANLEY said, he would beg to ask the Secretary of State for the Home Department, If, in accordance with the Special Report of the City Traffic Committee, the Commissioners of Police in their respective districts, have been instructed by the Secretary of State for the Home Department to submit regulations for the traffic of the Metropolis?

Sir GEORGE GREY said, in reply, that his hon. Friend must have misunderstood the purport of the Report of the Committee. They reported that the Bill was too limited in its operation, but they recommended that a general measure should be proposed which should regulate the traffic throughout the metropolis. It would be the duty of the Government to prepare a Bill for this purpose, but regulations could have no force without Parliamentary sanction.

Mr. OWEN STANLEY said, he wished to know whether the Government itself intend to take charge of the Bill?

Sir GEORGE GREY said, that was their intention in accordance with the statement he had already made.

RECIPROCITY TREATIES.

QUESTION.

Mr. LAYARD said, he would beg to ask his hon. Friend the Member for Stockport, who had a Notice on the Paper relating to Reciprocity Treaties, to have the goodness to postpone it, and give notice of the terms of the Resolution he proposed.

Mr. WATKIN, in reply, said, his complaint was that a treaty involving a trade of £10,000,000 sterling and certain fishery and navigation rights had been allowed to terminate without a single scrap of information being laid before the House. He should be very sorry, however, although his notice had been on the Paper for several weeks, to give any inconvenience to the hon. Gentleman. He would, therefore, postpone it for the present, and place on the Paper a copy of the Resolution he propose to move, fixing another day when a discussion could take place on the subject.

OATHS OF MEMBERS.—RESOLUTION.

Sir GEORGE GREY: Sir, the Parliamentary Oaths Bill having received the Royal Assent, it becomes necessary for the House without delay to make some regulation in regard to the manner in which Members shall take their seats in this House. The Act which required seats to be taken between the hours of nine in the morning and four in the afternoon has been repealed, and it was provided that the manner of taking the oaths should be regulated by Standing Orders to be made by each House of Parliament. I therefore propose the Resolution of which I have given notice, with a view to give effect to this provision of the law. The effect will be that seats may be taken at any time before public business—meaning thereby the Orders of the Day and Notices of Motions—has been entered upon or after it has been disposed of, not allowing the public business to be interrupted for that purpose. I beg to move the following Resolution:—

"That Members may take and subscribe the Oath required by Law at any time during the sitting of the House, before the Orders of the Day and Notices of Motions have been entered upon, or after they have been disposed of, but no debate or business shall be interrupted for that purpose."

Resolution *agreed to.*

Resolved, That Members may take and subscribe the Oath required by Law, at any time during the sitting of the House, before the Orders of the Day and Notices of Motions have been entered upon, or after they have been disposed of; but no debate or business shall be interrupted for that purpose.—(*Sir George Grey.*)

Ordered, That the said Resolution be a Standing Order of this House.

SIR GEORGE GREY: There is another Resolution consequent upon that which had been agreed to, which is that the Standing Orders regarding the manner in which Gentlemen of the Jewish faith take their seats should be repealed, as that is no longer applicable. I therefore propose—

"That the Standing Order of the 15th day of August, 1860, relative to the swearing of persons professing the Jewish Religion, be read and repealed."

Resolution *agreed to.*

Standing Order of the 15th day of August 1860, relative to the swearing of persons professing the Jewish Religion, read, and *repealed.*

REPRESENTATION OF THE PEOPLE BILL.

MINISTERIAL STATEMENT.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I stated on Friday night—or rather, to be more accurate, at daybreak on Saturday morning—that I would to-day, with the permission of the House, make known the views of Her Majesty's Government with regard to the course of the most important parts of public business with which they are concerned; and of course after such a division as that which took place at the time I have named, it is right that I should explicitly state the view which Her Majesty's Government take of their position. Her Majesty's Government have not seen in that division any reason or warrant for their desisting from the effort in which they are engaged to pass into law a measure with reference to the Representation of the People. They understand their position—not to dwell for a moment upon the slight numerical difference between the majority and the minority—to be as follows: One moiety of the House was prepared to accede to the proposal of the Government to enter upon the consideration of the Franchise Bill, upon the understanding which subsisted before the second reading—that is to say, the understanding, or rather the pledge, which was given by the Government, that they would introduce into the House before proposing to go into Committee on the Franchise Bill, a Bill relating to the Re-distribution of Seats and Bills relating to the subject of Reform in Scotland and in Ireland. The other moiety of the House did not declare itself unwilling to enter on the consideration of the Franchise Bill, but, on the contrary, acquiesced without a division in the Motion for the second reading, when it had become the substantive and main Question; but they interposed an important condition—I must not understand the Amendment differently, though its terms were hardly adhered to by those who supported it—namely, that before considering the question of the Franchise the House must have before it the whole intentions of the Government with respect to Parliamentary Reform. By the whole intentions of the Government I understand—although there are other points of great importance—our intentions with regard to the re-distribution of seats; and, no doubt, as collateral to that, our intentions with respect to the question of boundaries, as well as the arrangements for reforming the representation in Ireland and Scotland. The position in which we stand, therefore, appears to be this—that the whole House is agreed in the disposition to take into consideration the measure of Parliamentary Reform before it on receiving that information—of course, without the smallest prejudice to the course any hon. Members may think it right to take when in possession of that information. I stated in the course of the debate on Friday night that Her Majesty's Government would be very unwilling to quarrel upon any mere question of procedure with those who might be agreed with them in regard to the main objects which they have in view. Nothing has occurred, and, indeed, nothing could very well occur, between that time and this to give us any further information as to the views or wishes of the House or any part of the House with respect to questions of procedure—in fact, I think it is obvious that hon. Gentlemen whose minds may still be open upon that subject to any further view, may naturally be waiting for the production of the Government Bill with reference to the re-distribution of seats. That being so, we have come to the conclusion that our present duty is a very simple one. It is to lose no time in producing the plan we shall recommend to the House with respect to the re-distribution of seats. Now, that cannot be done till after Thursday next, because after the arrangements that have been made as to the Financial Statement, it would not, I think, be convenient for the despatch of public business generally that that statement shonld be further delayed. What we propose, therefore, is, that on Monday next I shall ask leave—postponing for that purpose the Orders of the Day—to bring in a Bill for the Re-distribution of Seats. In concurrence with that step, I shall also propose to place for Monday next the Motion for the Committee on the Franchise Bill; of course, not with the view of asking the House to go into Committee at that time, for till that day we are not in a position to arrive at any clear view, or to ask the House to adopt any clear view, with regard to the precise day for moving that the Speaker do leave the Chair on that Bill. I have nothing else to say so far as regards the question of Parliamentary Reform. And the House will therefore be good enough to understand that I propose on Thursday next in Committee of Ways and Means, to make the usual Financial Statement. And I will venture to offer an observation on that subject, which is intended entirely for the convenience of the House, and which they will please to put in practice according as they see fit. The old and regular practice of the House, until quite recently, was this—that after the Financial Statement an opportunity was given to hon. Members of rising in pretty quick succession one after the other, to put Questions to the Minister with respect to any point requiring explanation. There was very great convenience in that practice, because it brought the whole matter into a very small compass, and enabled Gentlemen to obtain at once whatever information they might desire. Of late years there has been a tendency to substitute for that practice a general debate upon the Budget; and the consequence is that hon. Gentlemen have often great difficulty in putting Questions which, if they had had the opportunity of putting, the whole plan would have gone forth to the country in a more complete and intelligible form. Of course, I should not think of questioning the liberty, or offering any advice to hon. Gentlemen, as to limiting the privileges of debate, in any way whatever; but I would respectfully submit that it would be for the convenience of the House if after the Financial Statement those Members whose object is not to enter into a general discussion, but to put Questions with a view to obtaining information, are allowed to take precedence in obtaining such information. There is another very important subject on which I answered the noble Lord the Member for Leicestershire (Lord John Manners) the other night, when he asked me whether I was able to decide upon the plan I proposed to submit to the House on the subject of Church Rates, I wish to say that I am not able to-day to announce any result of such communications as I have held with hon. Members in regard to Church Rates, but I hope on Thursday to be able to make some announcement on the subject.

MR. HENRY BAILLIE asked, whether the right hon. Gentleman proposed to proceed with the Franchise and Re-distribution Bills together, or to carry the two Bills separately?

THE CHANCELLOR OF THE EXCHEQUER: My intention is confined for the present to the Notice I have given; because, as I have already stated, I do not think, as far as we are able to judge, that hon. Members themselves are in the most favourable position to form their own judgment until our Re-distribution Bill shall have been introduced. When that shall have been introduced, we do not wish to fetter our own discretion, or in the slightest degree to fetter the discretion of any Member of the House, as to any further procedure.

MR. WHITESIDE: Ireland having been alluded to by the right hon. Gentleman, I wish to know what are the intentions of the Government, with relation to dealing with the franchise in that country? I do not ask what they are going to do, for I do not want them to do anything, but whether they intend to introduce a Bill relating to the franchise as well as to the re-distribution of seats in Ireland.

THE CHANCELLOR OF THE EXCHEQUER: The best answer I can give the right hon. and learned Gentleman is, that I hope the Bill relating to Ireland—which I trust may be introduced on Monday—will be, as far as the intentions of the Government are concerned, a complete measure.

SIR LAWRENCE PALK said, he understood the Chancellor of the Exchequer to intimate to the House that he would proceed with the Re-distribution Bill *pari* *passu* with the Franchise Bill. ["No, no!"] What he wished to ask was, in the first place, whether the right hon. Gentleman would give the House a sufficient opportunity of considering the Re-distribution Bill?—and whether, in the next place, he would take the second reading of that Bill before asking the House to go into Committee on the Franchise Bill? It seemed to him very desirable that the Re-distribution Bill, and also a Bill for regulating and defining the boundaries of boroughs, should pass the second reading before the House were asked to go into Committee on the Franchise Bill.

THE CHANCELLOR OF THE EXCHEQUER: It may be taken for granted—and if it is not I have no hesitation in saying—that the Government will make no attempt to deprive Members of this House of due time for considering their course after our plan with regard to the re-distribution of seats is before them. By placing it on the table, and taking as much time as is necessary, it will put both themselves and us in the best position for considering any ulterior measures.

SIR JAMES FERGUSSON reminded the House that there was an unimportant part of the Kingdom called Scotland, and he begged to ask whether the Franchise Bill for Scotland would be read a second time before or after the other parts of the scheme were proceeded with.

THE CHANCELLOR OF THE EXCHEQUER: The Reform Bill for Scotland will, I have no doubt, be introduced on Monday night by my hon. and learned Friend the Lord Advocate; but with regard to its further stages, I would rather give no pledge at present.

MR. E. P. BOUVERIE: I do not wish to act irregularly, and I shall, therefore, conclude with a Motion. I wish to say that I think, on the whole, the course taken by Her Majesty's Government seems to be undoubtedly the right and the proper one; because it must be borne in mind that now that the Bill for the Reduction of the Franchise has been read a second time, the whole House is agreed upon the principle; for the minority which, on Friday night, divided in support of the Amendment of my noble Friend the Member for Chester (Earl Grosvenor), expressed their desire to consider a measure of Reform which would lead to a settlement of the question, and also a desire of seeing the scheme which the Government proposed to submit to the House. These two objects will now really be achieved, as before we go into Committee we shall have the scheme of Her Majesty's Government before us. Now, the settlement of this question depends altogether upon the Bill about to be submitted to the House; and, of course, not having that Bill before us, and having no idea of what it is to contain, it is impossible to express any opinion now whether the two Bills together will afford any chance of a settlement of the question or any prospect or basis for a settlement. I am one of those, in common with a great many Members on this side of the House, who supported Her Majesty's Government on Friday night; but I am one of the section who think that this question ought to be considered as a whole. I gave my support to the Government and voted against the Amendment of my noble Friend because their plan appeared to me the only feasible mode in which we could see some prospect of coming to a settlement. It is quite clear at any rate, that if the Amendment had been successful, and the Government had gone out of office and the Bill had been lost, we should have been as far off any chance of a settlement as ever. Now, Sir, I am inclined to agree with what fell from an hon. Member the other evening, who said that no satisfactory settlement of the question could be arrived at by Parliament without the consent and the co-operation of the Conservative party. I think the powers of resistance to any measure of this kind in quiet times like ours are so great that unless terms of conciliation are held out to all parties there is very little likelihood of those powers of resistance being overcome. I think it is to the interest of Gentlemen opposite that a proper and reasonable settlement of this important question should be arrived at; and I cannot help thinking that if the measure to be introduced next week is a fair one, fairly weighing the opposite interests of the country, and taking into consideration what cannot be justly neglected—namely, the claims of the landed interest to have at least some share in the re-distribution of seats—I cannot but think that if the question of the re-distribution of seats be treated in some such way, it may afford a basis for a settlement of the question. There are two grievances in respect to this question—the grievance of the great unrepresented towns and portions of towns, those places which have sprung up chiefly in the North of England and one or two in the South of England, and which have no representation in this House, According to our old fashioned Constitution, had the same circumstances occurred 200 years since, those places would have at once had writs sent down to them for the election of Members to this House. Another grievance is that the counties, in proportion to their wealth, their taxation, and their population, are very much less represented than the boroughs. I cannot help thinking that much of the resistance offered to the Franchise Bill by hon. Gentlemen opposite during the past debate has been in consequence of their alarm and uneasiness arising from the supposition that these claims of the landed interest would not meet with fair consideration unless the whole question was brought before us. When this question, as a whole, comes before the House, it will be perfectly competent for the House to deal with it as a whole. They will have power to submit the two Bills to the same Committee—for there is a Standing Order enabling that to be done—there is a power in this House which enables them to direct a Committee to join two Bills in one; so that when the House is in possession of the scheme, if it is a good one, or admits of being turned into a good one, by reasonable alterations, they can pass it, for I apprehend the Government is not prepared to stand upon the *ipsissima verba* of every section and item of the Bill. Surely this is not a bad opportunity for Members interested in and desirous of obtaining a fair settlement upon reasonable terms to try and see whether we cannot come to some agreement on the subject. I think the probability of such a settlement being come to depends upon the spirit in which we and in which hon. Gentlemen opposite approach this question. I trust that hon. Gentlemen opposite will not offer resistance to the measure simply because it is proposed by Gentlemen on this side, but will consider it with a view to the public interests, and with a view to the settlement of the matter. I cannot conceive any worse position for hon. Gentlemen opposite as a party either in the country or in the House than for this question to remain upon the table of the House, and to allow it to be a trouble to them whenever they have a chance of attaining power, and to be a stick in the hands of the Liberal party to thrash them with whenever they come into office. I must say I think there is a fund of good sense in this House which would enable us, if we approached it in a proper manner, to settle this question. I expressed my opinion in the early part of this Session, and I adhere to it now, that the Government made a great mistake in the mode in which they first approached this matter; but that, of course, is a question of judgment in which, perhaps, they were as well able to form an opinion as I was. At any rate, that mistake is now remedied—we are now to have the whole scheme before us, and we can now see whether it is possible to come to some common understanding on the subject and arrive at a fair settlement. I beg, in conclusion, to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn.—(*Mr. E. P. Bouverie.*)

Mr. HENRY BAILLIE asked the Chancellor of the Exchequer, whether the Reform Bill for Scotland about to be introduced would, like the Irish Bill, be a complete measure, involving a re-distribution of seats as well as a reduction of the franchise? It was not to be supposed that a re-distribution of seats was not required in Scotland. In Sutherlandshire, for instance, there were only 200 electors, almost all of whom were tenants of one individual. That county might very fairly be united to Caithness-shire, and the Member for Sutherlandshire might with propriety be transferred to the City of Glasgow. He therefore wished to draw the attention of the Lord Advocate to the subject when he introduced the question.

Mr. WHITE took the opportunity of asking the right hon. Gentleman the Chancellor of the Exchequer a question on the subject of the Reform Bill. They had heard much talk about standing or falling by the Bill, and when Government had so miserable a majority he thought in his ignorance that they would resign. The speech of the right hon. Gentleman conveyed to his mind the impression that if they went into Committee upon the Bill, and the House in the exercise of its wisdom should agree to an increase in the borough franchise, such a Resolution would be accepted by the Government as fatal to the Bill. He wished to know whether that would be the case or not—whether if the House were to put the borough franchise at £8, the Government would consider such a result as fatal to the Bill, and, therefore, that the natural consequences would follow?

The CHANCELLOR of the EXCHEQUER: I understand the meaning of standing or falling by the Bill to be this—that as long as the Bill stands we stand. If the Bill falls we fall. But the view we take is that the Bill still stands. With regard to the question of any alterations to be made in the Bill in Committee, I did not intend to convey, and I believe I did not convey, anything as to what clauses we consider important and vital, or what clauses are unimportant. That is a matter which I conceive to be entirely out of the province of the short explanation I have made to-day, and I hope the hon. Gentleman will not draw any inference as to this question from it.

Captain VIVIAN said, he rose, in this rather premature discussion upon the Bill which they had not yet seen, to echo the wishes and the opinions of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie). He trusted that before they again had reason to "destroy their bridges" and to "burn their boats" they should arrive at a satisfactory settlement of the question. If the present opportunity were not made use of, he feared that the consequences might be serious. In his opinion, the party to which he belonged made a great mistake in not going into Committee upon the Reform Bill which was before the House in 1859, and he earnestly hoped that the hon. Gentlemen opposite would not now make a similar mistake.

Lord JOHN MANNERS: I wish to say a few words as to the promise which the Chancellor of the Exchequer has made to lay before the House some clauses which he will propose to add to the Church Rates Abolition Bill. We have now heard that it will be impossible for him to make his statement before Thursday next, and the Bill for the total Abolition of Church Rates stands for Committee for the following Wednesday. This being so, it will be impossible for the country in this short time to make up their minds upon the matter. If the result of the negotiations between the Government and the hon. Gentleman who brought in the Bill (Mr. Hardcastle) should be that the Government will become responsible for the Bill; and indeed under the circumstances I do not see how it is possible for the Bill of a private Member to be amended by the Government before going into Committee without their making themselves responsible for it, I think that my suggestion is a reasonable one. However that may be, I would entreat the right hon. Gentleman to make some arrangement to give the country time to consider his proposal.

The Chancellor of the Exchequer

The CHANCELLOR of the EXCHEQUER: I fully agree with what the noble Lord has stated. I promised that I would state on Thursday what the Government would or would not do in this matter. Nothing would be so objectionable as that we should not give all persons both inside and outside of the House time to consider the clauses proposed to be introduced. I will, therefore, intercede with the hon. Gentleman and endeavour to arrive at some arrangement to secure the object of the noble Lord.

Motion, by leave, *withdrawn.*

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SATURDAY HALF-HOLIDAY FOR THE CIVIL SERVICE.—QUESTION.

Mr. O'REILLY said, he rose to call attention to the propriety of extending the advantages of the Saturday half-holiday to those branches of the Civil Service which do not yet enjoy it; and to ask what steps have been taken by the Government relative to the Report on the subject laid before the late Premier by the Commission appointed to report on the subject. Of late years a moderate diminution of labour and increase of holidays had found favour not only with the employed, but also with their employers. The Saturday half-holiday movement had especially extended in every direction, and had been attended, according to general testimony, by the most advantageous results. It was no exaggeration to say that the Volunteers owed much of their present efficiency to the extension of this movement; nor would it be too much to maintain that its abolition would result in the almost total annihilation of our Volunteer force. As an instance of the manner in which this holiday was extending, he might mention the fact that the Underwriters' Rooms at Lloyd's were now closed at two o'clock on Saturdays, and most of the great railway companies of this country relieved their clerks as far as possible from their labour on the Saturday afternoon. In several of the public departments the holiday had already been granted. The clerks at the Post Office left off at one, and those in the Audit Office, for a great length of time, had been freed at two, and in answer to a question which he asked in that House three years ago, it was stated that by the Saturday half-holiday in the Post Office the efficiency of the public service in that Department had been promoted, while the expense had not been increased. In several of the West End offices the holiday was to some extent practically granted, a part only of the clerks being compelled to remain in rotation. He was not, however, advocating the claims of young gentlemen in the West End offices ; he was urging upon the Government the title which some of the hardest worked and worst paid of the public servants, those in the Customs and Revenue Departments especially, had to this slight relief. It was objected by some that the diminution of the hours of labour consequent upon the extension of this half-holiday would necessarily increase the public expenditure, but the only answer he had to make to that objection was that experience itself refuted the argument, because it had always been found that a diminution in the hours of labour had not been attended by a proportionate diminution in the amount of work produced. Then, again, it was objected that the clerks employed in the public service received six weeks or two months' leave in the course of the year. That objection might apply to the offices in the West End, but he questioned whether all the clerks in the Customs and other similar offices had as much leave of absence as those in the West End offices. The objection raised to the proposal to close the Foreign Office or the Home Office on Saturday afternoons on occasions of political importance did not apply, he thought, to the whole of the offices.

Mr. CHILDERS thought the matter one of importance and of interest to the country at large, as well as to those more immediately concerned. But the question raised was also one of much difficulty, and he thought the House should pause before it adopted any Resolution upon the matter. He agreed with his hon. and gallant Friend as to the efficiency of the Civil Service clerks. He believed it was the opinion of all those who had inquired into the matter that the business of the country was well done, and that any arrangement for the future should be based upon the consideration that they had a good body of men who deserved encouragement. But he did not think the Civil Service as a whole was overworked. His hon. and gallant Friend expressed the opinion, as he understood him, that it would be practicable, as far as the business of public offices generally was concerned, and only just to the clerks, to reduce their hours of work on Saturday ; and also that to do so would not add to the public expenditure. On this he would say at once, that if public officers have full employment, working till four or five o'clock, it would in the great majority of cases be utterly impossible to do with the same number of persons if only to be employed on one day in the week till one o'clock. But irrespective of the mere question of cost, there was that of convenience both in the administration of Government and to those who had dealings with Government from outside. For instance, neither his hon. and gallant Friend nor any Member of the House would desire to see any of the offices of the Secretaries of State closed on a Saturday, because as much important political business was transacted on Saturdays as on other days. That he understood his hon. and gallant Friend did not propose. [Mr. O'Reilly, however, said he did propose it.] He would say that it was impossible to accede to such a proposal. He had been able to find no trace of the Royal Commission to which his hon. Friend had alluded, but a conference of the heads of the different Departments took place, and they were unanimous in the opinion that a general half-holiday could not be decided upon applicable to all Departments. The question then remained as to whether the Inland Revenue and other similar Offices could close on Saturdays at one instead of at four, as at present. The answer to that question depended upon the public. If merchants and other men of business would agree uniformly, and not simply by a majority, to close their houses at twelve or one on Saturdays, then those Government Offices which transacted business with the public might be able to do the same. But at present the objection that merchants and traders would be obstructed in carrying on their business if all the Government Offices were closed on Saturday afternoons was a fatal one. In order to see what, if any, diminution in the hours of work should be granted, in justice to the Government clerks, he had caused inquiry to be made at several large offices in the City and elsewhere as to the number of hours the clerks were employed, and the holidays they were allowed. He found that one of the largest Railway Companies employed their clerks from nine to five, except on Saturdays, when they ceased work at one. They were allowed half-an-hour during that time for refreshment, and fourteen days' holiday during the year. Thus they were employed for forty-four hours every week in the year except the fourteen days, and Good Friday and Christmas Day. The clerks of the Bank of England were employed from nine to four, with the exception of an hour for their dinner, but on Saturdays they closed at three. The ordinary clerks were also allowed eighteen days' holiday during the year. One of the largest London Shipping Companies, which employed more clerks than any other office but one in the City at the present time, required their clerks to serve from ten to four every day, and to a later hour during their busy times. They worked two hours less, however, on Saturday, and had three weeks' holiday during the year. The clerks of the largest Joint-Stock Bank were employed for forty-seven hours during the week, and were allowed fourteen days' holiday for the ordinary and three weeks for the superior clerks. The Insurance Companies employed their clerks from ten till four, and besides required them occasionally to work overtime. These clerks had two weeks or three weeks' holiday, in accordance to the class to which they belonged. From these figures it was evident that, although the clerks in the Government Offices were required to work from ten to four, they had a much longer holiday than the clerks of large Companies in the City. The clerks of the Inland Revenue Office, one of the largest of its kind, were allowed at least twenty-eight days' and some forty days' holiday. The clerks of the Customs Office were allowed thirty-two days, or five or six weeks. The Post Office clerks had only a months' leave, but some of them had the half-holidays to which his hon. Friend had alluded. The conclusion he drew from the whole circumstances of the case was, that if it were possible consistently with the requirements of merchants and traders to close the public offices earlier on Saturdays, it would be at the same time absolutely necessary to curtail the leave of absence at present given for four, five, or six weeks during the year. He assured his hon. Friend that the great majority of clerks in public offices were continuously employed during the hours of business, and that their continuous employment was well watched. He did not hesitate to say that the deduction of two hours a week from the time the clerks were occupied would necessitate either an additional number of officers, or that they should be kept at work during the period they usually took for their holidays. His hon. Friend had quoted the Audit Office, where a certain relaxation from work on Saturday was allowed; but it was the peculiar character of the business that rendered this possible in that Office. They had no dealings with any but public officers. The fact was, that no general rule could be laid down, and the matter must be left to the discretion of the heads of the departments. In the departments under the Treasury it was left to the superior officers to arrange the question of holidays in the best way they could, with the understanding that leave of absence on Saturdays should be given to as many as possible in every department. This plan operated well in all the larger departments, with which he was best acquainted; and he believed that it worked well in all the small departments. He hoped his hon. Friend would not press upon the Government the adoption of a universal arrangement, because that would lead to considerable inconvenience.

Mr. KINNAIRD asked whether any Report had been presented on the subject, and whether it would be laid upon the table of the House? Had the Secretary to the Treasury listened to the observations of his hon. Friend below the gangway, he would have seen that he did not press upon the Government the desirability of curtailing the hours of employment at the offices at Whitehall or the West End; because, although the clerks in those offices were often detained late, particularly during the Session of Parliament, they, as it were, compensated themselves by coming to business so much later in the morning. He understood the Secretary to the Treasury to say that instructions had been given to the heads of the departments to use their own discretion in the matter. Now, there were certain periods in the year, as there were in every business, when such indulgence as that desired might be granted to those employed without any sort of inconvenience to the public service. He was fully convinced that a general rule applicable to every department could not be issued; but he would impress upon the Government the duty of giving instructions that every indulgence should be granted to the clerks when circumstances permitted.

It was perfectly well known that where a liberal spirit prevailed, and indulgence from time to time was granted, it had the effect of inspiring the clerks to make additional effort; and he was quite sure that they would not permit the public service to suffer on account of any indulgence granted to them.

Mr. O'REILLY asked whether the Secretary to the Treasury had stated that power had been given to the heads of the different departments to grant a half-holiday when it could be done without any detriment to the public service?

Mr. CHILDERS said, that according to the present rule a half-holiday would be granted to a certain number of the clerks when no inconvenience would result from such a course.

THE IRISH MILITIA.—QUESTION.

General DUNNE, in rising to ask a Question relative to the annual training of the Irish Militia, said, he could conceive of no reason whatever why the Militia should not be called out for training this year as in former years. If the defence of the Government for the course they had indicated was that what was called Fenianism existed in the Irish Militia, he desired to know what grounds they had for believing such to be the case? If the Inspector General of Militia, after consulting the officers commanding regiments, had made a Report upon the subject, he desired to know whether it would be laid on the table? He was aware that some of the staff of the Limerick Militia had been suspected of sympathizing with Fenianism, and certain non-commissioned officers had been accused of being mixed up with the movement; but it had been proved, at an inquiry conducted by the Inspector of Militia, that they were entirely innocent of the charge imputed to them. He believed that the reports respecting the existence of Fenianism throughout the country had been grossly exaggerated, and that the course pursued by the Government had greatly tended to intensify the fear of the people as to the extent of the movement. When it was perceived that the Government were greatly alarmed, it was thought that a rebellious spirit pervaded the land to a far greater extent than was really the case. No doubt in the towns, or at least in some of them, there were young men who had entered into this foolish society. Many who had left this country as clerks and shop-boys had, from necessity, or the spirit of adventure, enlisted and served during the wars in that country. Some had attained a certain rank, and when the war ceased returned to exhibit themselves to their friends, and spend the money they had acquired, as well as spread Republican doctrines, but they found little favour in the country. He had inquired into the truth of three or four reports made to the Government relative to that part of the country in which he resided, and he had found them to be totally false. Expressions of a seditious character might have escaped from the mouths of certain persons, but those expressions were not indicative of the real state of the feeling of the people. He held that Government had neglected its duty by not consulting the local magistrates as to the state of the country, and that the information received from stipendiary magistrates was not reliable, because few of them were sufficiently acquainted with the people. The reports of the police-constables also had been too much relied on, for many had been discovered to be incorrect. He believed that the course of the Government in not calling out the Militia as usual was extremely injudicious, and more than any other step they could have taken it would tend to encourage the spread of Fenianism. What would be believed in America when it was known that the Government were so afraid of the movement in Ireland that they dared not call out the Militia for the annual training? Would it not encourage the Fenian conspirators in that country — perhaps tempt them to some violent undertaking? He believed further that the procedure of the Government would be very unpopular, and create an unfavourable impression among the men; for they would thus be deprived of their pay, which did much to attach them to the Crown. There could be no doubt that the conduct of the Irish Militia had, on former occasions, been exemplary, and this fact could be learnt from the reports of the commanding officers and the Inspectors of Militia, who testified to the uniformly good conduct of the men, whether in quarters or elsewhere. The Constabulary force was supposed to consist of 12,000 men—the Government did not complain of disloyalty in them, in fact they were trusted and employed to put down Fenianism, and yet they were composed of precisely the same class as that which composed the

Militia. He, therefore, could not understand the distrust which the Government had manifested towards the Irish Militia. Another consideration which should weigh with the Government was that private individuals, counting upon the regular embodiment of the Militia, had incurred large expenditure in preparing their houses for the reception of the force in different parts of the country. It was a service capable of being rendered very popular; by the outlay which it occasioned, benefit was conferred upon many parts of the country; it acted to some extent as a nursery for the army; upon every ground he could conceive nothing more impolitic than the distrust shown by the Government in declining to embody the Militia. Bearing in mind that the population of Ireland had decreased to the extent of a quarter of a million since the last Census, he thought it the duty of the Government to adopt every means, and especially so obvious a means as embodying the Militia, to keep young men at home. If, on the contrary, they were not trusted, and were held not fit to be embodied, it would be better to disband the regiments at once. The same assertion of disloyalty, unsupported by proof, would be equally an argument for not having any Irish Militia whatever now or hereafter. He should conclude by asking the Chief Secretary for Ireland, Whether it is intended by the Government only to suspend to a later period in this year the annual training of the Irish Militia or not to call out that force during the year 1866; whether this determination has been taken after consultation with the Officers commanding regiments; and, whether such Officers have reported disaffection in the corps under their command; and to move that those Reports, if any, be laid upon the table of the House?

Mr. CHICHESTER FORTESCUE said, it was not quite so simple a question as the hon. and gallant Member appeared to think, whether or not they should call together at the present moment so large a number of men as were usually drawn from the large body of the population from which the militia was recruited. As the hon. and gallant Member did not believe in the existence of Fenianism he took a different view of the subject from that of the Government. With regard to the questions which had been put to him, he had to state that it was not the intention of Her Majesty's Government to call out the militia regiments in Ireland for the present. [General Dunne: During the year?] The Government had not yet decided whether the militia should be called out for training at a later period of the year—that could be decided hereafter according to circumstances—but for the present Government had decided on not calling them out. In answer to the second Question, he had to state that the Government had not consulted the commanding officers of regiments upon the subject because they did not consider it to be their duty to do so. It was not usual to do so, and it was useless as to any general military arrangement, for the reason that the Government were in a far better position to know the political feeling of the class from which the militia regiments were taken than the commanding officers of the regiments, who were disembodied, scattered over the country, and many of whom were non-residents. No official reports of disaffection in the men from any of the commanding officers of the regiments had been received, and from the fact of their being disembodied and scattered over the country it was impossible that such reports should have been received. The House would readily believe that the members of the Irish militia must inevitably be more or less affected by the spirit of Fenianism, as the class from which they were mainly recruited was unfortunately more or less tainted with it, and without meaning to cast any imputation on the fidelity and loyalty of the militia as a body, it was impossible for them to escape from the infection. The Government had, therefore, thought it to be better to be on the safe side, and that it would be unfair to the militia to call them together in large masses at a time when all the barracks in Ireland which usually received them were filled by detachments of troops, and to expose them to the attempts and to the machinations of Fenian agents, who, the Government knew, from information they had received, had directed their endeavours especially, although he believed with limited success, to the corruption of the Irish militia.

THE NEW LAW COURTS.—QUESTION.

Mr. BENTINCK said, he would beg to ask the right hon. Gentleman the First Commissioner of Works, If any determination has been come to with regard to the Resolution of the House, that it was desirable that more than six architects should be invited to compete for designs for the New Law Courts; and, also, whether any alteration has been made in the body with whom rested the responsibility of selection; and, further, whether any alteration has been made in the time when the designs are to be sent in? On a former occasion objection was taken to persons appointed to decide on the designs, on the ground that the Committee did not possess such an acquaintance with the subject as would command the respect of the architects. Of the five persons so appointed one only had any pretension to a knowledge of that kind—namely, the hon. Baronet the Member for Perthshire—the others being strictly official personages—namely, the Chancellor of the Exchequer, the Attorney General, the Lord Chancellor, and the First Commissioner of Works. It was objected to on a former occasion that these Gentlemen had not sufficient time to devote to the subject, and he pressed on the attention of his right hon. Friend that an alteration should be made in the constitution of that Committee by the introduction of Gentlemen who possessed a special knowledge of the subject. It was absolutely necessary that some precautions should be taken to prevent these officials from being smitten with some design that would be a disgrace to the country in an architectural point of view.

MR. BERESFORD HOPE said, that before the right hon. Gentleman answered the Question he wished to put an analogous question to him relative to the National Gallery—namely, How many Architects he proposes to call upon to compete for the National Gallery; how long a time he proposes to allow them to send in their designs; and what class of persons it is proposed to call in to aid the right hon. Gentleman in coming to a decision?

MR. COWPER, in reply to the hon. and learned Member for Whitehaven (Mr. Bentinck), had to state that Her Majesty's Government had called the attention of the Commission on the Courts of Justice to the opinion which the House had expressed in regard to the number of architects to be called on to compete for the Courts of Justice; and the Commissioners had come to the conclusion that the reasons which had appeared to them, in the first instance, to make it advisable to limit the number of architects to six—namely, the desirability of avoiding as much as possible interference with the ordinary practice of the courts and the wish to secure the leading men of the profession—did not preclude the enlargement of the number of competing architects to twelve. The Commissioners therefore agreed to extend the number to twelve, and they had accordingly selected the following architects to be added to the number already selected—namely, Mr. Gilbert Scott, Mr. Edward Barry, Mr. Burgess, Mr. Seddon, Mr. Abraham, and Mr. Lockwood. It was also found that the object of having the designs sent in at the time when those who were to judge them could conveniently attend in London might be gained by extending the time for sending in the designs to the 15th of December. With regard to the question as to whether there was any change in the constitution of the Committee who were to award the prizes, he had to reply that there was none. The question who ought to decide in a competition among architects was one of considerable difficulty. On the one hand, it was of course desirable that those who were to judge should be aided by professional advisers; while, on the other hand, it was not desirable that the decision should be left exclusively to members of the architectural profession. He was not, however, aware of any competition in which the judges were exclusively of the architectural profession. Two courses were open. One was to select persons who had an interest in the building as the occupiers of it, and a responsibility in causing it to be erected, and to afford them the aid and counsel of professional architects. This was the course usually adopted by the directors of railways, by persons who built town halls, and by the various public authorities who had erected public buildings. It was also the course taken when designs were sent in for the Houses of Parliament; and on the occasion of the designs being received for the Foreign Office and the War Office, there was only one architect among the judges, but two professional men were employed to act as assessors or make reports in order to assist the judges in coming to a decision. The year before last a case occurred in which a different precedent was established. In the designs for the Natural History Department of the British Museum five gentlemen were appointed judges, and of those three were architects. The Commission on the Courts of Justice had, however, deemed it advisable to follow the more ordinary course. On the Committee of Selection were the Lord Chief Justice and the Attorney General, both of whom were as competent as any persons could be to judge as to whether the proposed building would be convenient for the courts and offices. In addition, both were men of such acknowledged ability that he doubted whether the hon. and learned Gentleman opposite could name two persons of greater competency. Another member of the Committee was the Chancellor of the Exchequer, whose unrivalled ability they knew extended into the domain of art as well as that of politics. He thought that right hon. Gentleman was as likely as any man to form a sound judgment on the subject. Then there was the hon. Member for Perthshire (Sir William Stirling-Maxwell), who had given much attention to the matter of art. The next person on the list of the Committee was himself. He could not say anything of his own fitness, but the office which he held made it necessary for him to apply himself to these subjects, and he trusted he would be able to form an opinion on the question. It was not the intention of the Committee to come to a decision without availing themselves of the assistance of architects of experience. They would call on one or more—probably two—architects, to give them the benefit of their professional assistance. In answer to the hon. Member for Stoke (Mr. Beresford Hope), he had to state that the number of the architects who would be invited to compete for the buildings in Trafalgar Square was twelve. The selection of the competitors had been made with a view to securing the competition of those who had turned their attention to that particular line of construction, and who by their works had shown their competency. They were Mr. Abraham, Mr. Edward Barry, Mr. Scott, Mr. Street, Mr. Digby Wyatt, Mr. Somers Clarke, Mr. Owen Jones, Mr. Cockerell, Mr. Murray, Mr. Penrose, and Mr. Sidney Smirk. The time for sending in designs would extend up to October.

Mr. POWELL wished to know if it were proposed to call into the assistance of the Committee practising architects.

Mr. COWPER said, it would be undesirable to call in gentlemen who might be supposed to have that sort of bias which was frequently produced by the struggles of the profession. It would, he thought, be undesirable to bring in men with those personal feelings and partialities which belong to the active prosecution of their profession, but to get good men of experience who were themselves beyond the arena of competition.

Mr. TITE certainly had wished that the competition for the Law Courts should be even more extensive; but twelve was a fair number of competitors. The result would very probably be satisfactory to the country. With regard to the names which had been mentioned by the right hon. Gentleman, he was glad to find that two gentlemen who had formerly refused to compete were now included in the list—namely, Mr. Scott and Mr. Edward Barry. Fashion had run so much on mediæval art, that it was difficult to find an architect competent in both styles. He must say, however, that the list of names of the gentlemen who were to send in designs for the National Gallery contained a better mixture of architects of the two styles. Still, on the whole, hon. Members ought to congratulate themselves upon the subject having been brought forward. He believed it would result in the erection of a very convenient and very elegant building.

Lord JOHN MANNERS wished to know whether any intimation had been given to the architects who had been invited to compete as to the style of architecture preferred by Her Majesty's Government? The omission to give such an intimation had resulted in a blunder six years ago, and it was therefore desirable to know whether Her Majesty's Government had decided as to the style to be now adopted.

Mr. COWPER said, in reply, that the Gvernment had adopted the course of leaving the style an open question. If a blunder was committed on a former occasion it was the blunder of the architect, who might have resigned if he had been required to build in a style with which he was not familiar.

Motion *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

Class I.—Public Works and Buildings.

(1.) £45,000, to complete the sum for National Gallery enlargement, *agreed to.*

(2.) £20,000, University of London.

Sir COLMAN O'LOGHLEN said, he was glad to see this Vote inserted in the Estimates, for it was quite time that the University of London should have not only a name, but a local habitation. He wished, however, to know where it was intended to erect the proposed building?

Mr. COWPER replied, that the site would be on the northern side of the garden of Burlington House. As Burlington House had been purchased by the country for the purposes of science and art, it seemed to be a most appropriate spot for the erection of the London University.

In reply to Mr. Henry Baillie,

Mr. COWPER said, the University of London had been of immense use in this country, and had rendered good service to the cause of education and science; but still, those whose attention had not been particularly drawn to the subject could see no building in which the University was maintained. It was at present located in the two wings of the court-yard of Burlington House, and the rooms were totally inadequate for the examinations annually conducted there. It was, therefore, absolutely necessary that further rooms should be provided, and it appeared essential that the University should be placed in a more commodious building. The University of London, he might remark, was founded in consequence of an address from that House to the Crown. It was founded by a charter, and was made a Government establishment from its very beginning. The Government undertook to provide a building in which it might carry on its operations. It had been removed from Somerset House to Burlington House, and the time had now come when it was necessary that sufficient accommodation should be provided in the neighbourhood of that building.

Sir COLMAN O'LOGHLEN thought a better site for the University might have been found on the new Thames Embankment, where every one might have been able to see the building.

Mr. POWELL asked, what architectural arrangements had been made.

Mr. COWPER said, that a calculation had been made as to the amount of accommodation that would be required, but no steps had yet been taken to obtain an architectural elevation. It was necessary to take a Vote before any decision could be come to.

Mr. BERESFORD HOPE further asked, whether it was intended to take any pains at all as to the architecture?

Mr. HENRY BAILLIE thought the back of Burlington House was not a site worthy of such a building.

Mr. TITE said, the rooms now used by the University belonged to the Royal Society, and were used for the meetings of the Royal Society on Thursday evenings. All that the University wanted was a convenient building in which examinations might be held and degrees conferred. Though he should like to see the building on the Thames Embankment, it was obvious that the central position of Burlington House, which was convenient of access, was well adapted to the purpose—indeed, he did not know of any better place.

Mr. BERESFORD HOPE inquired how far the allotting of the ground in Cork Street for the London University would affect the removal, which had been long anticipated, of the National Gallery to Burlington House? Some years ago it was proposed to locate the National Gallery in Burlington House Gardens, and to leave the site in Trafalgar Square wholly to the Royal Academy; but this sensible and cheap plan had been overthrown in the House. It was then understood that the Royal Academy was to go to Burlington House Gardens, and that the National Gallery was to be rebuilt in Trafalgar Square, and although that did not seem to be quite the cheapest and most practical plan, at any rate it provided two sites for the two buildings. If the National Gallery was to be rebuilt, and the London University was to take the Cork Street front, what was to be done with the Royal Academy? Was it to go to Brompton to that large Yorkshire pie, which was to be called the Hall of Science and Art, in which a good many gentlemen had invested sums varying from a hundred to a thousand pounds, and which would, no doubt, be a source of great amusement, if, possibly, not of dividend? Where was the Royal Academy to be located if not in Burlington House Gardens or Trafalgar Square?

Sir LAWRENCE PALK had been under the impression that this outlay of £20,000 was for the London University, but it had just been explained that it was merely for class-rooms, in which the University of London was to conduct its examinations.

Mr. BERESFORD HOPE observed, that the University of London was only an examining body.

Sir LAWRENCE PALK said, that rather strengthened his argument. The building was not to be of a character of any great magnificence. The requirements of the University were at present satisfied by the use of a large room in Burlington House; and, if so, he wanted to know how it could be necessary to spend £65,000 for any such purpose, and why it was necessary to fix upon one of the most valuable sites in London for the building?

Mr. GOLDSMID, as a graduate of the University of London, wished to say that the rooms it now occupied were totally inadequate for its purpose. Some of them who presented themselves for degrees were examined in a rifle shed; and some were sent to taverns and other places where they could not be under the eye of the examiner. There was a vast amount of business to be transacted daily by the registrar and other officers of the University, and the present rooms were totally inadequate for the purpose. In the course of a year there were some seventy or eighty examination days. The University required a building in a central, but not a noisy situation, and one that was easily accessible. It had been decided by successive Governments that the University ought to have a building of its own, in the same manner as the Queen's University in Ireland possessed one; and, as the University was dependent upon the House, it was a reasonable proposal to erect a building at a cost of £65,000, of which £20,000 was to be spent this year.

Mr. BERESFORD HOPE said, that there was no objection to the University having a building, but there was an objection to that building occupying the site which it was expected that either the National Gallery or the Academy would have had. Thirty years ago, when University College was provided with a building, the design of Mr. Wilkins consisted of a centre and two deep wings. The wings were as yet unbuilt, he supposed because they had not yet been wanted; but now, why not build them and give them to the London University? That would be the most sensible and cheapest way of meeting the requirements of the University, and would be a compliment to its oldest College.

Mr. CHILDERS replied, that the students who came to the examinations at the London University came from many Colleges, and belonged to different religious denominations, and surely the hon. Gentleman would not wish the building used for those examinations to be made an adjunct to a College founded upon particular principles. Such a proposal would be most distasteful to the members of King's College; and it was one which had never before been suggested. Last year, the University examined more than 1,000 students, on thirteen different occasions, the examinations extending over fifty or sixty days. The accommodation now provided was entirely insufficient. The University asked for proper rooms for meetings of the senate and for business offices, a large hall for examinations, which should not be less than the large hall in Burlington House, and a smaller examination hall, with the necessary class and anter-ooms. It would be impossible to construct a building to meet the requirements of the University for a less sum than that now asked for.

Mr. BERESFORD HOPE was surprised to hear an argument which savoured so of religious intolerance proceeding from such a quarter, and did not see why physical contiguity should affect religious principles. If they built the walls thick enough between the old building and the new wings, there was no fear of the students of the Protestant King's College of London, or the Roman Catholic students of Oscott, being contaminated with any religious rinderpest. He mentioned the fact that he, who was, he flattered himself, not particularly latitudinarian, had been a party to negotiations for transferring an architectural museum to University College, as a good site for an artistic collection.

Mr. OTWAY had always understood that a considerable sum of money had been paid for Burlington House, and that the building now belonged to the nation. He had also always understood that the Royal Academy was to be established on that site; but if the Royal Society had acquired rights there, it would be well for the House to know the fact; and he thought that, before proceeding further, the House ought to be told more about the plan which was to be adopted.

Mr. COWPER observed, that the London University had enlarged its operations of late years. Its importance was daily increasing, and it was absolutely necessary that it should have a new building, where its examinations could be properly conducted. The estimate had been framed with the view of giving all the accommodation which the Senate of the London University required, and of constructing a building of such dignity as was befitting for a University. It was a mistake to suppose that the erection of this building in the Garden of Burlington House would at all interfere with the arrangements made with respect to the Royal Academy. The site was no less than three acres in extent, and the building would be erected, not on the Quadrangle, but on the northern side of Burlington Gardens. This was the site which the authorities of the University most desired, while the Royal Academy only wanted the Piccadilly front. They did not wish to go to the Thames Embankment, where probably the noise would be so great that the business could not be properly conducted ; nor did they desire to go to Gower Street, even supposing the site in that quarter were not private property. They wanted to have a Building of their own, and not to be associated with University College, for such an association would keep up the delusion that the London University was nothing but a College.

Mr. BARING confessed that he felt very jealous of any allotment on the site of Burlington House, for he thought that the requirements of the Royal Academy ought to be first considered. The Senate of the London University only wanted rooms on certain occasions, but the Royal Academy was a permanent institution, and was to be removed from another locality.

Mr. COWPER repeated, that the portion of the site proposed to be given to the Senate of the University of London was totally different from that on which the Building of the Royal Academy would be constructed, and that there was not the slightest danger of the two Buildings interfering with each other.

Mr. Alderman SALOMONS thought it would be very disadvantageous to the metropolis that the buildings on the important site in question should be overcrowded ; and he wished to know whether the main building of Burlington House, facing Piccadilly, was to be devoted to the Royal Academy?

Lord JOHN MANNERS was of opinion that before this Vote was agreed to, the House should be in possession of some general scheme for occupying the ground facing Piccadilly and the Gardens behind. He thought it would be desirable for the Government to postpone the Vote for the present.

Mr. TITE said, that the arrangement with respect to the Royal Academy was, that their Building was to have a front next Piccadilly, with a row of galleries running along the east side of the ground. The Vote now under consideration referred to the appropriation of a portion of the Gardens on the west side.

Mr. BAILLIE COCHRANE observed, that already three or four different societies were located in Burlington House, and, as it was now proposed to have buildings in Burlington Gardens, it became very important to know whether the available space would not be too crowded. It might, eventually, be found necessary to buy up houses in order to open the locality.

Mr. REARDEN suggested that the Vote should be deferred till a uniform scheme was produced for the whole building. At the same time, he must say anything would be an improvement on the dead wall which had so long disgraced Piccadilly.

The CHANCELLOR of the EXCHEQUER admitted that the suggestion for deferring this Vote till a scheme was produced for the disposal of the whole of Burlington House was certainly not in the face of it unreasonable. He ventured, however, to hope that the proposal would not be insisted on, for a reason which he would presently state. But, first of all, he must say that the caution about not crowding buildings, though very good and sound, must be taken with some reserve. The Government having expended large sums for the acquisition of valuable sites in London, a necessity existed for making an economical use of them. The country would not be satisfied if, after having given a large sum for Burlington House, although he thought it an extremely advantageous purchase, its accommodation were not properly taken advantage of. Besides providing for the University of London and the Royal Academy, the available space would do a great deal more. It was necessary to take this Vote, because the case of the University of London was urgent in point of time. If they were not allowed to take a Vote until they could produce a plan for the appropriation of the whole site, there would be a loss of a whole year, and even then the object in view would not be attained. The Royal Academy was going to build out of its own funds, and it would require a good deal of time to settle the mode of filling up the intermediate portion of the site. The great question related to the frontages to the north and south. Though great architectural questions might not be involved, there would be a good deal of adjustment and arrangement of details, involving either a very wasteful or economical apportionment of space. Suppose, for instance, that half a dozen learned societies held meetings more or less numerous, to propose that each should have halls adapted to its purpose would necessarily require a great deal of space. It might, however, be possible to let the several bodies use the same large halls, but that arrangement would require a good deal of time. On that account he should like the Committee to pass this Vote. But he accompanied that with this arrangement. His right hon. Friend had already the ground plan prepared, and there would be no difficulty in immediately proceeding with the preparation of the designs, so as to give hon. Gentlemen what opportunities for criticism they might desire before any step was taken in the erection of the buildings.

General DUNNE hoped the Vote would be postponed. He protested against the extravagant expenditure of money drawn in part from the taxation of Ireland upon the embellishment of London. He could not see why they should have selected so expensive a site for the London University. He could not see that the site offered any particular advantage, except its proximity to the Arcade and the Blue Posts; and, in fact, it would be better out of London.

Mr. BENTINCK wished to know who was to be the architect of these buildings? Burlington House was the work of a very eminent architect; and it would be a matter of very great regret if Lord Burlington's fine front were pulled down without something very good being substituted for it.

Sir LAWRENCE PALK agreed with the Chancellor of the Exchequer that Burlington House was a valuable site, and ought to be made the most of; but could not conceive a more extraordinary proposal than that of having different styles for the two fronts. Surely the best plan would be to have one plan and one style of architecture. Burlington House ought not to be sacrificed, however, unless it was absolutely necessary, which he did not think had been proved.

Mr. BERESFORD HOPE did not attach so much importance to the two fronts being in one style, as they would be some distance apart. Burlington House was a fine specimen of its style, and every endeavour should be made to preserve it. He would throw out one more suggestion before this desultory discussion closed—that the First Commissioner of Works, who had acquired daily instalments of popularity in proportion as he had added architect upon architect to the competition for the New Courts of Justice, should make a sort of "Consolation Stakes" for the design of this University building wherever it might be placed for three or four of the architects who had been excluded from the competition of those courts.

The Chancellor of the Exchequer

Mr. READ wished to know if he was correct in understanding that no plan had been drawn out?

General DUNNE suggested that as only £10,000 was proposed for a similar object in Ireland the present Vote should be reduced to that sum.

Mr. COWPER, in explanation, said, the matter had occupied a great deal of his attention, and that of his architectural adviser, Mr. Pennethorne; and, though he had not thought it necessary to mature the plans before the House sanctioned the principle that the London University was to have an adequate building, he could assure the House that the plans would be completed before any of the work was commenced, and he would promise to place them within the reach of hon. Members, so as to show the portion that would be occupied by the Royal Academy on the southern side, that occupied by the London University at the northern end, and the intermediate space which would accommodate the learned societies. The plan might be executed at different times, but the whole would be settled before any part was commenced. The Royal Academy building would be designed by their own architect, subject to the approval of the Board of Works, and care would be taken that it harmonized in character and general arrangements with the University building. They need not be identical in style, but all the buildings that would cover the site would be viewed as one composition.

Mr. BENTINCK thought it would be much better to have but one architect for the whole building.

Mr. COWPER was surprised at the hon. Member's wishing to confine the work to one man, either by imposing the Board of Works' architect on the Royal Academy or *vice versâ*. It was surely sufficient to have the two architects work in concert.

Mr. HENRY SEYMOUR wished to know how far this system was to be continued, and whether the Government intended to propose grants for Colleges in all the large towns, like the lyceums in France? He could not see what distinction could be drawn between the metropolis and other large towns, and, whereas he had always understood that only the education of the poor was to be aided out of the public purse, this grant introduced a new principle. If the London University was wanted, as he believed it was, and if the Government withheld their hand, he was sure that benefactors would come forward as in the case of other great national institutions, and that a sufficient sum would be raised to locate it. At present it appeared to be an airy being, which, though it had a name, had no habitation.

The CHANCELLOR of the EXCHEQUER said, the Vote did not involve the principle of grants towards the foundation of Colleges in London and elsewhere. The London University had been in existence some years, and was an essential part of the educational institutions of the country, and what was now proposed to be done was in reality only carrying out what Parliament had agreed to twenty-five years ago, but there was no intention of founding other establishments out of the public purse.

General DUNNE had had no answer to his question as to the Vote to the London University being £67,000, while that to Ireland, under precisely similar circumstances, was only £10,000.

Mr. CHILDERS explained that the London University had from 1,000 to 1,100 students, while the Irish University had about 300, and the accommodation required for the two institutions was therefore very different.

Vote *agreed to*.

(3.) £7,000, Chapter House, Westminster.

Mr. BENTINCK, observing that this was a large sum of money, asked how it was to be laid out, and to what purpose it was proposed that the Chapter House, when restored, should be applied?

Mr. BERESFORD HOPE thought the Vote was a very moderate one, for the restoration of perhaps the most beautiful and venerable of our ecclesiastical buildings—a building in which that House had sat for 300 out of its 600 years, and which was therefore, as none other could be, identified with both Church and State. The work of restoring it was promoted by Dean Trench and now by Dean Stanley, and it would, he thought, be a crying scandal if Parliament refused to carry that work into effect.

General DUNNE wished to know to whom the Chapter House belonged.

Mr. COWPER said, it was the property of the Government, into whose hands it had come after the dissolution of the monasteries, when it was taken possession of by the Crown. It had been used for a long time as a record office, but since the erection of the new building in Fetter Lane it was no longer required for that purpose, and it was thought desirable to restore the building.

Mr. BENTINCK asked, to what use it was intended to devote the building when restored? Was it to be given back to the Abbey, and who was the architect to be employed in its restoration?

The CHANCELLOR of the EXCHEQUER replied, that the Government deemed it to be their duty when asking the House from time to time to vote money for the construction of new buildings of befitting splendour not to lay themselves open to the charge of being guilty of waste, and barbarism by allowing one of the most beautiful edifices ever erected to remain unrestored to a state worthy of its origin, its authors, and the period to which it belonged. The Government had not entered upon the consideration of the use to which the building might be applied—and they now only asked the House to recognize the propriety of its restoration—and the House would be competent to pronounce any opinion it might please as to the use to which the building should hereafter be put. The architect to be employed was Mr. Scott, who, as the Committee was well aware, had devoted much of his time to the acquisition of a knowledge of the Abbey—which for many years had occupied the first place in his mind—and everything connected with it, and whose appointment, therefore, must be regarded as highly satisfactory.

Vote *agreed to*.

(4.) £25,000, to complete the sum for Sheriff Court Houses, Scotland.

(5.) £20,000, to complete the sum for Rates for Government Property.

(6.) £2,500, Metropolitan Fire Brigade.

(7.) £63,000, to complete the sum for Harbours of Refuge.

(8.) £31,111, to complete the sum for Holyhead and Portpatrick Harbours, &c.

Sir COLMAN O'LOGHLEN took occasion to say that several complaints had been made of the irregularity of the Irish mails between London and Dublin, and also of the high rate of the fares charged between the two capitals, which were only a few shillings less than those charged betweeen London and Cork. The contractors for the former service saved, he believed,

£20,000 a year, owing to their being able to evade the payment of the fines to which they were liable for non-punctuality in the performance of their contract, owing to the fact that the Harbour at Holyhead was not completed, and it was of importance, therefore, to know when the works would be finished and when the contract held by the service would expire.

Mr. CHILDERS said, he could not say exactly at that moment when the contract would terminate. He had been in communication with the contractors with the view of fixing upon a proper system of penalties, and he hoped to make some arrangements on the subject which would be satisfactory. As to the works at Holyhead harbour their construction was attended with considerable difficulty. Of late there had been successful endeavours to carry out the contracts.

General DUNNE hoped that in future good bargains would be made for the public, and that fines would be inflicted upon both the railway and the marine company for non-fulfilment of their respective contracts. Many works had been carried out for the purpose of facilitating landing, but he did not look upon them as permanent, as most likely they would be swept away some time or another; and, in fact, vessels moored to them were in danger every stormy night.

Vote *agreed to.*

(9.) £68,663, to complete the sum for Public Buildings, Ireland.

General DUNNE wished to call attention to the small sum that was expended in Ireland for Parks and other public works. He admitted that the agricultural districts were equally neglected in this respect.

Sir COLMAN O'LOGHLEN asked the Attorney General for Ireland whether there was any intention on the part of Government to erect a new Probate Court in Dublin? The question had been put by the hon. Member for Sligo to the Attorney General for Ireland last Session, and the reply was that the matter was then under the consideration of Government. He wished to know if any steps had been taken in the matter. The existing Probate Court was universally condemned by the Judges, the bar, and the public.

Mr. CHILDERS, in the absence of the Attorney General for Ireland, could not give a full reply to the question.

Vote *agreed to.*

(10.) £1,571, to complete the sum for New Record Buildings, Dublin.

General DUNNE observed, that these buildings were very nearly completed. It was very important that the records should be got in at once, and, therefore, he hoped everything would be done to carry out that object.

Mr. CHILDERS could assure the hon. and gallant Member that everything that the Treasury could do to forward the completion of the buildings had been and should be done.

Vote *agreed to.*

(11.) £7,000, Queen's University (Ireland) Buildings.

In reply to a Question from General Dunne,

Mr. CHILDERS said, that some difficulty had occurred in obtaining a desirable site for the erection of these buildings. The Government had asked for such a sum as would be necessary to carry out the building when a proper site was obtained.

Vote *agreed to.*

(12.) £5,000, Ulster Canal.

In reply to a Question from An hon. Member,

Mr. CHILDERS said, that the law had imposed upon Government the duty of repairing the canal, but had not directed in what manner they were to dispose of it when the repairs were completed. When completed it would have either to be sold or transferred to the counties. He expected, however, that some arrangement would shortly be come to in reference to it.

Vote *agreed to.*

(13.) £33,160, to complete the sum for Lighthouses Abroad.

(14.) £2,000, Isle of Man Lunatic Asylum.

Class II.—Salaries and Expenses of Public Departments.

(15.) £53,421, to complete the sum for the Houses of Parliament.

Mr. AYRTON observed that, notwithstanding the enormous expenditure for coals for the Houses of Parliament, the House of Commons remained about the worst ventilated room in which he ever had the good or ill fortune to sit. The atmosphere was particularly cold when it should be warm and was particularly warm when it should be cool. The bad effect of the air upon Members was such that they had continually to leave the House, and "a House of Commons headache" had become almost proverbial. That headache was supposed by some to be produced by the amount of gas burnt in the building, but the cause of this distressing malady was that the cold air was pumped in on the feet and legs, by which process the blood was forced into the head and the result was a violent headache. It was useless to have his seat pasted up and made comfortable, as the rush for seats in the new House of Commons was so great that a comfortable seat would be sure to be seized on. Hon. Members were obliged to leave their places to go and stand by the fire to warm themselves. That had been the state of things for the first two months of the Session ever since he had been in that House. The Speaker had, he supposed, succumbed at last to these evils, and it was to be hoped that something would now be done to remedy them. Those who sat on the Treasury Bench were, of course, not so much afflicted by these inconveniences, because they seemed to be so very crowded that they kept each other warm—to say nothing of the effect of official zeal and other considerations which he need not more particularly mention. But those who sat below the gangway suffered far more seriously; and before they met again in another Session the ventilation of the House ought to be placed in a more satisfactory condition. The system of lighting that House was also defective, and it contrasted unfavourably with the mode adopted in the other House of Parliament. In the ceiling there was a dull, opaque light, between which and the House a screen was interposed, so as to produce an atmosphere like that of London streets on a dismal November day. That was a state of things disgraceful to those who were responsible for it.

Mr. CHILDERS had never known till then the meaning of the phrase as to some hon. Members being "out in the cold;" but no doubt the complaints which the hon. Member for the Tower Hamlets had just made would receive the attention of the officials charged with the ventilation and other arrangements of the House. Care would be taken to communicate with them on these matters.

Vote *agreed to.*

(16.) £38,432, to complete the sum for the Treasury.

(17.) £19,471, to complete the sum for the Home Office.

(18.) £47,840, to complete the sum for the Foreign Office.

(19.) £23,124, to complete the sum for the Colonial Office.

(20.) £14,739, to complete the sum for the Privy Council Office.

(21.) £48,285, to complete the sum for the Board of Trade, &c.

(22.) £1,938, to complete the sum for the Privy Seal Office.

(23.) £6,007, to complete the sum for the Civil Service Commission.

(24.) £14,558, to complete the sum for the Paymaster General's Office.

(25.) £3,558, to complete the sum for the Exchequer (London).

(26.) £24,226, to complete the sum for Office of Works and Public Buildings.

(27.) £20,815, to complete the sum for Office of Woods, Forests, and Land Revenues.

In reply to a Question from Mr. Goldney,

Mr. CHILDERS said, it was the wish of the Government as far as possible to substitute payment by salary instead of by bill to the solicitors employed in this department, as being a more economical arrangement.

Vote *agreed to.*

(28.) £16,119, to complete the sum for the Public Record Office.

(29.) £222,984, to complete the sum for the Poor Law Commissions.

Mr. GOLDNEY thought that the sums allowed to the Inspectors for travelling expenses—£600 each per annum—were excessive. Considering the nature of the duties performed, he believed that, as a rule, the visit of an Inspector to a workhouse took place about once in two years.

Mr. CHILDERS said, that when he first saw the amounts placed under that head he held an opinion similar to that which had fallen from the hon. Member for Chippenham. He found, however, on inquiry, that the amounts were perfectly justifiable, and, not as he at first supposed, excessive.

Vote *agreed to.*

(30.) £36,182, to complete the sum for the Mint, including Coinage.

(31.) £29,462, to complete the sum for Inspectors of Factories, Fisheries, &c.

(32.) £4,242, to complete the sum for Exchequer and other Offices in Scotland.

(33.) £4,413, to complete the sum for Household of the Lord Lieutenant, Ireland.

(34.) £11,667, to complete the sum for the Chief Secretary, Ireland, Offices.

(35.) £17,906, to complete the sum for the Office of Public Works, Ireland.

(36.) £28,866, to complete the sum for the Audit Office.

Sir COLMAN O'LOGHLEN thought it would be advisable to establish a branch Audit Office in Dublin for Irish business, by which means the delay and the expense attendant upon the transmissions of all documents to London would be obviated.

Mr. CHILDERS said, that for some years past the business of this department had gradually been more and more concentrated, and he could not promise the hon. and learned Baronet that such a provision as he suggested should be included in any legislation during the present Session.

Vote *agreed to.*

(37.) £14,107, to complete the sum for the Copyhold, Tithe, and Inclosure Commission.

Mr. GOLDNEY remarked that the work of the Commission for which the Vote was required had virtually come to an end, except that it had occasionally to supply information to the public. He thought the Vote was, therefore, excessive.

Mr. SCOURFIELD recommended an increase in the sums charged by the Office. An eminent person connected with the Court of Chancery had expressed surprise to him at the moderation of their fees on an occasion when he had effected an exchange of land through the Commission. He had also heard that the Commissioners were very deficient in fire-proof rooms.

Mr. CHILDERS said, he was not aware that the Commissioners were deficient in fire-proof rooms; and with respect to the objection raised to the following Vote, he explained that the whole amount was paid back into the Exchequer every year.

Vote *agreed to.*

(38.) £8,890, to complete the sum for Inclosure and Drainage Acts, Imprest Expenses.

(39.) £49,796, to complete the sum for the General Register Offices.

(40.) £11,253, to complete the sum for the National Debt Office.

(41.) £2,935, to complete the sum for Public Works Loan and West India Islands Relief Commissions.

(42.) £9,735, to complete the sum for Lunacy Commissions, &c.

Mr. SCOURFIELD was about to make some observations, when an hon. Member moved that the House be counted. More than forty Members were, however, speedily gathered in the House, and the hon. Member proceeded to state that he had heard very general dissatisfaction expressed at the fact that the Board of Lunacy Commissioners was not directly responsible to the House. He had noticed that any department so situated invariably became unpopular. It was so with the Poor Law Board before the present arrangement was come to.

Sir BROOK BRIDGES said, at this meeting, attended by chairmen from all parts of the country, there was not found one to defend the constitution of the Board; and he thought the subject should receive the attention of the Government.

Mr. CHILDERS said, that the whole question of the constitution of the Lunacy Commissions for the three kingdoms was deserving of consideration. In Ireland the Lunacy Commission took charge of the administration of lunatics altogether. The Scotch system had not been long enough in operation to enable the Government to say whether it was better than the others, but in a short time it would probably be the duty of the Government to make some inquiry into the subject.

Vote *agreed to.*

(43.) £223, to complete the sum for the Superintendent of Roads, South Wales.

Mr. WHITE said, he believed these roads had been taken under the charge of the Government, and the tolls on them were abolished in consequence of the Rebecca riots. He wondered whether any Rebecca riots in the neighbourhood of London would have the same effect. He wished to know what proportion the costs of inspection were to the whole sum disbursed?

Mr. CHILDERS was not in a position to give the exact percentage, but it was extremely small.

Mr. SCOURFIELD bore testimony to the excellent way in which the South Wales roads were managed, first by Colonel Harness, and more recently by General Wrotham.

Vote *agreed to.*

(44.) £1,404, to complete the sum for Registrars of Friendly Societies.

Mr. REARDEN wished to know how it was that the Registrar General of England had a salary of £1,000 a year, while the Registrars General of Scotland and Ireland had only salaries amounting to £150 a year each.

Mr. CHILDERS explained that the duties of the Registrars General of Scotland and Ireland were little more than nominal, while every one knew that the duties of the Registrar General of England were varied and onerous.

Vote *agreed to.*

(45.) £13,673, to complete the sum for the Charity Commission.

Mr. GOLDNEY said, as far as he knew the duties of this Commission were not very onerous. They consisted principally in receiving reports from the managers of the various charities, and in granting or refusing applications for the exchange of lands. This was another instance of a case where a Commission was much needed in the first instance and did good work, but which was continued after all need for it had ceased.

Mr. ACLAND said, he had in various ways, especially in connection with the work of education, been brought into contact with the Charity Commissioners, and he differed from the hon. Gentleman who had just sat down. He believed that their duties were very heavy, and required great tact, skill, and industry. For instance, they were often called to settle a scheme of education for a school, or for the details of management of another charity, in cases which were not contentious, and the decision required great care and deliberation. He had been connected with a charity school in his own county where reference was made to them, and the correspondence in that case was exceedingly voluminous, and was conducted by the Commissioners with great punctuality and attention.

Mr. AYRTON stated that the question under the consideration of the Committee was discussed some years ago, when the Government promised to bring forward a scheme by which charitable funds should be subject to a certain percentage, so as to cover the expense of the Commission. It was difficult to understand why a Commission instituted for the purpose of ministering to the follies of people who in former times left money for charity should be maintained at the public expense. The money these people had left ought to defray all the expenses connected with its administration. Those charitable funds had no right to receive one farthing from the public Exchequer, for the origin of most of them was the gratification of an extremely idle vanity.

Sir BROOK BRIDGES said, that he thought few hon. Members would coincide in the views of the hon. and learned Member who had just sat down as to the character of English charities. He believed that those charities constituted one of the most magnificent features of the country. He experienced the greatest possible gratitude towards those who had in former times set aside portions of their wealth for the public benefit, and he did not think it unreasonable that a Commission should be appointed in order to check the management of charitable bequests. It was to the interest of this great country that such funds should be properly administered, and he believed that the Charity Commissioners exercised a salutary influence on the trustees.

Mr. POLLARD-URQUHART questioned the propriety of burdening the country with the cost of a Commission for the purpose of looking after the property of any individual; and he observed that the Chancellor of the Exchequer had shown that it was very doubtful whether these charities did more harm or more good.

Mr. CHILDERS said, he would not enter into the question whether the charities referred to were good or bad, but he would state that the charges of the Commission, when the duties discharged by it were fully considered, did not appear excessive. With regard to the desirability of recovering the expense of the Commission by charges on charitable funds, he thought that was a question worthy of consideration, and he would ascertain what inquiry had been made by the Government into that matter previous to his entering the office he now held.

Mr. GOLDNEY thought that more Commissioners were employed than were necessary to discharge the work devolving upon them.

Mr. CHILDERS did not concur with the hon. Member for Chippenham, and stated again that the charges of the Commission were not excessive.

Vote *agreed to.*

(46.) £4,835, to complete the sum for the Local Government Act Office, &c.

(47.) £1,399, to complete the sum for the Landed Estates Record Offices, London and Dublin.

(48.) £444, to complete the sum for the Quarantine Establishment.

Mr. BENTINCK desired to know what were the duties of the officers on board the quarantine hulks, when, owing to the absence of disease or of an epidemic of any kind, a state of quarantine was unnecessary.

Mr. CHILDERS said, this establishment was but a skeleton, and formed one of the smallest which could be kept up if it was the intention of Parliament to maintain quarantine. There were differences of opinion upon that subject, but at present Parliament retained the system, and made the Privy Council responsible for its observance. Under these circumstances, it would not be prudent to dispense with this Vote. As long as Parliament thought fit to make Government responsible, if anything were to happen which could be prevented by quarantine, the House would be very indignant if there should be any neglect on the part of the authorities. The sum that was asked, £444, was not very large.

General DUNNE said, he did not think the House knew why this establishment was kept up. He had been in countries where quarantine was carried out with great strictness, but he should like to ask how quarantine was to be applied here. In the Mediterranean, and wherever quarantine was carried out efficiently, there are officers in each port to examine every ship. But what organization was there in this country to carry quarantine regulations into effect? The rinderpest had been imported, and so might cholera at any time. In Bristol, the other day, a man had been brought in stricken down with cholera. There was no organization in this country which for one moment could keep out such a disease as cholera, which was now impending. As long as we had free trade, and men could enter the country without any difficulty whatever, a Vote of £444 would not keep out contagious disease.

Mr. AYRTON wanted an explanation of this item. In London the expenditure under this head was only £20, notwithstanding the number of persons that arrived there and the vast trade which it carried on. At Portsmouth, where nobody arrived, £800 was expended on the establishment, which consisted of eight mariners doing nothing, one mate looking after them, and one superintendent. At Rochester, where nobody went except at a general election, there was a mate looking after four mariners, and the expenditure amounted to £369; and at Southampton, where people did land, there were no mariners, mate, or superintendent, but there was a medical officer, who could be of no use without mariners to attend to the vessels on their arrival. In fact, from the nature of the expenditure, the whole thing was what might be familiarly described as a little job.

Mr. CHILDERS said, the superintendent, mate, and mariners at Portsmouth formed the crew of the hulk stationed in the Solent to receive persons from ships coming from abroad in a dangerous condition. The officer at Southampton was a medical superintendent, and it was his duty to visit ships coming from abroad and to send persons who might be suffering from dangerous diseases to the hulk at Portsmouth. The same was the case with the hulk at Rochester, which received invalids from vessels off the Nore. He could not give a satisfactory explanation just then of the small expenditure in London, but he should look into the subject.

Mr. POLLARD-URQUHART hoped the Government would not give up the quarantine establishment, as it might be made a most useful instrument for the prevention of disease. At Odessa and the towns north of the Black Sea, where plague used to rage at one time, quarantine had been established during the last thirty years and there was no plague there now. The same was the case at Constantinople; where as soon as they introduced a strict system of quarantine the plague came to an end. In Malta the system was attended with similar success. With such undeniable facts before us we ought not to be in a hurry to abandon quarantine in deference to some new-fangled notions.

Mr. CANDLISH said, the sum asked for was either too much or too little — one or other conclusion was inevitable. In the northern ports there were no quarantine establishments at all. He considered that this subject called for the attention of the Executive before they prepared another Vote for the approval of that House.

Mr. SANDFORD said, that was a proper occasion for asking the Government what course as to the enforcement of quarantine regulations they intended to take with regard to the impending visitation of cholera. He would remind the House that last year when cholera was raging along the Mediterranean, Sicily, which, from the filthy habits of the people, was of all places that which cholera was likely to devastate, was guarded by a strict quarantine, and the consequence was that the island was entirely exempt. He had seen in a blue book, which had been laid upon the table of the House, that the authorities in that island invariably adopted a system of regulations which would deserve the attention of Her Majesty's Government in case this country were to be visited. He did not know what the Government were doing in this matter, but he hoped some Member of it would rise and explain the nature of the precautions which they intended to take.

General DUNNE thought that this Vote ought to be seriously discussed by the Committee. If the cholera was approaching much more effectual measures should be taken than this Vote would allow. If the whole of the ports of the United Kingdom were left open, with the exception of Rochester and Portsmouth, there was, in point of fact, no quarantine at all. Liverpool and the other great trading ports, not to speak of Ireland, which seemed never to be thought of, were all left open to the disease. There ought to be a medical officer in every port to inspect vessels coming in. He had seen at Zante four men hanged by Sir Thomas Maitland for breaking the quarantine regulations. He did not wish to see such a stringent exercise of the law in this country; but it was just now of peculiar importance that stringent quarantine regulations should be enforced, if it were true that the cholera had arrived in Holland and was likely to visit these shores. He hoped, then, the Committee would be informed what precautions were to be taken, and why Portsmouth and Rochester should be sealed while all the other ports were left open.

Mr. CHILDERS said, the hulks in the Medway and the Solent were, as he had stated, for the reception of persons afflicted with certain dangerous diseases who might arrive in the Thames or at Southampton, and £200 a year for medical attendance at the latter place was money well laid-out; for a very large number of persons arrived at Southampton, and it was desirable that they should be looked after. As ports were known to be infected, no doubt they would be proclaimed. The Privy Council was armed with very great powers, and when the time should come for their exercise proper precautions would be taken. He was sorry he had no authority to answer the question put by the hon. Member for Maldon. His right hon. Friend (Mr. Bruce) who had charge of such matters was, unfortunately, absent in consequence of family affliction.

Mr. SANDFORD inquired whether Rotterdam had been proclaimed.

Mr. CHILDERS said, he was uncertain of the fact, but he thought not.

Mr. BRADY said, that the great means of preventing the invasion of cholera was the establishment of a permament board of medical officers, who should have power to carry out a proper system of quarantine in the different ports of the kingdom. When the cattle disease was in its most dangerous stage Government appointed officers to examine the cattle on their being landed, and surely where the lives of men were imperilled they might show some extra zeal for the preservation of the public health.

Mr. BENTINCK regretted that the Secretary to the Treasury had failed to answer a question of considerable importance that he had put—namely, what the officials who had charge of the hulks did when there were no sick persons on board? It was but seldom necessary that persons afflicted with disease should be sent to these hulks. He entirely agreed with the observation of the hon. Member for Sunderland that this expenditure was either too much or too little. He hoped the hon. Gentleman would take the earliest opportunity of informing himself or of refreshing his memory on the subject. As to the financial reformers, he hoped the hon. Member for Brighton (Mr. White), who had made a financial speech on a former occasion, and other Gentlemen who had spoke in favour of economy, would attend when the Votes were under discussion, and step by step endeavour to reduce the public expenditure.

Mr. CHILDERS admitted that the subject was one which he had not very much studied; but he promised that the matter should be looked into, and he hoped to be able to answer the hon. and learned Gentleman in a few days.

Vote *agreed to.*

(49.) £24,000, to complete the sum for Secret Service.

Mr. WHITE observed, that in the case of other Estimates they often found there was a balance not disposed of; but he had never known anything to be returned out of the amount voted for secret service.

How was it that use was always found for the entire sum taken in this Vote?

Vote *agreed to.*

(50.) £267,087, to complete the sum for Printing and Stationery.

MR. GOLDNEY expressed his opinion that a very large sum might be saved in the expenditure on Parliamentary Returns. Hon. Members must know that frequently a very large expense was incurred for Returns, giving details which were already in the possession of the House. He stated that he believed that a saving of £20,000 could be effected in this way, and he would recommend that for this object there should be some supervision of this outlay on the part of the Government.

MR. CHILDERS agreed with the hon. Member that it would be most desirable to limit the number of those Returns; but there was very great difficulty in the way of the Government interfering in the matter. If the Government attempted to interfere with a Member when he called for a Return, it would be supposed that there was something to conceal, and that under the plea of economy the Government sought to keep back information. But if hon. Members before moving for Returns would be good enough to inquire whether the information which they sought to obtain was not already to be found in other papers, a considerable saving might be effected. In illustration of this, he might observe that some time ago an hon. Member came to him and showed him a copy of a Motion which he proposed to make for a Return. That Return would have cost £500; but he was able to show the hon. Gentleman that by means of Returns already granted by Parliament, the information which he required might be drawn up on a small sheet of paper. The Printing Committee could no doubt prevent a good deal of unnecessary printing, but he felt convinced that it was in the power of hon. Members to effect a very considerable economy in this item of the public expenditure. It was, however, worthy of remark that the House of Commons spent much less on Returns than Congress in America did. He believed the reason of this was that Congress printed for the constituencies, while the House of Commons generally printed for itself. At the same time, he repeated that a considerable saving might be effected if hon. Members made closer inquiries before moving for Returns.

SIR WILLIAM HEATHCOTE observed, that the greater number of the Returns ordered by that House were unopposed Returns. If the various Departments of the Government did what the hon. Gentleman the Secretary of the Treasury (Mr. Childers) did in the case which he had mentioned, hon. Members intending to move for Returns would be shown that in many cases those Returns were unnecessary, and there would thus be a considerable check upon unnecessary printing, without any imputation of a desire to refuse information being incurred.

MR. REARDEN remarked that the sum spent for printing having reference to Ireland was disproportionately small as compared with the amounts expended for English and Scotch purposes.

MR. BARNETT observed, that hon. Members were overwhelmed with the immense amount of papers which were delivered at their houses every day. He could scarcely imagine that many of these papers, such as those which related to Railway and Canal Bills were required by Members, and therefore he presumed that many of them must be furnished by direction of the Printing Committee.

GENERAL DUNNE said, that ever since he had been in the House he had been accustomed to discussions upon the subject of printed Returns. Members were constantly led to move for them at the instance of individuals, and frequently it turned out that the object in view was personal and not public. It would be well if any hon. Member who was thus set in motion insisted upon knowing with what object the information was sought. He observed that under the head of "Correspondence" as large an amount was claimed for the Irish police as for all the military forces in Ireland. This, he thought, required some explanation, and generally he was of opinion that the official correspondence ought to be subject to supervision with a view to reducing its expenditure and bulk.

MR. CHILDERS quite agreed with his hon. and gallant Friend that the apparently trifling expenses of individual stations swelled into something very large when multiplied by the number of establishments maintained by us in all parts of the world. And it would be well, he thought, if the heads of departments could agree upon some uniform principle of action. Meanwhile, as to the general control, the Executive had done their best by appointing a controller of stationery, whose interference to his own knowledge in the short interval that he had been connected with the Treasury, had checked expenditure to a large amount that otherwise would have taken place without anyone being the wiser.

Vote *agreed to.*

(51.) £113,020, to complete the sum for Postage of Public Departments.

CLASS III.—LAW AND JUSTICE.

(52.) £26,940, to complete the sum for Law Charges, &c., Solicitor to the Treasury.

(53.) £141,567, to complete the sum for Criminal Prosecutions, &c.

(54.) £197,650, to complete the sum for Police, Counties and Boroughs, Great Britain.

(55.) £2,810, to complete the sum for the Crown Office, Queen's Bench.

(56.) £8,520, to complete the sum for Admiralty Court Registry.

(57.) £2,236, to complete the sum for late Insolvent Debtors' Court.

MR. GOLDNEY, observing that a new Bankruptcy Law Amendment Bill was promised, said, that it was a feature of all so-called bankruptcy reforms that new places were created, and the former officials handsomely pensioned off. He suggested that in any future Bill a clause should be introduced providing that if the amended scheme did not work well, the officials appointed under it should not be entitled to superannuation.

Vote *agreed to.*

(58.) £63,430, to complete the sum for the Probate and Divorce and Matrimonial Causes Courts.

Motion made, and Question proposed,

"That a sum, not exceeding £120,821, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1867, for the Salaries and Expenses connected with the County Courts."

MR. GOLDNEY inquired, whether any consideration had been given to that portion of the Bill, lately passed, by which the salaries of the registrars, high bailiffs, and treasurers had been to a certain extent abolished.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Goldney.*)

MR. CHILDERS said, the Bill referred to did not abolish the offices, but only empowered the Treasury not to fill them up as they fell vacant. A certain number of officers might, under that Act, be retired upon certain conditions.

MR. REARDEN called attention to what seemed to be the enormous charge of £15,000 for the travelling expenses of the County Court Judges.

SIR COLMAN O'LOGHLEN called attention to the enormous expense of the County Courts in England, amounting in the whole to £166,267, while the travelling expenses of the Judges came to no less than £15,000 a year. In Ireland the expenses of the County Courts amounted to only £40,000; and out of that sum upwards of £13,000 were received in the shape of fees; so that the total charge to the public was only between £26,000 and £27,000.

GENERAL DUNNE complained that in Ireland public officers in general were not so highly paid as in England.

MR. M. MORRIS said, that in Ireland the building and repairing of the court houses were paid for out of the county rates, while in England that charge was met by the Consolidated Fund. He did not think that was a fair arrangement for Ireland.

MR. CHILDERS said, the question as to charges on the Consolidated Fund and charges on local rates had been inquired into by a Parliamentary Committee last year, and he should decline to enter upon it on the present occasion. As to the travelling expenses of the Judges, considering the large number of these Judges —more than sixty, in fact—and that they were travelling for three-quarters of a year, he did not think that the amount was extravagant. The expenses, however, of the County Courts were not, he admitted, in a satisfactory state, but as they intended to dispense with the treasurers and high bailiffs, these changes, along with some others, would effect a saving of something like £70,000. As to the comparative expense of the English and Irish County Courts, he might remark that the Irish people did not go to law very much about small sums of money, and considering the costs attending the administration of justice generally throughout the United Kingdom, he did not think that the amount required for England was larger in proportion to the extent of business involved than it was in Ireland.

MR. BRADY commented upon the fact

of the police force being in reality a standing army in Ireland, and thought it unjust that the people of Ireland should be compelled to pay half the expense of it. It appeared to him that it would be only fair to place the whole expense of it upon the Consolidated Fund.

General DUNNE concurred with the hon. Member for Leitrim, and said he intended to bring the question of the police force in Ireland before the House when the Report of the Commission in reference to the subject was laid before the House.

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Vote *agreed to.*

(60.) £3,280, to complete the sum for the Land Registry Office.

(61.) £17,093, to complete the sum for Police Courts, Metropolis.

(62.) £123,071, to complete the sum for Metropolitan Police.

Mr. CRAWFORD called attention to the great want of precaution in licensing drivers of cabs and other public vehicles. On one occasion, wishing to go from Westminster to the City, he was driven over Westminster Bridge and then brought to a standstill, as the driver did not know the route, and on inquiry it appeared that he was a stranger to London. On Saturday afternoon, in Newgate Street, he saw a cab conveying a number of pigs' carcases. He thought that that was not a proper purpose to put a vehicle to which was usually intended for the conveyance of human beings. These were but two of many instances showing want of precaution which had recently come within his experience and observation, indeed, lately he had been on the watch for them. He believed, that as a class, the drivers of cabs were better than they used to be, and he did not receive from them anything like the incivility he once did. Possibly one reason was he knew the fares as well as the drivers did, and when he tendered the correct amount, without asking a question, they saw it was useless to attempt extortion. It was very seldom he met with insolence; and his complaint was that men were allowed to drive who did not know London, and who did not know the rules of the road. They all knew that cabs were used to convey fever and other patients to the hospitals.

Mr. BRADY corroborated the statement of the hon. Member for London regarding the dangerous uses to which cabs were often applied. He had the authority of medical men connected with some of our hospitals for stating that many infectious diseases were propagated by the improper use of public cabs to convey patients to hospitals.

Mr. THOMSON HANKEY did not see how Government could prevent cabs being used for such a purpose. He was told that it had been found impracticable to provide conveyances for patients by subscription ; and it was rather too much to expect the Government to supply them.

Mr. BRADY said, Parliament might enact that they should be provided by each parish, and might attach a penalty to the improper use of public cabs.

Mr. REARDEN said, nothing was more disgraceful in England than the condition of the cabs and cab-horses in the streets of London. He thought if the salaries of the Commissioners of Inland Revenue were increased by £500 a year each, so that they might be enabled to employ inspectors who could look after these things, we should have better horses and better cabs.

Sir STAFFORD NORTHCOTE gave an instance of the ignorance of cab drivers in many cases as to the localities to which they were asked to drive. Upon one occasion last year, or the year before, he engaged a cab at the bottom of Waterloo Place to take him to Harley Street. The driver wished to know where Harley Street was, and on being informed that it led out of Cavendish Square he asked, "Where is Cavendish Square?" He (Sir Stafford Northcote) told him that it was in the direction of Regent Street, whereupon the man asked, "Which way is Regent Street?" adding, as he pointed towards the Strand, "Is it that way?"

Mr. CANDLISH, in reference to the danger to which people were subjected who hired cabs which had been previously occupied by persons suffering from contagious diseases, suggested that the Poor Law Board should enable unions throughout the country to provide cabs for persons suffering from such diseases. That course had been followed by the guardians in the borough which he represented, and, while it was inexpensive, he had no doubt it was most protective.

Major WALKER gave another instance of ignorance of cabmen, which had happened to himself within the last three hours. He and a friend had chartered a cab to bring them to the House of Commons, but it was only after a severe struggle that they prevented the driver from taking them to Doctors' Commons, and even when by means of constant directions he brought the cab to the Houses of Parliament, he would insist upon driving past the House of Commons and taking his fare on to the House of Lords.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;* Committee to sit again upon *Wednesday.*

HOP TRADE BILL—[Bill 36.]

(*Mr. Huddleston, Sir Brook Bridges, Sir Edward Dering.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. DODSON asked the hon. and learned Gentleman who introduced the Bill, whether he could explain what its effect would be upon the retail trade. So far as he (Mr. Dodson) understood the definition of a bag or pocket of hops which it contained, it would apply to any receptacle or package, however small, in which hops were packed.

Mr. HUDDLESTON said, the interpretation clause referred to hops packed in bags or pockets sent from the grower, producer, or any other person. The objection would be met by omitting the words "or any other person."

Bill *considered* in Committee.

(In the Committee.)

Mr. BAGWELL appealed to the hon. Member to report Progress, to allow the right hon. Gentleman the Secretary for Ireland to bring in his Bill relative to Landlord and Tenant.

Mr. HUDDLESTON declined to accede to the request.

Clause 1 *agreed to.*

Clause 2.

Mr. BAGWELL again appealed to the right hon. and learned Member not to proceed further that night, and moved that the Chairman report Progress.

The CHANCELLOR of the EXCHEQUER said, he should support the Motion. The Government had postponed all their Orders to enable his right hon. Friend (Mr. Chichester Fortescue) to introduce a measure of great public interest and importance connected with Ireland, and he did not anticipate that the time would be taken up by the Committee on this Bill.

Mr. LOCKE thought it would be extremely inconvenient if this Bill were not proceeded with. There was no objection to any of the Amendments proposed. A few minutes more would enable the Committee to dispose of the whole subject.

Motion, by leave, *withdrawn.*

Clause *agreed to.*

Remaining clauses *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Monday* next, and to be *printed.* [Bill 128.]

TENURE AND IMPROVEMENT OF LAND (IRELAND) BILL.

LEAVE. FIRST READING.

Mr. CHICHESTER FORTESCUE said, that in proposing to the House, on the part of the Government, a fresh measure upon the important question of the relations between landlord and tenant in Ireland, he was quite aware of the great delicacy and difficulty of the subject they had in hand, and he knew very well the ill-success which attempts at such legislation had met with for many years past, although they had been made by men of great ability and earnestness. But although this was the case, he had at least this consolation, that the House during the last twenty years had over and over again recognized the existence in Ireland of evils requiring a remedy, and had admitted its bounden duty to see that such a remedy should be found. Those proposals had been made from time to time by many eminent and honest men — by one who might be termed the patriarch of the question — he referred to Mr. Sharman Crawford, by Mr. Serjeant Shee, by Mr. Napier — for whose authority Gentlemen opposite would, he had no doubt, have the most profound reverence; by his hon. Friend the Member for Cork, and by other Gentlemen. The House, upon these various invitations, had constantly admitted the propriety of considering the subject, and had agreed to important and even courageous measures with respect to it. He had especially in his mind the measures of 1853, which were founded in all their essential provisions upon the Bills of Mr. Napier, who represented the party opposite, then in power—Bills which were successfully carried through the House, though they eventually failed to pass the other branch of the Legislature. More than that, legislation on that great question was, whatever might be thought of its results, carried through and reduced into the form of an Act of Parliament by his right hon. Friend the Secretary for the Colonies in 1860. In speaking of that Act which, as was proved by the Committee which was last year presided over by his hon. Friend the Member for Cork, had not been effectual for the purpose intended, he desired to pay a tribute of justice to his right hon. Friend. That Act admitted important principles, in itself a fact of immense importance in a question of that sort. It was large, benevolent, and beneficent in its intentions. It was framed with all the consideration, care, and conscientious knowledge of the subject which distinguished his right hon. Friend in every matter which he touched. We knew, however, by experience—and it was easy to be wise after the event — that surrounded as it was by every kind of safeguard and precaution justifiable in a case of exceptional legislation, had turned out to be practically a dead letter. Such was the state of things which had led his hon. and learned Friend the Member for Cork to move for his Committee last Session, and which, of course, obliged the Government readily to assent to the inquiry. It was, he might add, that state of things which now made it the duty of the Government to bring forward some measure which by simplifying the Act of 1860 should carry out the just and wise intentions which that Act had in view, and give motion and vitality to its enactments. It had been felt in all the attempts at legislation on the subject that there was a vital difference between the circumstances of England and Scotland, on the one hand, and Ireland on the other, with respect to the relation of landlord and tenant which justified and demanded at the hands of the House of Commons an exceptional mode of legislation for the last-mentioned country. That difference lay at the foundation of all the past attempts at legislation which had been made, and was at once the justification and constituted the duty of the Government in bringing forward the present measure. In fact, the only resemblance he knew of between the tenure of land in Great Britain and Ireland was that in both countries, which differed therein from almost all the rest of the civilized world, the tenure of the tenant was short, precarious, and uncertain. But that state of things, anomalous as it might be, different as it was from the practice in other countries, had not produced in Great Britain those disadvantages by which it was attended in Ireland. It was commonly and most truly said that there was the essential distinction between the practice in England and Ireland that in this country the permanent improvement, and, he must say, the requisites for the cultivation and decent habitation of a farm, were provided by the landlord out of his own capital, whereas they were in Ireland left for the most part to the industry and the outlay of the tenant. These were facts with which the House was familiar, which lay at the root of all legislation on the subject, which had been so long ago as the time of the Report of the Devon Commission most strongly and emphatically stated by that important authority, and which were in a great degree as true to-day as they were then. The difference between the state of things in the two countries went even further, because, though it was the fact that the landlords in this country and in Scotland had done great things in the improvement of their estates, it was equally true that great things had been accomplished by English and Scotch tenants. That was accounted for by the happy circumstance that in this country there prevailed, and had prevailed for centuries and generations, an amount of hereditary confidence between the landlord and tenant which did not exist in Ireland, nor, he believed, in any other country in Europe—a confidence amounting, as stated by Adam Smith, to the production of a result nowhere else to be found in Europe—that of a tenant holding by a precarious tenure venturing to make improvements on his farm, trusting simply to the honour and generosity of the landlord. Such a state of things did not exist in Ireland. He would not go into the causes which led to that being so, and to trace which would require that he should enter into a historic review. It was sufficient to say that, as hon. Members knew very well, there was not that confidence between landlord and tenant in Ireland, that community of feeling, that mutual respect, that identity of race and religion which had produced in this country that happy, but most exceptional, state of things to which he had adverted. The consequence was that it was not to be expected that identical laws would produce equally good effects in two countries in which the circumstances to which they were applied were so entirely different. That contrast of facts was fully admitted by the Act of 1860. We had, however, learnt much from the experience drawn from the six years since that Act had passed. That Act laid down important principles, but it was hampered in its operations and precautions and safeguards which it was now found had prevented it from attaining the object for which it was passed. That Act consisted of three parts. The first dealt with the improvements of the landlord, and he found that that portion of the Act had been brought into operation to a very insignificant degree. It was impossible, however, to say that the landlords had refused to make use of it from any indisposition to improve their estates, so far as they could prudently do so. There were, indeed, facts to the contrary. The House was aware what use the landlords in Ireland had made of those admirable powers for the improvement of land which were given under the supervision of the Board of Works. Since the Act giving those powers had passed, there had been no less than 5,000 applications from Irish landlords for the use of £5,000,000 for the improvement of their estates. Those applications went far beyond the funds at the disposal of the Board of Works, but nearly £2,000,000 had been used for the improvement of their estates by the Irish landlords. It was clearly, therefore, from no indisposition to effect such improvements that the landlords had not availed themselves of the first portion of the Act of 1860. He hoped by dispensing with the trouble and expense which the present state of the law necessitated—so far as was possible—that a different result would be produced. The next part of the Act of 1860 was that which dealt with leasing powers. That part also laid down a most comprehensive and important principle—the principle that no private settlement should be allowed to stand in the way of a proper and beneficial leasing power; but the Act surrounded that principle with restrictions which rendered it in the same way inoperative. He proposed to reserve the necessity of applying to a Court as at present in order to obtain its adjudication to cases in which the successor to an estate should raise an objection, but at the same time to extend the terms of the leasing power given by the Act of 1860. The leases which that Act enabled the limited owner to grant were leases of twenty-one years in the case of ordinary agricultural leases, and forty-one years for building or reclamation leases. He proposed to extend those terms to thirty-one and sixty-one years respectively. The terms which he proposed were those which were proposed by Mr. Napier in his Bill, and which that House had on a former occasion sanctioned, though they were afterwards cut down to a lower figure in another place. Those powers were only enabling powers, and there would be no compulsion on the landlord to grant one term of lease rather than another, but he thought it was wise and safe that the limited owner should possess the power of giving longer leases if he thought right. It was sometimes said that it was a mistake to encourage the granting of long leases in Ireland. His own belief was that that objection was founded upon an idea totally inaccurate. No doubt in old times long leases at low rentals did lead to that system of middle letting which had been the curse of the country. When the farming of land was in the hands of an oppressed and despised class the notion was prevalent that there was nothing respectable in Ireland except the possession of land and living in idleness. That, coupled with the war prices, gave rise to an extravagant and unnatural competition for land. But all that had passed away now. There had been a gratifying and remarkable improvement in the management of land; subletting had been greatly discouraged; profit rents had become almost impossible, and industrious, honest farming was preferred to the old idle life of the Irish squireen. There was no reason to have any fears of the operation of long leases and good tenures in Ireland. On the contrary, he believed that their effect would be most beneficial to the interests of the country. He now came to the third and most important provision of the Act of 1860—namely, that which dealt with the tenants' improvements. There was no longer any doubt that the tenants in Ireland were willing to improve the lands they held. Every one who knew anything of Ireland was aware that, while labouring under all sorts of difficulties, and in the face of great discouragement, the small Irish cottiers had comparatively speaking done wonders in this respect. He never went through the country without wondering at the improvements which had been made by the farmers themselves. Houses had been built, fences put up, fields drained, and waste lands reclaimed—of course, not to anything like the extent to which they could wish to see such improvements carried out, but still to a degree very remarkable under the circumstances. Thus, since 1841, 2,000,000 acres of wild land had been re-claimed and made profitable, and there could be no doubt that the greatest portion of it had been done by the tenants, showing that at least there had been no want of industry or of capital on their part. It was also a remarkable fact, showing the improvement that had taken place in the condition of the tenant farmers in Ireland, that since 1850 the deposits of small farmers in the Irish joint-stock banks had increased from £5,000,000 to £17,000,000. Nevertheless, the Act of 1860 had not succeeded in inducing the tenants to make any satisfactory use of the facilities offered them for improving their farms, and after the experience of the working of that Act, and after the important evidence given before the Committee of last year, there could be little doubt of the failure of that Act to do what it was intended to effect. There could be no doubt as to what had been the reason of its failure. It placed several obstacles in the way of tenants wishing to make improvements; for instance, there were the trouble and cost of an application to a court of justice in every case; there was the inadequacy of the compensation provided, and there was the mode of providing the compensation by an inquiry; and there was the very great obstacle that in every instance before the improvement could be made notice had to be given by the tenant to the landlord, which would act as an invitation to dissent on the landlord's part, and which, in the unanimous opinion of all acquainted with Irish tenant farmers, had operated, and would operate as a total bar to the success of the Act. Acting upon the experience thus gained, the proposed Act had been more simply constructed. Starting with the great leading fact that in Ireland the permanent improvement in farms—the essentials requisite for the farms, which no one in England would call improvements, and which would be performed by the landlord in this country—are executed by the tenants—the Act proposed to bring the general rule of law into accordance with the actual state of facts, and thus in accordance with the natural equity of the case. At the same time, it was proposed to interfere in no way with the perfect freedom of contract between landlord and tenant; but the Act provided that, in the absence of any written contract to the contrary, the tenant shall, by the general rule of law, have a limited beneficial interest in the permanent improvements executed at his own cost. It was proposed to do away with the notice, and to require no preliminary adjudication—as it was clear that all such requirements would render the Act totally inoperative. The Bill went on to provide that should the tenant, after having executed such improvements, and in the absence of any written agreement to the contrary, be dispossessed by his landlord, he should have a right to a lump sum by way of compensation equivalent to the increased letting value such improvements should have given to the land. The Government proposed that in the event of the landlord and tenant failing to come to an agreement as to the amount of compensation to be awarded to the latter, in case he should be so dispossessed, either party was to have the right of applying to the Commissioners of Public Works in Ireland, who were to send down a competent valuer to the farm, who would be empowered to examine the improvements made, and to require documentary and oral evidence to be laid before him from all parties able to give it, and then to make his award. It was also proposed that in case either party should be dissatisfied with such award, there was to be a right of appeal to the Chairman of the Quarter Sessions—such Chairman to sit as a County Court Judge without a jury, and to decide finally upon the appeal. Those rights were limited both in point of amount and of time. The limitation in point of amount would be £5 per statute acre, while the limit in point of time would be forty-one years for buildings, &c., and thirty-one years for other improvements on the land, after which the tenant would lose his right to compensation. The effect of that would be that the holder of fifty acres would be entitled to make a claim of £250, and not more. Great difficulties were sometimes said to arise in ascertaining the amount to which the tenant should be entitled after a lapse of years, but he believed the difficulties suggested were far overstated, as the very course laid down by the Bill was being followed every day by private agreement between the parties. The valuer, who was to act in cases of private arbitration, would be a professional man acquainted with the matters with which he would have to deal, and he would have all necessary evidence before him as to the increased value of the land. It was, of course, impossible to look for a perfect system, and the proposed one was intended to provide a general arbitrator, approved by authority, who, upon the whole, would settle fairly the question between the two parties. How would the case stand? The tenant would have added to the landlords' property certain requisites for its proper cultivation; the landlord would have by his own act dispossessed the tenant; and the latter would then have a certain claim under that Bill to compensation in money. The law under those circumstances implying a contract would fairly imply the consent of the landlord to improvements which he had allowed to be effected. The landlord either by himself or through the incoming tenant would pay the fair amount of compensation to the dispossessed tenant. The evicted tenant would not go forth into the world a starving man, perhaps to become a Ribandman, or a rebel, but would carry with him, to start him in life afresh, a certain sum of money, the fruit of his own exertions or outlay. In return the landlord would have an improved farm, bringing him in a higher rent. The country would find a better system of agriculture adopted on that farm; probably there would be also a decent dwelling for a happier family, and certainly contentment and confidence would be spread throughout the neighbourhood. In these matters it seemed to him that the indirect operation of a law was often as important as its direct operation. He was deeply convinced that the operation of such legislation as they now proposed, even when it did not secure any definite remuneration to a particular tenant, would yet have a most important and essential influence upon public opinion in Ireland. Because, while it would leave the landlord and tenant at perfect liberty to regulate their own affairs by written contract, it would, as was their wish, place the law of the country on the side of natural equity and justice. Without entering into the different clauses of the Bill, which would soon be in the hands of hon. Members, he would only then describe one important clause, which was this—they proposed to take away the right of distress as far as the general operation of the law was concerned, that was to say, putting an end to the right of distress in all cases where it was not given to the landlord by the terms of a written agreement between him and the tenant. These in general terms were the provisions of the Bill which on the part of the Government he ventured to lay before the House. He earnestly and sincerely trusted that these proposals would be received both by those who represented the tenant and by those who represented the landlord in that House in the spirit in which they were offered. He had every reason to believe that those hon. Gentlemen who specially represented the tenant were anxious to see that question settled upon fair and reasonable terms, and were really desirous not to keep open, but to close that political sore. Although he had not the advantage of being present at a very important interview which had recently taken place between many Irish Members and the Chancellor of the Exchequer, he knew that the opinion then expressed was such as to give the greatest encouragement to the Government in its attempt now to settle that question on a reasonable basis. He trusted that those Members specially representing the interests of the Irish landlords in that House would be ready to meet the advances so made to them by the especial advocates of the tenants. He hoped that Bill would have the good fortune to be a sort of convenient half-way house, where two parties starting as they did from opposite points of view might meet in harmony and accord; and it would be a great satisfaction to the Government and a real happiness to himself and his hon. and learned Friends who, with himself, were specially charged with that measure if they should succeed in any degree in producing by legislation, as far as legislation could do it, a security and protection to the industry of the Irish cultivator, and if by so doing they could in any measure attain that greatest of all objects, as he believed, which that House could set before itself—namely, the increase of domestic comfort, of active industry, of attachment to law and of loyalty to the Crown, among the Irish people. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Lord NAAS did not intend at that late hour to follow the right hon. Gentleman through the many details which he had brought before the House, yet he thought it necessary to offer one or two observations in consequence of the very important statements which had just been made. No Member of that House could be more anxious than he was to support any measure in any way calculated to develop the industry of the people of Ireland; but after listening to the lengthened speech of the right hon. Gentleman, he had not found in the plan now proposed that there was anything new. The right hon. Gentleman had, in fact, stated nothing more nor less than was contained in plans which had been over and over again brought before that House, but which from a strong feeling in that and the other House of Parliament that they interfered to a great extent with the rights of property had invariably failed in becoming law. The conduct of the Government on that question seemed to him rather extraordinary. A Bill on the subject now before the House was brought in and passed four years ago by the present Colonial Secretary. Very few proceedings had been taken under that Act. Last year a Committee sat for three months to inquire into its operation, before which witnesses only were examined who were brought forward by Members of the Committee professing to act in the interest of the tenant. At the close of that inquiry a Resolution was proposed and carried by a considerable majority of the Committee, with the full consent of the Colonial Secretary and the Chief Secretary for Ireland as representing the Government, in favour of the principle of the Act of 1860, as embodied in Clauses 38 and 40—namely, that the compensation to the tenant should only be made for such improvements as were executed with the consent of the landlord. As the right hon. Gentleman the Secretary of State might be supposed to represent the Government, the House had in the Resolution of that Committee the opinions of Government so late as August last. But from the statement now made by the hon. Gentleman, it appeared that the Government had wholly departed from the opinions they thus recently adopted; for he gathered from the right hon. Gentleman's speech that they now proposed that unless there was a special written agreement to the contrary, no notice to the landlord of intended improvements should be necessary to enable the tenant to claim compensation, and that no preliminary proceeding whatever should be requisite to enable the latter at a future time to establish his demand. He should be glad to hear that that was an incorrect description of the present Bill, because he believed that if it was a correct description of it, that measure would share the fate of every previous attempt to settle the question. The provisions of the Bill did not seem to him to be of so great value as the cheers of hon. Members opposite below the gangway would seem to indicate, because the right hon. Gentleman had stated that those provisions were only to take effect unless there was no written agreement to the contrary between the landlord and the tenant. If that were so, all he could say was that the course which landlords who objected to their tenants availing themselves of the provisions of the Bill would be forced to take, would be to bind them by a written agreement not to improve. The right hon. Gentleman expressed his belief that the passing of the measure would promote good feeling between landlord and tenant, and restore confidence between all parties. For his part, however, he believed that the moment such a Bill was passed the landlord and tenant from one end of the country to another would be brought into collision; indeed, Lord Athlumney, a former Chief Secretary of Ireland, had frequently pointed out that this would be the effect of all such legislation. He would, therefore, warn the Government of the risk that they were running. He believed that the Act of 1860 might be somewhat improved, and might still be converted into an exceedingly useful measure, but the present proposal involved an entire departure from principles which had for many years been adopted by both Houses of Parliament—so great an interference with the rights of property which might almost be regarded as sacred that it would retard the ultimate settlement of this question, and prove detrimental to the interests of the tenants themselves. The plan was not only destitute of novelty (for it had often been tried though without success), but it was a matter of regret that by the introduction of such measures as this, the House should be called upon to discuss these vexed and difficult questions year after year, creating false hopes, and thereby increasing the agitation which already existed in Ireland on the subject. He believed that the feelings which existed between the landlords and the tenants in Ireland were grossly misrepresented in that House. He believed that no proposal made to a landlord by a tenant to secure to himself fair compensation for *bonâ fide* improvements had ever been refused, and although much evidence was given last year on this subject, not a single instance of this kind was, as far as he was aware, adduced before the

Committee. He believed that the House desired to give every reasonable encouragement to the tenant to improve his land, but he could not see anything in the Government proposal which would conduce to that end. The hon. Gentleman the Member for Tralee had stated some time since that he should regard as a flash in the pan any proposal for compensation which did not also contribute to fixity of tenure, and that he could not extend his sympathy or support to any measure which would not have that effect. Those, however, were objects which the House was not likely to entertain, nor did he believe a Government would ever approve or sanction them. He believed the Bill would conduce to ill-feeling between landlord and tenant, and lead to much litigation and confusion. Although the course proposed by the Government might be attended by a momentary popularity among a certain class, he could not but feel that it was attended with much danger.

Colonel GREVILLE said, that it was certainly not new to propose a measure for the settlement of this vexed question, and therefore the proposal of the Government might, in that sense, be, as the noble Lord had said, destitute of novelty. The noble Lord had himself been a Member of the Government of Lord Derby, by whom this question had been taken in hand; and he would remind the noble Lord that the preliminary notice to which he now took exception was included in the Bill introduced by that Government — for Mr. Napier's proposal to give compensation for improvements made twenty years before the Act came into operation was of a similar kind, though the benefit of that measure was frittered away. The speech of the right hon. Gentleman the Chief Secretary evinced a strong disposition to do towards the people of Ireland what was right and just, and he felt certain that the right hon. Gentleman's remarks would be welcomed in that country with great satisfaction. As an Irish landlord, and speaking in the interest of the tenant farmers of that country, he believed the measure to be an excellent one. He understood the Government to say that in the absence of a contract the presumption of the law was that the improvements were effected by the party by whom they were generally understood to be made, and that the burden of proof was thrown upon those who usually had nothing to do with them. They desired that a rule of law should be applied in Ireland which was consistent with the facts of the case. The state of Ireland was different from that of England. Here the landlord provided everything that was necessary for the tenant; in Ireland he did not; and the presumption of law ought to be that the tenant in such a case had provided himself accordingly. The noble Lord had admitted that there were many defects in the Act of 1860 which he should be glad to see remedied, and by this measure the Government proposed to remedy the defects which were justly complained of in that Act. At present its provisions were inoperative, because they were surrounded by many needless forms, and those needless forms the present measure proposed to get rid of. He would not enter into the details of a measure not yet thoroughly before the House; but he welcomed it as exhibiting a *bonâ fide* desire to settle this question upon an equitable footing, and to conduce to the establishment of a better state of feeling between all parties.

Mr. WHITESIDE expressed surprise at the assertion that had been made by hon. Gentlemen, that the systems pursued in England and Ireland with respect to property were entirely opposite. The principle on which this Bill was founded must, if adopted, lead to most disastrous results. He thought it right that the law respecting distress should be the same in England as in Ireland. If the House, however, chose to abolish the law of distress in both countries, let it be abolished, and he would offer no objection. He asked whether hon. Gentlemen expected to impose upon the tenantry of Ireland so far as to induce them to believe they would get a real and substantial benefit by the Bill. In his opinion it would be as hopeless to attempt to empty the Thames at full tide with a teaspoon as to benefit the tenantry of Ireland by such a measure. The principle of this measure was that it should only apply to the case of unwritten contracts; but a contract was a contract whether written or not. The law at present took cognizance of unwritten and merely verbal contracts, and enforced them if they were substantiated. Why could not that course be continued? No such alteration was demanded. And what would be the effect of it? They knew how those things were managed in Ireland. The landlord would send for the tenant and say to him, "A bad law has been passed by that Parliament over the water, and it is now necessary that you sign this paper." And, of course, the tenant would sign it. He would ask of the right hon. Gentleman whether the Bill would be retrospective. [Mr. CHICHESTER FORTESCUE: No!] He supposed, then, that the retrospective wrongs of Ireland were not to be redressed. The Chancellor of the Exchequer, by his measures, had succeeded in diminishing the distilleries and paper mills of Ireland. He, however, would no longer dwell upon the grievances of Ireland so far as the past was concerned. But, with regard to the present measure, who, he asked, would bear the expense of the inquiry, in case a dispute arose? Suppose a landlord said the tenant should only have £2, while the tenant thought he should have £10, at whose expense was the Board of Works to make the inquiry? The right hon. Gentleman had suggested a very good principle when he said the Bill would encourage a good feeling between landlord and tenant. No desire on his part could be more creditable to him; but the Bill, though doubtless well meant, would be perfectly inefficient in that respect. Nothing was wanted when the landlord, on the whole, was an honest and just man, and did the right thing by his tenant. In Ulster the landlords were, as a rule, good and just in their dealings. He ventured to think it was vain to hope for solid improvement in Ireland in consequence of the provisions of the Bill.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) said, the misapprehension which existed with respect to the Bill only showed how unwise it was to discuss its provisions on the Motion for leave to introduce it. He hoped the noble Lord the Member for Cockermouth was not speaking the sentiments of the landlords of Ireland when he told the House that if the Bill became law it would be followed by agreements between landlords and tenants to prevent the latter from taking advantage of the powers the Bill proposed to confer upon them. He believed that was not just to the landlords of Ireland, whom the last speaker had, in his opinion, more correctly described. Flagrant instances of injustice on the part of Irish landlords were now and then brought to light, but these he believed were the exception, and not the rule. The right hon. and learned Gentleman complained that this Bill inaugurated different legislation for the two countries. But he was either the author or aider of Bills that proposed to introduce different principles in Ireland from those which prevailed in England. He alluded to the tenant-right in Ulster as likely to be affected by this Bill, but the present measure was only an amendment of Mr. Cardwell's Act, which preserved the Ulster tenant-right unimpaired. He thought that no honest man would find fault with a Bill which was only intended to prevent a bad landlord from doing what no good landlord would think of doing. The Bill implied the consent of the landlord, under certain circumstances, to specific improvements. It was designed to apply a remedy in the absence of a contract or of a lease. When the House had seen the Bill they would be of opinion that it did not interfere with the principles of the Resolution of the Committee of last year.

MR. GEORGE remarked that as this Bill was stated by the Secretary for Ireland it appeared to him to be a departure from the Act of 1860. The Bill of 1860 was brought in under the auspices of the right hon. Gentleman opposite (Mr. Cardwell), and Mr. Deasey, at that time the Attorney General for Ireland, and it was admirably adapted to hold the scale fairly between landlord and tenant. Clause 40 of that Act enacted that the owner might within three months after service give notice in writing that he disapproved of the improvements proposed to be made, and no tenant had a right to begin improvements from which the owner dissented. Any legislation which would encourage the tenant to execute improvements without notice or without the consent of the landlord would, in time, improve the landlord out of his estate. The Committee of last year determined that compensation to the tenants should only be secured to improvements made with the consent of the landlord, and he trusted that the Legislature would allow of no departure from that principle. It was exceedingly desirable, whether leases were taken for a shorter or a longer term that written agreements should as far as possible be adopted. He had always been anxious to give every facility and every encouragement for making improvements on land, but he had always opposed, and he would continue to oppose, the execution of improvements without the consent of the landlord.

MR. PIM hoped the House would very seriously consider the matter before it opposed the passing of this Bill, which he trusted would soon become law. The two arguments of the noble Lord who first spoke in opposition to the Bill were, in his opinion, greatly in its favour. The moderation of the provisions of the Bill, and the intention not to interfere with contracts, were the most important arguments that could be adduced in support of the Bill. Whatever might have been the old feudal idea in reference to the relationship between landlord and tenant, it was now held to be an established principle that a free, fair, and mercantile contract should subsist between the parties interested. The great value of the Bill consisted in the proposal to establish what appeared to him an equitable rule of law; and he trusted that it would have an important bearing on the treatment of the tenant by the landlord. He believed that bad landlords in Ireland were few, that they were not the large but small proprietors, and that they were not members of ancient families, but the new men in the land. He did not, however, argue this question either in the interests of the landlord or of the tenant, but in the interest of the commonwealth, with which it was vitally connected. It was important that this matter should be settled upon a fair and equitable basis, for he believed there was no question which so much affected the loyalty and the material improvement of Ireland as that now before the House.

Lord CLAUD HAMILTON could not feel the confidence expressed by the Secretary for Ireland that this measure was likely to prove successful. On the contrary, he was convinced that the present Bill failed to solve some of the difficulties which were experienced by the Committees appointed to consider the subject in previous years. He wanted to see the question regulated in Ireland as it was in England and Scotland, and such legislation as would facilitate the arrangement of mutual contracts between landlord and tenant, and give the necessary power to each party for enforcing the fulfilment of them. He thought that a simplification of the question might be effected by the adoption of a written contract, which might remove much matter of doubt and complaint. He was puzzled to know the exact tendency of the Bill, especially after the contradictory representations which had been made in reference to it. If improvements were to be made on land without the consent of the landlord, or even without notice being given him of the intentions of the tenant in this respect, he predicted that a state of great confusion would ensue. It was easy to make popular speeches, but the really improving farmer would not be misled by them; and he hoped the House would not imagine that by any simple piece of legislation it was possible to settle all the complicated cases arising in connection with the land in Ireland.

Mr. SYNAN protested against any attempt at discussing a Bill the terms of which were not before the House; but with regard to the principle of the measure he was clearly in its favour. The hon. and learned Member for Wexford asked whether they were going to repeal the Act of 1860. Undoubtedly, as far as the question of notice went, because investigation had shown that not a single case had yet occurred in which advantage could be taken of that provision of the Act. To that extent, it was just and necessary that a different principle should be introduced for Ireland from that which prevailed in England and Scotland. He feared the £5 limit would prove illusory.

Mr. SULLIVAN had been much surprised to hear the objections urged by the hon. and learned Member for Wexford, seeing that the Act of 1860 had proved a dead letter. This was a Bill to render that a living instead of a dead measure, and to abolish the machinery which had stifled it from its birth. Were the rights of property appealed to by the noble Lord the Member for Cockermouth—rights to hold the property improved, and to confiscate the capital which the tenant had honestly spent upon it? He believed the landlords of Ireland, if appealed to, would repudiate any such supposed rights of property. When the Bill was laid before the House it would, he believed, be found to be a good measure for the tenant, and not to interfere unduly with the rights of property. If it tended to make men more contented with their holdings, if it tended to make them stop in the country, and to lay out their money without fear of its being confiscated, some advantage would certainly be gained.

Mr. ESMONDE as a landlord thanked the Attorney General for bringing in the Bill. He thought it contained the materials for a fair and workable measure.

Mr. MAGUIRE said, the Government had redeemed their promise of legislating in this matter in a worthy and honourable manner, and he would appeal to the right hon. Gentleman the Member for the University of Dublin to assist the Government to come to a satisfactory solution of this question during the present Session.

Mr. REARDEN expressed his approval of the course taken by the Government in reference to this question.

Motion *agreed to.*

Bill further to amend the Law relating to the Tenure and Improvement of Land in Ireland, *ordered* to be brought in by Mr. Chichester Fortescue, Mr. Attorney General for Ireland, and Mr. Solicitor General for Ireland.

Bill *presented,* and read the first time. [Bill 130.]

EDINBURGH ANNUITY TAX, &c.

MOTION FOR A SELECT COMMITTEE.

Mr. M'LAREN moved for a Select Committee to inquire into the operation of the Edinburgh Annuity Tax Abolition Act, 1860, and the Canongate Annuity Tax Act, and to report their opinion thereon to the House.

The LORD ADVOCATE, while assenting to the Motion, was not to be understood as consenting to open up the arrangements already come to in reference to this matter.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the operation of 'The Edinburgh Annuity Tax Abolition Act, 1860,' and 'The Canongate Annuity Tax Act,' and to report their opinion thereon to the House."—(*Mr. M'Laren.*)

House adjourned at Two o'clock.

* * *

HOUSE OF LORDS,

Tuesday, May 1, 1866.

MINUTES.]—*Took the Oath*—The Lord Wensleydale.

Public Bills—*First Reading*—Contagious Diseases * (95).

Second Reading—Law of Capital Punishment Amendment (61); Customs Duties (Isle of Man)* (82); Local Government Supplemental * (84).

Committee — Qualification for Offices Abolition (41).

Report—Qualification for Offices Abolition (41); Salmon Fisheries (Scotland) * (86).

Third Reading—Sale of Land by Auction * (93), and *passed.*

LAW OF CAPITAL PUNISHMENT AMENDMENT BILL:

(*The Lord Chancellor.*)

(No. 61.) SECOND READING.

Order of the Day for the Second Reading read.

The LORD CHANCELLOR, in moving that the Bill be now read the second time, said: My Lords, this measure relates to a subject of the deepest importance, and on which considerable discussion has taken place of late years in the other House of Parliament. In the year 1864 a Motion was made by a private Member of the other House (Mr. W. Ewart) for the appointment of a Select Committee to inquire into the subject of Capital Punishment. Considerable discussion took place upon that Motion, and my right hon. Friend the Home Secretary recommended that it should be withdrawn, undertaking that if it were not pressed he would recommend that a Royal Commission should be issued to inquire into the whole subject. A Royal Commission was accordingly issued to inquire into the laws now in force under which the punishment of death is inflicted and also into the manner in which capital sentences are carried into execution. The Commission met and took great pains to investigate the subject, not only by the examination of persons in this country who from their experience were likely to be able to throw light upon it, but likewise by procuring information from various parts of the world on a matter which, to a certain extent, is common to all nations. The Commissioners were twelve in number; and although they all concurred in the part of their Report recommending what in effect is embodied in this Bill, except as to executions not being carried into effect in public, yet four of them so far dissented from the opinions of their colleagues as to think that there ought to be no capital punishment at all, and that the time had come when it should be altogether abolished. I ought, also, to mention that another of the Commissioners, one of the Irish Judges, agreed with these four Commissioners to this extent, that he thought the time would come when the punishment of death should be done away with, but that society was not yet ripe for such a change. The other Commissioners, without expressing any opinion on the subject in direct terms, offer recommendations which are entirely inconsistent with the opinion that an end ought to be put to that mode of punishment. My Lords, it appears to me that in the consideration of the question of punishment of any kind, and particularly of capital punishment, we must hold that the onus of proof rests upon those who say it ought to be inflicted. But I believe there can be no doubt that we are justified in maintaining capital punishment for the crime of murder if we come to the conclusion that it is the most deterrent punishment, and one for which no substitute of equal efficacy can be found. In considering that point we must endeavour to see in what way the apprehension of capital punishment operates upon the minds of the criminal class. Most of your Lordships must have been present at the trial of prisoners for a crime which the law visits with death, and you cannot have failed to observe how very solemn the proceedings in such cases are, how very much interest and excitement they occasion among those present, and how they operate on the minds of the accused. Again, at the time when many other crimes beside murder were punished capitally, it was a common practice to charge the prisoner under two counts of an indictment, one of which made the offence capital, and the other made it a less grave offence, and then to intimate to the prisoner that if he pleaded guilty to the minor charge, he would not be proceeded against capitally. The prisoner very frequently, under those circumstances, pleaded guilty, and was observed to be greatly relieved in his mind, knowing that he would not be sentenced to death. That showed how the one species of punishment operated more powerfully than the other. Moreover, when men have been convicted and sentenced to death, the great interest employed if possible to obtain a remission of the capital penalty proves that death is a punishment so much more dreaded than all other punishments that it cannot do otherwise than exercise a more deterrent influence. But it may be asked why it is necessary that this punishment should be retained for murder and for no other crime? Now, I think it is of the utmost importance that the criminal class should always feel that they have a motive for stopping short of the destruction of human life; and they will have such a motive if they know that the severest punishment of death will follow the commission of a crime resulting in the taking away of human life, whereas a lighter punishment will follow the commission of an offence in which they do not go that length. That seems to me to be almost a conclusive reason for the retention of the punishment of death for murder. We are dealing, it must be remembered, with a class of persons whom unfortunately there is little else to restrain from the commission of crime but the fear of punishment; and if that be so, they must feel instinctively that it is their interest to take away human life while engaged in committing lesser crimes, for the purpose of removing dangerous testimony, if they are not deterred by the fear of some special punishment for the graver offence. But for the fear of a severer punishment the criminal class would act on the terrible maxim that "dead men tell no tales," and thereby endeavour to get rid of those persons who might otherwise give evidence against them or lead to their detection and punishment. This is not mere matter of speculation. Among the documents collected by the Commissioners was an interesting Return from Florence, which shows that the abrogation of the punishment of death for robbery in Italy by open force, when unaccompanied by homicide, has much diminished the number of homicides which were committed before that abrogation. The reason for that is stated to be this—that he who committed the crime of robbery, knowing that the punishment of death awaited him, had every motive for putting to death the person whom he had attacked for the purpose of robbing him, in order to destroy the evidence of his guilt. The next question is whether it is possible to inflict any punishment short of death which would probably have the same deterrent effect? The only other punishment that could be substituted would be imprisonment or penal servitude, in some form or other, to endure for life. The question is whether the substitution of penal servitude for life would afford anything like the same security against the commission of murder as the consciousness that the punishment of death would follow. It is often urged in favour of the substitution of secondary for capital punishment that the former, being much more certain, would be more deterrent than the latter. It may be that a lighter punishment might be more efficacious than a heavier one if the prisoner found that he could escape the infliction of the heavier punishment, but could not escape the infliction of the lighter one. But the misfortune is that in all these great crimes the criminals, whatever punishment the law may award, have great hopes that they will escape, although they have to run a great risk; and I do not believe that any great criminal will reason that a jury would be more likely to convict in a case in which the punishment is penal servitude for life or for a less period, or that he would be in the least degree deterred from crime by the greater chance he stood of being convicted. We have, however, no means of knowing what is passing in the mind of the criminal—but it amounts to this, that the criminal knows that he will be punished more severely for murder than for the crime without the murder. Now, you may say that for a murder you may impose a penalty of penal servitude for life, while for any other crime you may sentence to penal servitude for twenty years. But does any one think that a criminal would calculate in his mind the difference between the punishment of penal servitude for life and penal servitude for twenty years? This is a matter which he never thinks about during the commission of the crime. I am therefore of opinion that the Commissioners are quite right in retaining and recommending the retention of capital punishment for the greater crime of deliberate murder, and I have no hesitation in recommending to your Lordships the Bill in which this principle is involved. My Lords, there is one great ground for adopting this course. It may be easy, on the suggestion of humane and thinking men, to abrogate the punishment of death. But if you find the consequence of that step is an increase in the crime of murder it is one of those cases in which *revocare gradum* would be almost impossible. Therefore, you ought not to abrogate capital punishment unless upon the safest and surest ground; and let me remind you that you ought to feel you are treading upon safe ground before you take action on a question on which you have no precedent to guide you. It is sometimes said that there are certain countries in which the punishment of death does not exist, and that is to a certain extent true; but when I look at all the countries around us, I find that it is not altogether true. It is said that capital punishment has been abolished in Tuscany. That is to a certain extent true; but I will now explain from the information gathered by the Commissioners to what extent it is true. In 1786 the then Grand Duke of Tuscany, afterwards the Emperor Leopold, did abolish capital punishment in Tuscany, and it remained abolished until the horrors of the first French Revolution began to spread over Europe. The punishment of death was then restored, not for simple murder, but for great political crimes. That law remained until the year 1795, and then the punishment was restored in cases of murder. After the year 1808, when the French took possession of all Italy, the French code—not the bloody code of the French Revolution, but the penal code, coupled with the Code Napoleon — was the law of Tuscany until 1847-8. At that time capital punishment was again abolished, but whether from political apprehension or from whatever other cause I cannot pretend to say. In the year 1852 capital punishment was again restored, and so remained until 1859, when it was again abolished in Tuscany. Your Lordships are aware that although Tuscany then became part of Italy, Florence and Tuscany still remained autonomous, each having their own laws. I do not think it would be honest or fair to attempt to support my argument by citing the result of the abolition of capital punishment during the very short time that has elapsed since 1859. Indeed, in my opinion you cannot rely upon these statistics unless you bring a large amount of knowledge to bear upon them of the state of society, the aspirations of different pretenders to power, and a variety of other circumstances. Unless you can thus correct the inferences, undoubtedly statistics are very likely to mislead. Among the other papers reported from Italy is a very interesting report from the Minister of Justice to the King of Italy. I will venture to trouble your Lordships with a few of the remarks he makes—

> "It is not, moreover, out of place to remark, although a serious thing to say, that in the second period the authors of the homicides committed for the sake of robbery do not appear to have been discovered in the greater part of the cases, and that hence the authorities of public security have not succeeded in discharging efficaciously their duty. On the contrary, it is quite certain—and not only the public journals, but also communications from my Colleague, the Minister of the Interior, assure me of the truth of my assertion—that during some years, and more especially for the last few months, Tuscany has suffered from frequent and serious murders committed, for the most part, for the sake of plunder. It is customary, in the cases of premeditated homicide, to note the cause which may have induced the crime, since it is generally to be attributed to passions easily discerned—such as revenge, jealousy, &c.; but, on the contrary, no personal motive except that of cupidity incites to murder for the sake of robbery, and with this sole object in view the murderer directs his attack against inoffensive persons, with whom he may have no acquaintance; and it is thus easy to understand that

it is less difficult to trace perpetrators of premeditated murder than those who have committed their crime for the mere lust of gain; and so much the more, that the first are people living in the country, and well known there (except in the case of hired assassins), and the second may belong to another country, and have no personal relation with their victim."

I will not attempt to deduce from this report anything favourable to my own view of the case, but at least I may say that it does not show that the punishment of death may be safely abolished. The result has been a considerable increase of murders; but that may have arisen—and I think in all probability has arisen—from other causes than the abolition of the punishment of death. Besides Tuscany there are some of the Cantons of Switzerland in which capital punishment does not exist, and of late some of the very small German States, such as Oldenburg, Nassau, and two or three others have abolished it. But, if we look to all the great States, which are not wanting in humanity, and are endeavouring to harmonize their laws with the existing requirements of society, we shall find that capital punishment is still retained in them in full vigour. I need not say that in France it is still retained. The Return for the last year before the Commissioners shows that there had not been less than twenty-five executions, besides several convictions in which the sentence of death was not carried out. In Austria, in Prussia, in Italy (except Tuscany), in Sweden, Denmark, and Russia — in fact, wherever you go — the punishment of death is awarded to murder, and in many countries for other crimes also. I do not say that we should follow a multitude to do evil; but it is something to know that the course we are adopting is that which all our neighbours also adopt. Many persons have said—and I think this argument has been used in the House of Commons—that we ought not to look to the countries that surround us, but to those which have sprung from us, and which occupy the great continent of North America. The Commissioners have Returns from some seven of the States of North America—Pennsylvania, New York, Ohio, Wisconsin, and three of the New England States — Massachusetts, Maine, and Rhode Island. It is quite a fallacy, however, to suppose that capital punishment is abolished in those seven States. It exists there for the most part in as great force as this Bill purposes it should exist in this country, except only in Rhode Island and Wisconsin. Now, Rhode Island comes within the same category as Nassau and the very small States of Germany. We do not know enough of the state of society in such very limited populations to take an example from them. So far is it from being abolished in Pennsylvania, New York, and Massachusetts, that it exists there in full vigour, and the law is administered in very much the same spirit as it is proposed by this Bill that it shall be administered in this country. That being so, I think I have justified myself in expressing my confidence that your Lordships will go with the Commissioners, that capital punishment must be retained. It has always occurred to me that if it is to be abolished *in toto*, of course the punishment next in severity—penal servitude for life—ought to be substituted for it. What, then, could be done with a convict under the extreme penalty of imprisonment who murdered his keeper or warder? Every precaution would no doubt be taken to prevent such an occurrence, but it is certainly possible that it might be committed. The convict would then commit the murder with impunity, because he would be undergoing the severest punishment which the law allowed, and you would have no power of imposing the penalty of death for the offence. These being the grounds on which I venture to think that capital punishment ought not to be abolished, I have now to call your Lordships' attention to the provisions of the Bill. Substantially the Commissioners make four recommendations; but the great object is to define the class of murder for which parties, if convicted, shall suffer the extreme penalty of the law. They proceed, therefore, to divide murder into two classes—murder of the first and murder of the second degree. Under the head of murder of the first degree they propose to include such crimes as, unless under very exceptional circumstances, deserve the extreme penalty of the law. Under the head of murder of the second degree they include those cases in which it is not necessary to carry the extreme penalty of the law into effect. This is the course pursued in several of the North American States; and a very enlightened gentleman who has lately visited the country states that there is no difficulty in carrying the law into effect. The Commissioners then divide murders into several heads, the object of which is in the first place to include those which are ordinarily called deliberate—that is to say, those in which no doubt can be entertained of the wilful intent of the parties who have committed them; and secondly, those which have been perpetrated for the purpose of escaping from the consequences of guilt. I ventured, when this Bill came before me, to suggest an addition to those enumerated under this last head, which is where murder is committed on a peace officer in the discharge of his duty. When this Bill was first put into my hands, which was early in March, I confess there were some things in it which I did not altogether approve. And here, perhaps, I ought to state to your Lordships that I was one of the persons examined by the Commission long before I had the honour of receiving the Great Seal. I gave on that occasion the best evidence in my power; but, knowing that your Lordships will see in this Bill some few matters—for they are only a few—against which my evidence was directed, I think it only due to your Lordships to mention that fact. I felt that there were considerable difficulties in carrying into effect some of the provisions which the Commissioners recommended. It appeared to me, however, that I should not be performing my duty if before asking your Lordships to read the Bill a second time I did not submit it to the Judges, to see how far they thought its provisions could be certainly and easily carried into effect—because, if there be one thing more than another which it is desirable to avoid, it is every possible approach to technicality—every facility for persons getting off for any other cause than that which is distinctly stated. Most of the Judges were on circuit at the time, and it was not until the circuits were over that I got the answers from most of the Judges. Several of them had been examined before the Commission. They most cordially pointed out what would practically be improvements in some of the clauses, and before your Lordships go into Committee on the Bill I will frame Amendments to meet the views of the Judges whenever they appear to me to be right. The next recommendation of the Commission to which I will call your Lordships' attention is this—they think it fit that there should be a power in the Judge, upon considering the case, if he did not think it one in which the person should be executed, to cause judgment to be recorded without following it up by pronouncing sentence. Now, that is a thing to which great objection, and I think justly, is felt by the Judges. While the law stands as it is now, when sentence is pronounced everybody knows and feels that the sentence of death is the sentence of the law. But when once it comes to be in the power of the Judge to say that sentence shall be recorded but not passed, it becomes the sentence of the Judge and not of the law; and I certainly feel that if you assent to such a provision, you will place the Judges in a position of very considerable embarrassment, and perhaps impair the respect in which they are now held. The third recommendation which the Commissioners make is with regard to a subject which has always been felt to be one of very great difficulty—namely, infanticide. Now it is a singular thing that in some of the codes in Europe, and among them the French, the murder of a new-born infant, instead of being considered as a lighter form of murder, is looked upon as one of the gravest forms that crime can assume, and is one for which the remission of punishment very seldom follows. ["Hear, hear!"] My noble and learned Friend seems to approve that view of the case. Now, I cannot say that I go so far as that. I think that when infanticide occurs in ordinary cases, it is the act of some poor forlorn woman in great distress, and that it is her wish rather to prevent a human being from coming into the world, if she could only do it, than to murder it. But there are other cases of infanticide in which the crime is as great as any murder can be. I was examined before the Commission on this subject, and I said the great difficulty which I felt was in defining the line. Suppose a person murders a child for the purpose of succeeding to an estate—and there are fifty other cases in which infanticide would be greatly aggravated—in that case, no doubt, it would deserve to be punished capitally. But I quite agree with the Commissioners that it is desirable to put this crime on a different footing from other cases of murder. They say that after a certain time—after seven days—anybody doing injury to the child shall be liable to severe punishment. There shall be no necessity to prove whether the child was born alive or not, but if it be found that wounds were inflicted on the child, then severe punishment shall be inflicted, provided always that the circumstances are such that the crime of murder can be sustained. They further recommend the abolition of the principle whereby, when a woman charged with the murder of her child is acquitted on that count, she is sentenced to punishment for concealment of birth. The fourth recommendation of the Commissioners—and in that I confess they have my entire concurrence, although, when first asked to consider it, I thought it open to grave doubt—is with respect to the publicity or non-publicity of executions. On this subject, as on all others, we have to deal with a balance of testimony, and a balance of advantages and disadvantages. I do not doubt that there are cases in which a criminal, having witnessed an execution, may have been so struck with horror as to have been in some degree reclaimed. But I think the disadvantage arising from the enormous accumulation of persons to witness these disgusting scenes is so great that we are bound to try whether we cannot substitute some other mode of carrying capital sentences into effect for those public executions. I find that in almost all the States in America, and many in Europe, that is the conclusion at which they have either arrived or are on the point of arriving. I think most of the theoretical objections to private executions are absurd. The notion that a person may be tortured, or if he be a rich man, may bribe the authorities and so get off, might have prevailed 300 or 400 years ago, but would not be likely to prevail now. A suggestion has occurred to me from what has taken place in Denmark, which I think very good. It is that all the great criminals in confinement should always be witnesses of the executions, which may then possibly have some deterring effect. But that the execution should be carried out where public decency and morals shall not be shocked in the way they have been of late years, I have no hesitation in saying, meets with my entire concurrence. I have heard it said that there are great concourses of people in a variety of other cases, and that you cannot prevent it. No doubt. But there is this demoralizing effect on the enormous multitudes assembled to witness an execution, that they are crowded together, committing every sort of crime, and that their proceedings are unmitigated by the presence of persons of the upper or educated classes. It is the sort of occasion on which the lowest and most abandoned of the community hold a Saturnalia all to themselves. It is highly expedient on these grounds that a change should be made in our law, and that change is proposed by the Bill of which I now move the second reading.

Moved, "That the Bill be now read 2^a."—(*The Lord Chancelor.*)

The Earl of MALMESBURY: My Lords, the position taken by the noble and learned Lord (the Lord Chancellor), and the great authority of the Members of whom the Commission was composed, certainly make it difficult for any one to object with any weight to the recommendations that have been made. If the subject were entirely practical, the question could be reduced to one of practical proof, and we should none of us differ from the noble and learned Lord; but the question is philosophical as well as practical, and therefore there is no disrespect to the Members of the Commission, whose labours have been most efficiently discharged, in saying that I do not entirely agree with their recommendations. I agree with them upon every point except that involved in the fourth recommendation—that is the one in which they recommend that executions should be privately conducted within the walls of the gaol. We know all that can be said on the subject; and I feel as strongly as the noble and learned Lord does the objections to the horrors attending public executions. But upon a subject like this we must not give way to the natural sentiments which civilization prompts. We must look to the practical workings of the human mind—to the effect of the operation of the law upon the human mind in its worse state. The noble and learned Lord said properly that, in this country and in civilized society the primary object of punishment is that it should be deterrent. I suppose it was at first inflicted, in a lower state of society, with a feeling of vengeance; but when civilization advanced punishment was inflicted from higher motives, and with the view to deter from the commission of crime. Now, what are the feelings of mankind with respect to punishment? It is not only the fear of punishment that works upon the human mind, it is also the fear of disgrace; and the greatest criminal in the world, you may depend upon it, balances in his own mind the different shades of disgrace sufficiently to feel that there is a very great difference between a public execution and a private one. What is the proof of that? What is the first thing that is done after a man is condemned to death? Even when it is expected that he will be condemned, the first thing thought of is to keep out of his reach every instrument by which he can commit suicide; and the commonest feeling with criminals condemned to death is the desire to anticipate their execution by suicide in order to avoid the disgrace it brings with it. Gaolers of experience will tell that what they have to fear most is that men under sentence of death will commit suicide. There is something disgraceful in the idea of the halter, in an execution before an immense throng, in the execrations that greet a man when he appears on the scaffold. That all these things have terrors for the convicts I know, for I have heard it from their own lips. It is unfair to judge from analogy of rewards and punishment? They are inseparably connected, and one cannot well be considered without the other. Do not rewards lose half their value if they are given privately, instead of publicly? Are they not doubled in value if they are given openly, before an approving throng of persons, with whom the recipients are well acquainted? It is precisely the same feeling which acts upon the human mind in the case of a man condemned to death —he would prefer to commit suicide if he could; and he would prefer death within the walls of a prison to being exposed to the view of the multitude. I cannot but think that the English mind would to a certain degree revolt at the idea of a secret execution within the walls of a prison—at the thought that a man was to be strangled in his cell, as if the law hesitated in asserting its justice before the eyes of all men. I feel convinced that if the recommendation of private executions is followed, not many years will elapse before capital punishment is given up altogether. My own feelings and convictions with regard to executions are rather contrary in direction to those of the Commissioners. Executions are always carried out at the same places, in the county town; they are always witnessed by the same people, who learn the lesson, if there be one, over and over again. I think that as far as possible, although it could not always be done, executions ought to take place in the localities where the crimes are committed —they would then have very great effect upon the persons living in those localities. But now, if executions are warnings, the people living near the scenes of the crimes really get no warning at all, for they do not see the executions. For a crime committed at a remote country village, a man is executed at the county gaol. It would add very much to the terror of the criminals to know that they would be executed, as it were, at their own doors, before the faces of very many with whom they had been associated and brought up from childhood. I remember that sixty years ago, in the part of the country where I lived, two men were hung for the murder of their father. That execution made the greatest impression upon the people of the neighbourhood, and the tradition of it has passed down to this day. If public executions are continued, I think it would be of great importance that, as far as possible, they should take place in the localities in which the crimes are committed.

THE BISHOP OF OXFORD: My Lords, I venture to trouble your Lordships with a few observations in reply to the noble Earl who has just spoken (the Earl of Malmesbury). Ten years ago your Lordships were kind enough to grant a Select Committee upon my Motion. I was Chairman of it, and we took a large amount of evidence, examining gaolers and persons who had had the custody of condemned felons, and those who had been called upon to attend public executions. The evidence given by all these persons, without exception, was in direct contradiction of what has just been suggested by the noble Earl. They said that, in their judgment, public executions had a direct tendency—not to deter from crime, but to create a morbid interest in the man who was executed, and to make a hero of him with the class of society in which he moved, and that the knowledge of this reacted upon the man himself, and, instead of making the prospect of his death more terrible to him, it tended to diminish its terrors. I was fully convinced of the truth of that view. I think nothing more tends to do away with the great horror that ought to accompany the taking away the life of a criminal than the accidents which belong to the public part of an execution. Those who go to witness an execution go in the worst possible state of mind to profit by it. The man himself, encouraged by the presence of those who may have been his associates in crime, may be led to brazen it out; if he do, he becomes then the reverse of the example that was intended, and men go away from the sight, having found their expectations of being shocked very imperfectly realized. I remember particularly the evidence of the late Mr. Clay, the chaplain of the Preston Gaol. He said that the first time he was called to attend a public execution, he expected that he should not be able to witness it without fainting; but such was the effect upon his mind of the various circumstances of the event, and the interest in the accidents of it, rather than the realization of what were the essence of it, that he found the sense of horror almost gone before the execution. He added—

> "If I had been on the other side of a wall, and had known what was being done, the effect upon my mind would have been tremendous; but the accidental circumstances which I was engaged in watching took away from my own mind that sense of terror which I had anticipated."

The evidence which we collected from other countries all pointed to the same result. We examined witnesses and we received communications from various parts of the world, and, without a single exception, the attestation was, that there had grown up a far greater dread of executions in the minds of the classes of the people it was desired to affect since the executions had taken place in private than had ever existed while they took place in public. There was one recommendation of the Committee which I should like to bring under the notice of the noble and learned Lord. It was that at the moment of the execution the fact of its taking place should be intimated to the people by the tolling of a bell within the prison, or something of that sort. It one country the practice was to hoist a black flag. Now, this addresses itself to the imaginative faculty of the persons whom you wish to deter, because it tells them what one of their fellow-creatures has been brought to by crime, and fixes their attention on the subject for the moment. That is recommended by the Committee which sat in 1856, and the evidence taken showed the good effect of such a practice. As I sat upon that Committee, I hope your Lordships will pardon me for addressing you on the subject.

Lord ROMILLY said, he thought the balance of evidence and the balance of reason were in favour of the entire and the total abolition of the punishment of death, and he would state a few reasons, as concisely as he could, to show that such abolition was desirable. It was simply a question of the balance of evidence. There was one consideration which arose in the case, and which ought to be taken into consideration. The object of punishment was twofold — namely, the deterring others from committing crime, and the reformation of the criminal. Now, when the punishment of death was inflicted the reformation of the criminal was of course out of the question. It might, indeed, be said that the reformation of a murderer was a thing very unlikely to take place, and that society had nothing to do with it if he were not again to be let loose upon society. But it was the duty of the Government to consider the interests of all persons—even of the criminals themselves; and if society had no interest in the matter, still the interest of the criminal ought not to be altogether disregarded. The important question to be considered, however, was the deterrent effect, because upon that was founded the great argument in favour of inflicting the punishment of death. He believed that the deterrent effect of the punishment of death had been greatly overrated. Almost all the evidence showed that it did not operate at all in cases of violent passions. In the case of murder committed by a person who was either intoxicated or under the influence of some violent passion, such as jealousy, hatred, and the like, the deterrent effect of the punishment of death was nothing. Then, if the deterrent effect was complete in cases of murder, it would have been so in the case of the minor offences which were formerly punishable by death. But experience had shown that this had not been the case. The deterrent effect of a punishment depended principally upon the certainty of its being inflicted, and a less punishment, if certain, would have a much more deterrent effect than a greater one which was less certain. Now, the evidence was distinct on the subject, and their Lordships were no doubt aware that juries constantly required a greater amount of evidence to convict for murder than they did for any other offence. In this they did not act logically, because the only question was whether the fact was proved, and the amount of evidence which was sufficient to convict in a smaller case ought to be sufficient in a greater case. The undoubted fact, however, was that where a criminal was liable to be punished by death juries required a larger amount of evidence than they did in other cases. This introduced another element of doubt, which led to improper acquittals. That this was the effect produced was clear from the species of pleas that were raised to prevent persons from being convicted of murder—such, for example, as the plea of insanity, which was never relied upon except in cases of murder. The tendency of all this was to make the criminal think, and justly so, that he had a greater chance of escape. Two reasons which had been urged by his noble and learned Friend required much consideration. First, there was the case of a second murder—where a prisoner had killed his warder, for instance. Now, it was notorious that many persons afflicted with mental disease had the strongest desire to take away the life of another, and yet one rarely if ever heard of the keeper of a lunatic of that description being killed by him. The reason was that in such cases proper precautions were taken. The other argument of his noble and learned Friend was more difficult to answer, and was in his opinion the strongest argument which could be urged in favour of the retention of the punishment of death. His noble and learned Friend had said that if a man committed a crime with great violence he ought to be punished very severely indeed, and that if capital punishment were abolished it would be impossible to inflict a higher degree of punishment upon murderers than was inflicted upon persons convicted of other crimes attended with great violence. In his opinion, however, the perpetual imprisonment accompanied by the infliction of corporal punishment at intervals would more effectually deter from crime than the fear of the punishment of death. He was not in favour of the infliction of corporal punishment in any cases, but in the case of murderers he did not think any person could blame society for having corporal punishment inflicted. But though he admitted there was considerable weight in the argument of the noble and learned Lord, he thought it was more than met by the other evils attending the punishment of death. In the first place, it should be borne in mind that though murder was sometimes committed for the sake of plunder, yet in the great majority of cases plunder formed no part whatever of the motive for committing the crime. Now, that was a very important consideration, because it showed that the class which committed murders was different from the class which merely attacked property. The Commissioners were struck by the observation made by many witnesses that persons who live by robbery never commit murder, at least not intentionally. The witnesses who gave evidence attributed this fact to the deterrent effect of the punishment of death. He, however, believed they were utterly mistaken, and that the people who lived by robbery were deterred from committing murder by the natural horror of taking away human life. It was painful to consider what class of persons became professional thieves. The son of a thief was almost certain to follow his father's calling—and, indeed, except in very rare cases, he was unable to do anything else. He was brought up in the notion that he and society were at war, and that thieving was merely an offence against society, and not a crime in itself. But that man would never think of committing murder, this was admitted by all the witnesses who were examined on the point. Now, in his opinion, that feeling ought to be increased and perpetuated by abolishing the punishment of death. With regard to public and private executions, he agreed with the view taken by the right rev. Prelate (the Bishop of Oxford), but he might remark that many of the objections to public executions would apply to private executions also. A man on whom the punishment of death was inflicted by society was sure, in whatever manner the punishment might be inflicted, to be invested with a certain degree of interest in the estimation of the public. It was impossible to prevent this. There was no quality possessed that was more esteemed by mankind than courage, and that in all phases of life. The possession of that quality was most strongly shown in the composure and coolness with which a man met death; and, therefore, there was the strongest possible motive for the convict to screw up his nerves into that state which would induce his friends and the public to believe he died with composure. The executions of criminals in this country were injurious in respect of the morbid feeling excited by their demeanour at the moment of execution. The most atrocious criminals were invested with a species of heroism if they met death on the scaffold with calmness and composure. This feeling had been manifested to the extent of ladies adorning criminals as they were on their way to the scaffold. That sentiment could not exist to the same extent under the system proposed by this Bill; but it would still exist to a great extent. He might remind their Lordships that in Belgium capital punishment had been abolished. It appeared from the evidence taken by the Commissioners that it had been abolished, restored, and abolished again, and that its abolition had been attended with satisfactory results. According to the recommendations of the Commissioners the punishment of murder was to be apportioned according to the circumstances of atrocity with which it was attended ; and by the Bill of the noble and learned Lord the crime was to be divided into murder of the first and murder of the second degree ; the punishment for murder of the second degree was to be nothing less than penal servitude for seven years. Now their Lordships would permit him to put a case such as that in which a thief, while endeavouring to steal a henroost, accidentally shot a man. This, under the Bill of his noble and learned Friend, would be a murder of the second degree ; but if they inflicted seven years' penal servitude for such an accident, they would be inflicting a punishment much more severe than could properly be awarded for such an offence. Suppose a gentleman employed one of his tenants as his bailiff to receive his rents and lay out money on his property, and suppose that afterwards he thought fit to distrain on this bailiff as his tenant for rent due from him, and that the tenant denied owing any rent and said that if the accounts were taken it would appear that a balance was due to him. If, in resisting that distress, the tenant killed a man, the question whether his act was a justifiable homicide or a murder would depend upon which side of the account the balance lay in what might be a very complicated account. He would ask his noble and learned Friend to consider what would be the working of the Bill in cases such as that. In connection with the question of capital punishment there was another important consideration. No one could have studied the history of any people without seeing the influence which the laws of the country exercised over the manners and habits of the people; and he thought observation must convince us that this was the case to a greater extent in England than perhaps in any other country. There was also in this country a great respect for the sanctity of human life and the horror of seeing a human creature perish by the hand of society; and he believed that if the State declared that for no crime under the sun would it invade the sacredness of human life, but that even in the worst cases would confine itself to punishments of other descriptions, it would do more—not suddenly, but by degrees, and with the progress of education — to deter persons in every class of the population from the commission of murder than would be done by the infliction of the most severe torture that could be devised. Though, of course, he did not offer the slightest opposition to the progress of the measure, he had felt desirous at the earliest possible moment to express his feelings on this important question.

LORD REDESDALE said, he was not satisfied with this Bill, and he objected to it on more than one ground. In the first place, he thought that making some murders offences of a second degree of enormity would tend to create a feeling that some murders were more or less excusable ; and this would be highly mischievous. He was of opinion that it should be held to be a very grave crime to shoot a Custom House officer, a gamekeeper, or any other person while acting in the discharge of a duty. A murder of that kind might be one of the grossest character, and, therefore, one which ought to be punished with the severest punishment. In this country infanticide had greatly increased of late, and he had no doubt that to a large degree this might be attributed to the fact that for a great number of years hardly any one had been executed for that crime—even in cases where malice was most clearly proved the women had been let off. He believed this failure of justice in cases of infanticide arose from an objection to execute women ; but the result had been a feeling among a large portion of the population that infanticide was not a crime of deep dye. He confessed that to his mind the murder by a mother of her own offspring was the most revolting of all crimes, for it was an act against which the instinct of the lower animals revolted. It was the distinction that had been made between this and other murders as regards the manner in which the punishment had been carried out that had led women to believe that the removal of infants which were a burden to them was an excusable act. The noble and learned Lord (Lord Romilly) thought that in cases of wilful murder corporal punishment might be periodically inflicted in addition to imprisonment. Now, he ventured to think that public opinion would be so opposed to the infliction of torture on persons who were to be confined for life, that it would be impossible to maintain such a description of punishment. It came to this, therefore, that there would only be imprisonment for life or for a term of years as punishment for murderers. But imprisonment for life would be certain to lead to insanity in a great many cases, and what was to be done when insanity commenced to manifest itself? Was the person to be kept in prison until he became insane, or was the sentence to be put an end to? Again, as to the certainty of punishment which was urged in favour of the Bill—what was the meaning of certainty of punishment? Was death always to be inflicted in cases of murder of the first degree? Was there to be no hope of remission of any term of imprisonment? Their Lordships might depend on it that in this respect matters would just remain as they were at present—whether founded or not the hope of remission would always exist. He apprehended that much difficulty would be felt in deciding as to which class a particular murder belonged—a much greater difficulty than was now experienced when legally the crime was either murder or manslaughter, and it was left to the judgment of those who could properly weigh and determine the instances in which the extreme penalty of the law should be awarded. He avowed he was one of those who felt strongly that by Divine decree death was the punishment awarded to the murderer. It was the law laid down by God at a time when there was no special code, "Whoso sheddeth man's blood by man shall his blood be shed." He should not feel at liberty, therefore, to vote for any Bill which would abolish death for murder. He would not argue as to the deterrent effect of any other punishment. To sit in judgment or to question whether they should award a less judgment where God has awarded a greater was a matter which we ought not to entertain. He feared that the effect of this Bill would be to unsettle the minds of people as to the enormity of the offence of depriving a fellow-creature of life. He must, therefore, say "Not-Content" to the Motion to read it a second time; but as he knew his views were not shared in by a majority of their Lordships he should not put the House to the trouble of dividing on the question.

Lord DE ROS said, that some advantage might be gained in the present discussion by remembering what was the practice in European armies. It was, he believed, the invariable rule that soldiers should be present at military executions, and although, as a class, they were not easily affected, the results were always very extraordinary. He had always heard it said that during the Peninsular War the contrast between public and private executions was very marked. During that war the Duke of Wellington had thirteen men executed; the French, in the same period, executed 250. The English made a great parade on such occasions, mustering the troops and marching them past the culprit before he was shot and again past his body after death. The French conducted their executions without any such parade. But it was universally observed that fewer executions were necessary in the British army, and this was attributed to the manner in which they were carried out. Upon one occasion, when on foreign service, duty made him a spectator of a public execution. There was all that bravado which a noble and learned Lord had described, for one of the men came upon the scaffold dancing, and was with difficulty restrained from playing antics, but he must say he never saw anything like the consternation and horror excited on that occasion among the crowd by the spectacle of death.

THE DUKE OF ARGYLL: My Lords, this appears to me to be a subject on which we ought all to speak with much reserve and difficulty, for when we recollect that only a few years ago, within the recollection of many noble Lords now present, eminent lawyers and divines maintained that it was absolutely necessary to uphold capital punishment in respect of crimes for which we should now think it monstrous to cause it to be inflicted, it is impossible for us not to feel some doubt as to the impressions under which we may now be acting. My noble Friend the Chairman of Committees thinks we are bound to act under a rule of Divine law, which would leave us no discretion whatever, but would bind us to inflict the punishment of death in all cases in which human life was taken. That, I am sure, is an opinion which my noble Friend does not entertain. But my noble Friend forgets that practically, though not in point of law, a discretion is exercised, a distinction is drawn, and a classification is made, and there are many kinds of murder which are not visited with death: and, therefore, I think we may fairly consider, without reference to such a supposed rule of Divine law, what is best for the good of society and of the general principles of Government. I certainly have never been able to make up my mind that in the present state of society the punishment of death could be safely dispensed with. Neither can I accept the doctrine of the noble and learned Lord behind me (Lord Romilly), whose views I can see coincide with those of men who hold that punishment has only two objects—to deter and to reform the criminal. It appears to me that there is a third and very legitimate element of punishment upon which society has a right to insist, and that is the retributive element. You deal with men like mere animals if you shut up a murderer, like a tiger, to prevent his killing other persons, and with a hope in the man's case —which, of course, cannot exist in that of the tiger—that he may ultimately become penitent and reformed. It certainly does appear to me that society is, to a certain extent, a minister of Divine justice in inflicting punishment for the crime. [The BISHOP of OXFORD: Hear, hear!] I am glad to find that in that view I have the support of some distinguished Prelates. There are other cases besides those mentioned in this Bill—cases of persons resisting lawful authority, and it appears to me that persons who commit murder in resisting such lawful authority and in furtherance of objects that are unlawful, should be liable to the punishment of death. These, however, I apprehend, are questions of detail with which my noble and learned Friend upon the Woolsack will be willing to deal in Committee. With regard to the holding of executions not in private, but in presence only of the lawfully authorized ministers of the law, I can have no doubt that the course which it is proposed by this Bill to adopt is the right one. Whatever the original idea that was associated with public executions, in practice there can be no doubt that they tend to brutalize the population. At the same time that spectacles such as these are withdrawn from the public gaze, there is, I think, great force in the suggestion that some external sign or symbol should be employed to indicate when the execution is actually taking place. Coupled with the knowledge of what is going on, the tolling of a bell or the hoisting of a black flag would, I believe, make a powerful impression on the imagination of the people.

LORD HOUGHTON said, that having brought this subject under the consideration of another Assembly twenty years ago, he might perhaps be allowed to address a few observations to their Lordships. In the first place, he naturally felt deep satisfaction that the principles involved in this measure had received even a partial acceptance. From various executions which he had witnessed he had returned with the conviction that there was about the scene nothing of dignity, impressiveness, or solemnity; but that ribaldry, violence, and depravity were its prominent features. Who would dream of taking anybody to a public execution as a grand moral example, or with the expectation of seeing anything that was not essentially repulsive? There was, he believed, no reason why, without any change of the law, the time and place of holding executions might not be changed, and that under the existing jurisdiction. A remarkable case on this point occurred in 1769. Two men, Doyle and Pulline, were sentenced to be executed at the usual place of execution, which at that time was at Tyburn; but the sheriffs received a warrant directing them to execute the prisoners at the most convenient place near Bethnal Green Church—probably the place where the crime had been committed. The sheriffs conceived that they must follow the sentence and not the warrant, which according to their view would be an aggravation of the punishment, and said—

> "If this were permitted, the Recorder might change the place of execution to Newgate Street, or even to Newgate itself, and so do away with the boasted usage of public executions, not less satisfactory for the security of the public, than advantageous as a public example."

An eminent lawyer of that day gave it as his opinion, that if the change was not material it should be complied with; and the Judges to whom the question was referred, were of opinion that the time and place were in law no part of the judgment, and that the Recorder's warrant was a lawful authority to the sheriffs as to the time and place of execution. The men were accordingly executed. Tyburn, so long a scandal to the metropolis, with its disgraceful and melancholy story of parading through the streets and stopping at public-houses, had ceased to be; but it was a curious thing that at that time the sheriffs fancied the publicity of the procession to Tyburn was necessary to the security of the subject; that soon afterwards the scene of execution was transferred from Tyburn to the front of Newgate, and would now, he trusted, be transferred from the outside to the inside its walls. The Motion which he brought forward twenty years ago was defeated by Gentlemen entertaining views that in the present day appeared almost as untenable. If the prognostications of the noble and learned Lord should be realized, and if the changes in the law should have the effect of modifying public opinion on the subject of capital punishment, he for one should not regret such a result. He had for a long time held the same opinions on the subject to which the noble and learned Lord had given expression, and he had no doubt that those opinions were gradually making way among the reasonable and religious people of this country, and that the obstacles—and there were obstacles — which presented themselves to the abolition of punishment by death would be removed. How long ago was it, he would ask, since that punishment was deemed to be necessary in the case of political offences for the stability of society? Their Lordships must recollect the course which was taken on the subject by an eminent French statesman in the midst of the confusion consequent on the establishment of the French Republic in 1848. The first important measure which was at that time introduced by the Provisional Government was one declaring the punishment of death for political offences to be abolished. The great contest, he might add, which had recently taken place on the other side of the Atlantic had closed unstained by a single political execution. Such a thing would have seemed impossible to statesmen a hundred years ago, and he hoped that before long a state of things which now seemed impossible to their Lordships would be realized. The truth was that when they came to consider this question of death they got beyond the category of punishment. Death was the punishment of all of us: and no doubt if people would but think of it in time it would deter them from many crimes. When the time arrived when a change should come over the mind of this country with respect to the necessity of inflicting capital punishment their Lordships would, he had no doubt, find that society could subsist without that which was now deemed to be required for its security. He might also state that it was remarked by those who were best acquainted with the habits of the mass of the people, that no class of men spoke so lightly with regard to the future as those who had entered on a criminal life. It was said by Mr. Edward Gibbon Wakefield, who was a good authority on the point, that he had known men, who during the honest period of their lives were men of considerable reflection, become, the moment they had entered on a criminal career, so entirely occupied with the present as altogether to lose sight of ulterior and higher objects, and to cast away all thoughts of a death on the scaffold. The Bill before the House would, he believed, effect a great improvement in the law, and he hoped the noble and learned Lord on the Woolsack would accede to the suggestion which had been made by the right rev. Prelate (the Bishop of Oxford), and provide that there should be some public sign whenever an execution was taking place within the walls of a prison.

THE EARL OF CARDIGAN said, that considering the disgust which had been shown at flogging in the army—a punishment which under proper restrictions he considered absolutely necessary for the maintenance of discipline—the suggestion that criminals guilty of murder should be sentenced to perpetual imprisonment, but should be periodically brought out and publicly whipped, was one of the most extraordinary, the most shocking, and the most revolting he had ever heard.

LORD BELPER gave his cordial assent to the Bill, though he could not concur with his noble Friends who wished to abolish capital punishment altogether. He agreed that the definition of murder required revision. That a man who fired off a gun with the intention of killing a fowl, and who accidentally killed a man, should, under certain circumstances, be held to be guilty of murder, was discreditable to our law. But so far from the Bill improving the legal definition of the offence, it seemed to him calculated to make the law still more uncertain.

LORD ROMILLY said, he had never suggested that murderers should periodically receive corporal punishment; on the contrary, he was in favour of the abolition of corporal punishment. All that he had said was intended as an answer to those who suggested that it was impossible to devise any special penalty for murder short of death.

THE EARL OF SHAFTESBURY said, he had some hopes that the Bill would do a good deal towards the protection of infant life. The protection which it would afford would, however, be imperfect unless it were supplemented by a collateral measure, taking cognizance of the number of still-born children. That number was at present very large — amounting to several thousand—every year, and as they were buried without registration or inquiry there were strong grounds for believing that a considerable portion of those who were placed under that category were actually murdered. Children said to be still-born were put in the hands of the sexton, were buried, and no record of them was kept. The subject was one which had been very much under his own consideration and that of others, and it was, he thought, possible that a measure might be framed by which accurate information with respect to the number of such children might be secured. As to executions taking place within the walls of a prison, he was of opinion that it would be, on the whole, an excellent arrangement. It was, however, he believed, the fact, that although the scene round the scaffold when a person was about to be executed was usually one of noise and disturbance and obscenity, the result of the assembling together of the lowest class of "roughs," yet a large number of persons came away deeply impressed on such occasions. Yet he was satisfied that, on the whole, the execution of the prisoners within the walls of the prison would have a much more salutary and deterrent effect. He trusted that the noble and learned Lord on the Woolsack, when he came to enact that clause, would take care to provide that there should be ample testimony to the fact of the execution; because he was quite sure that the great mass of the people would be anxious that some of their own class, even, should be admitted to see that the execution had been duly carried out. He thought such a system would have the best effect on the criminals themselves. He did not believe that the sense of shame had much influence on that class; indeed, he was convinced that in the great class from which murderers were taken the sense of shame was wholly extinct; and such men often looked forward to the time when they would appear on the scaffold and publicly exhibit their hardened state of mind to a crowd of their companions. But if these men knew that they would be executed within the walls of the gaol, and that they would have no opportunity of making such an exhibition on the scaffold, the impression produced on their minds would, he believed, be very serious; and he was sure that if the execution were attended by the tolling of the bell, the display of the black flag, and similar accompaniments, the imagination of the people outside would be deeply impressed. With regard to the feeling of the criminal class itself as to the justice of the punishment of death, he could state—and many persons still more conversant with that class than he was would bear him out—that the feeling among it was, that murder should be expiated by the death of the murderer. Only that morning a remarkable testimony was given to him on that point by a man who held in his house three times a week meetings of all the thieves and disorderly persons that he could get together, in the hope of doing them some good in a religious or moral sense. That man told him—and as the case was still the subject of inquiry, it would be better not to mention the particular criminal's name—that from every one of those persons, and they were very numerous, he had heard but one opinion—namely, that so fearful a criminal ought to be executed.

THE LORD CHANCELLOR explained, that when he said that no crime should be capitally punished except murder, he did not, of course, mean to exclude high treason.

After a few words from Lord DENMAN,

Motion *agreed to:* Bill read 2^a accordingly.

QUALIFICATION FOR OFFICES ABOLITION BILL—(No. 41.)—(*The Lord Houghton.*)

COMMITTEE. REPORT.

House in Committee (according to Order).

LORD HOUGHTON, in moving that the House go into Committee on this Bill, said, he thought it would be better, after the favourable reception given to the measure by their Lordships at a previous stage, if it were allowed to proceed in its present form. The question of a re-construction of the oaths and declarations taken and made by municipal functionaries might perhaps be one very well worth considering; but it was not necessary, and it might not be convenient, to consider it in connection with that particular Bill.

THE EARL OF DERBY regretted that the noble Lord had not acted on the suggestion which he had thrown out to him the other day, because at present they were legislating in a very slovenly mode in regard to the oaths taken by municipal officers. The oaths taken by Members of the Legislature having now been reduced to one plain, simple, and uniform shape, he thought a similar course ought to be followed in respect to the oaths taken by municipal officers and other persons. There was one part of the Bill which extended its provisions to any declarations taken under any other Act than those specified. This he thought very objectionable.

Lord HOUGHTON said, this was intended to apply to any Act not formally repealed. He hoped Her Majesty's Government would yet bring in a Bill which would regulate the oath to be taken by all persons. The present Bill applied to England only, and any improvement ought to extend to Scotland and Ireland.

Bill *reported*, without Amendment; and to be read 3ª on *Thursday* next.

House adjourned at half past Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 1, 1866.

MINUTES.]—Public Bills — *Ordered*—Mines Assessment; Admiralty Court (Ireland); Church Temporalities Acts (Ireland).*
Committee—Grand Juries Presentment (Ireland) (*re-comm.*)* [89.]

CONFEDERATION OF THE NORTH AMERICAN PROVINCES.—QUESTION.

Mr. ADDERLEY said, he would beg to ask the Secretary of State for the Colonies, Whether he has received intelligence of proceedings in both Houses of Legislature of Nova Scotia favourable to the confederation of the North American Provinces?

Mr. CARDWELL, in reply, said, he had received a letter from Her Majesty's Consul at New York, informing him that he had received from the Lieutenant Governor of Nova Scotia a communication to the effect that proceedings had taken place in both Houses of the Legislature of Nova Scotia favourable to the confederation of the North American Provinces. The majority in the Upper House was eight, and in the Lower House eleven.

CATTLE DISEASES PREVENTION ACT.

QUESTION.

Mr. CHEETHAM said, he would beg to ask the Secretary of State for the Home Department, If the Government will suspend the operation of Part I. of the Cattle Diseases Prevention Act, relating to the slaughtering of animals, and compensation for the same after the 10th of May?

Sir GEORGE GREY said, in reply, that these clauses, as originally enacted, were to remain in force only till the 15th of April, but they were continued by Order in Council till the 10th of May. The Privy Council had not yet been called on to consider the question of their continuance beyond that period; but, from the communications which had reached him from different parts of the country, where great advantage had resulted from the operation of these clauses—in fact the diminution of the cattle plague was attributed very much to their operation—he thought an Order in Council would be passed to continue the operation of these clauses beyond the 10th of May.

TOTNES ELECTION.

MOTION FOR A JOINT ADDRESS.

Mr. E. P. BOUVERIE, Chairman of the Reigate Election Committee, rose to move for a Commission to inquire into the existence of corrupt practices at the last election for Totnes. The Election Committee which had recently sat for the purposes of inquiring into the allegation of the petition presented against the returns for that borough, had found that there was reason to believe that corrupt practices had extensively prevailed in that borough at the last election. The Act under which they came to that finding was passed in 1852, and enabled Commissioners to be appointed on a joint Address of the two Houses of Parliament to the Crown. In case the Election Committee reported either that extensive corruption had prevailed, or that there was reason to believe that extensive corruption had prevailed, a Commission might, under the Act, be moved for to inquire into those practices. The House was aware that this Act had been put in operation by past Parliaments, and he believed four or five Commissions had been issued under it. He proposed very briefly to state to the House why it was that the Committee came to that finding in the case of the borough of Totnes; and he might begin by stating that in making this Motion he believed he expressed the unanimous opinion and desire of his colleagues as well as his own opinion. The case was rather a remarkable one. Totnes was a small borough, according to the Census of 1861 the population being only 4,000; since then, it had, according to calculation, been rather reduced, and was now between 3,000 and 4,000. The electors on the register were short of 400; the exact number was, he believed, 395.

Petitions were presented after the last general election against both the Gentlemen who were then returned, and the Committee appointed to inquire into the matter of that petition found that one of the Members had been guilty of a breach of the Act against corrupt practices, having made an offer of employment to one of the voters, with the view of influencing his vote; and they had therefore no alternative but to report him guilty of a breach of the Act and declare his election void. They also declared the other guilty of bribery and unseated him. The evidence which satisfied the Committee that they had reason to believe corrupt practices extensively prevailed at Totnes was not direct evidence brought before them to prove a general system of bribery; in fact, the cases of bribery brought by petition against the sitting Members were few originally, and substantially failed of proof. They were, strictly speaking, offers of bribery to voters who did not vote for the sitting Members, or the voters when produced swore they did not take bribes, though they had stated on other occasions they did. Therefore the evidence was not of a very complete or conclusive character. But a very curious and he believed almost unpredecented thing occurred in the Committee. A witness was produced for the purpose of contradicting one of the previous witnesses, and to prove that he had said he had had offers of money. That witness was named Screech; and on his cross-examination it appeared that he had been largely engaged by the opposite party in corrupting voters at Totnes. He appealed to the Chairman whether he was bound to answer the questions put to him. The Chairman told him he was bound to answer, because by a recent wholesome change of the law, a witness was not at liberty to screen himself from answering questions, the Committee having the power to give him a certificate which would exonerate him from any penalty. Screech had therefore to make a clean breast of it, and he told the Committee that he had been engaged on previous elections for the Liberal party, and at the last election for the Conservative party, to go about the borough offering to bribe, and bribing the electors. He admitted that he had applied to forty, and he believed that he had bribed twelve or fourteen. The reason he gave for not being more successful—and there was no reason to doubt his statement—was that those to whom he applied told him they had done better on the other side. He (Mr. Bouverie) thought the Committee—certainly he himself—had a sort of impression from the tenour of the evidence that there was a general system of corruption, and they were informed that the market price of votes in Totnes, which was quoted quite like a share-list on the Stock Exchange, was higher at the last election than it had ever been before. Screech was asked whether on previous elections, when he was employed by the Liberal side, money had been going to any amount? Oh yes, he said, the amount was fearful; but it was never so large as at the last election. He was given to understand that the market price of a vote at Totnes during the last election was something like £200. He was bound to say from the way in which this evidence was given, Screech's evidence appeared to be generally truthful. The witness was produced on the petitioners' side; and the opposing counsel, while seeking to discredit his testimony, had of course no interest in proving the general prevalence of corruption; the main facts were consequently elicited by questions from the Committee, who, having got upon the scent, felt it their duty to follow it up; but, as the House must be aware, they had but feeble means of getting out the whole truth. They had also before them a man named Harris, who was the witness that proved that Mr. Pender, the late sitting Member, had offered him a situation if he would not take an active part against him; and on this evidence, in fact, the Committee unseated the sitting Member. He was what would be generally called a respectable man in appearance and occupation, and though an attempt was made in cross-examination to throw doubt on his veracity, the Committee believed him to be a credible witness. This witness Harris said he had known Totnes from his youth; and he expressed his belief that there were not fifty electors in the borough who were not influenced, directly or indirectly, by money considerations. Harris calculated that there were seventy-five electors of Conservative and fifty of Liberal politics who were accessible to direct bribes. This was Harris' estimate of the political virtue and morality of Totnes; and the Committee unanimously arrived at the conclusion that there was strong reason to believe that bribery had extensively prevailed in the borough at the last election. The House would remember that by an Act more recent than that under which these Commissioners were appointed, an Election Committee was prevented from giving the go-by to the question, but was bound to report whether or not there was reason to believe that corrupt practices extensively prevailed. The Totnes Committee, with the evidence before them, could come to no other finding; and having come to that finding the natural and necessary conclusion, as the law stood, was that a Commission should be sent down to inquire into the existence of this corruption, and endeavour to get at the whole facts. He knew it was said that the Commissions that had been issued in previous Parliaments, though they gave rise to exciting discussions in that House, had led to no legislation in regard to corrupt boroughs, and were practically useless for any purpose except that of putting a certain amount of money into the pockets of the learned Gentlemen who carried on the investigation. He (Mr. Bouverie) was not, however, quite of that opinion, and at any rate, while the law existed in its present shape, he thought the House was bound to act upon it and appoint a Commission. Moreover, the first step to the remedy of a great evil was to ascertain the extent of that evil, and there was no effective method of probing this sore of corruption except a Commission of Inquiry. Having, therefore, stated briefly the grounds on which the Committee felt compelled to come to the conclusion that there was reason to believe that bribery had extensively prevailed at the last election for Totnes, it seemed to him that the proper step to take was to appoint a Commission. The right hon. Gentleman concluded by moving—

"That an humble address be presented to Her Majesty praying for the appointment of Henry Bullar, Montague Bere, and Charles E. Coleridge, Esqs., as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Totnes."

Mr. MORRISON seconded the Motion.

Motion made, and Question proposed,

That an humble Address be presented to Her Majesty, as followeth:—

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, beg leave humbly to represent to Your Majesty, that a Select Committee of the House of Commons, appointed to try a Petition complaining of an undue Election and Return for the Borough of Totnes, have reported to the House, that it has been distinctly stated by some witnesses, and the general tenor of the Evidence given leads the Committee to believe, that a system of gross corruption prevailed at the last Election for the Borough of Totnes, and also on former similar occasions, and that there is reason to believe that corrupt practices have extensively prevailed in the said Borough:

We therefore humbly pray your Majesty, that Your Majesty will be graciously pleased to cause inquiry to be made, pursuant to the Provisions of the Act of Parliament passed in the sixteenth year of the reign of Your Majesty, intituled, "An Act to provide for more effectual inquiry into the existence of Corrupt Practices at Elections for Members to serve in Parliament," by the appointment of Henry Bullar, esquire, Montague Bere, esquire, and Charles E. Coleridge, esquire, as Commissioners for the purpose of making inquiry into the existence of such corrupt practices.

Mr. BAXTER said, he did not rise for the purpose of opposing the Motion of his right hon. Friend, but he could not refrain from expressing a doubt whether such an inquiry would be attended with any practical result. In the course of the eleven years during which he had had the honour of a seat in that House he recollected at least three Commissions of a similar nature—namely, those of Gloucester, Wakefield, and Berwick-on-Tweed, in all which instances the Commissioners reported that corrupt practices extensively prevailed. Each of those inquiries cost £1,700 or £1,800, but none of them had been followed by any legislation. He would venture to submit that they had really quite sufficient evidence before them as to the existence of electoral corruption, not only in Totnes, but in Great Yarmouth, in Reigate, and various other places. It was not into the existence of the evil that they needed to inquire, but into the remedy. He was sure hon. Gentlemen would bear him out when he said that there was no part of our constitutional system of which we ought to be so thoroughly ashamed, and which intelligent foreigners, whether from the Continent or from the other side of the Atlantic, were so apt to put their finger upon, as the continued existence of these constituencies, which, as they all knew right well, could be bought and sold in the market. Apart altogether from the question of re-distribution of seats, it appeared to him that it was competent for Gentlemen on both sides of the House, without regard to their political opinions, to try and do something to put an end to a state of things so discreditable to the country. Her Majesty's Government, if he was not mistaken, had made some promise on the subject; but if they were not prepared to legislate upon it, he knew no one in whose hands it would be safer or more likely to be carried to a satisfactory conclusion than the right hon. Gentleman who had just sat down. It appeared to him that whenever Committees of that House had over and over again reported that corrupt practices prevailed in certain boroughs, those boroughs should by virtue of such Reports cease to return Members to that House. He felt satisfied that some self-acting law like that would do a great deal more to put down bribery than all the Commissions that had been or might be issued. It was perfectly obvious, too, that the law with respect to prosecutions for bribery should be changed, for at present, except in very rare cases, a man might give or take a bribe with perfect impunity. The true remedy, he thought, would be to render it imperative upon Her Majesty's Attorney General to prosecute every such offender, and instead of incapacitating a candidate who had been guilty of bribery from sitting in one Parliament, he would disqualify him for life. He had made these observations because he had often heard the remark made that the House was not in earnest in dealing with this subject, and that it always threw its shield over corrupt practices. He thought, therefore, that it was necessary for the sake of their own reputation, as well as for the public good, that they should set themselves seriously to legislate in such a manner that not only the constituencies but that individuals guilty of corrupt practices should be punished.

Mr. DARBY GRIFFITH said, he believed the right hon. Gentleman (Mr. Bouverie) would have the support of that side of the House in taking measures for the suppression of an evil which, as the right hon. Gentleman justly remarked, disgraced this country in the eyes of the world. Therefore, he did not rise to offer the least opposition to this Motion, which he should be glad to see carried further. There were now so many technicalities to be encountered before the Committee that it was almost impossible to obtain any satisfactory and rational verdict at all, and it was quite necessary that more stringent measures should be adopted. By the Act of 1852 it was required, before anything could be done, that proof should be given before the Committee that corrupt practices had extensively prevailed. They knew that before these Bribery Committees the real state of the case was very frequently concealed—for instance, at Helston it was said that both candidates were tarred with the same brush; and when one was ejected the other could not claim the seat. The Committee was satisfied with a single case of bribery sufficient to void the election, and the remainder of the case was concealed, and an Australian millionaire was sent down by the Liberal party and matters would probably be made still worse. These things were done with the assent of the leaders of the House. He should like to know what they were going to do with Nottingham? The first thing that the candidate there did was to put £3,000 into the hands of his solicitor, and to ask no questions; and it did not require much knowledge of the world to know in what manner that money would be spent. As many as 666 messengers were required in that borough; and yet in the face of these facts the small boroughs were continually being said to be particularly corrupt. Nottingham was not to be disfranchised, but a candidate who was connected with the Government in a remarkable manner was to be sent down to profit by the system. The fact was that the Committees of the House were not proper tribunals to take cognizance of these matters. For instance, the Chairman of the Committee was generally a layman, and barristers appeared before him and frequently raised difficult questions of law which he was incompetent to decide, and it was a matter of chance which way the decision went. ["Oh, oh!"] It was quite natural that hon. Gentlemen opposite who were such excessive purists should deprecate any discussion of this kind. The Chairman of a Committee must also necessarily be more or less a partizan of one side or the other; and a man of delicate feelings, believing that he was liable to be biassed on one side, would be unconsciously induced to bear hard upon the opposite side. They ought to get Gentlemen of great impartiality to occupy such a position, and they knew that at all events there were among the Members of the House thirty-three who were strictly impartial in their politics, and from among those the Chairman of Committees should be selected. Hon. Gentlemen opposite seemed to reserve all their wrath for particular instances of bribery, and let other cases pass by without observation. For his own part, he believed that it would be better to send out a Commission at once to investigate cases of this kind on the spot, without resorting to the expensive machinery of a Committee. The expenses of bringing a petition frequently operated as a denial of justice, especially as witnesses often for the sake of their expenses up to London stated things on the spot as facts which they could prove in evidence which they denied when before a Committee.

Mr. KENDALL protested against the charges of corruption which the hon. Member who had just sat down (Mr. Darby Griffith) had brought against a gentleman of high honour, who had utterly repudiated the charge that he had been guilty of corruption in any form. He was not justified in using such phrases as that both the candidates for Helston were "tarred with the same brush." It would be better if the hon. Gentleman were to speak less, and to be more careful when he did speak.

Mr. OWEN STANLEY trusted that if the Commission were appointed it would meet forthwith, and would come to an early decision upon the question laid before it.

Colonel EDWARDS was glad to find that the hon. Member for Devizes had met with one perfectly pure borough. He rose for the purpose of complaining that the borough he represented (Beverley) had been mentioned on several occasions as being included in the category of corrupt boroughs. Hon. Members would find by referring to a Report which had not long been issued that during the thirty-four years that had elapsed since the passing of the Reform Bill in 1832, only three petitions had been presented to that House against the borough of Beverley, and of those three two had failed, and in the third the then most Liberal Member of that House had been unseated. He thought it was a very hard case that a certain number of boroughs should be constantly paraded before the House as frightful examples of corruption, when, in fact, they were not more guilty than the others. In many instances petitions were presented against sitting Members for special purposes—he did not say that in all cases there was conspiracy; but it was well known that individuals might bring forward petitions for the purpose of extorting money from Members, and that at the last moment such petitions might be withdrawn. In the event of the law upon this subject being altered he trusted that the possibility he had referred to would not be lost sight of, and that measures would be taken that would put a stop to such practices. It was exceedingly unpleasant to hon. Members to be kept in a state of suspense for five or six months as to the nature of the evidence to be given against them, and to be taunted during that period with representing a corrupt borough. In conclusion, he begged again to vindicate the character of the borough he represented from the charges that were habitually made against it.

Mr. BRADY objected to the appointment of Commissions, as he believed, while they were most expensive, they were practically useless for the purpose for which they were intended. There was already sufficient evidence to prove that extensive bribery had prevailed at the recent election for Totnes. Why had not the Attorney General power to prosecute in cases of corruption as palpable as those proved to have occurred at that election? The hon. Gentleman the Member for Beverley (Colonel Edwards) stated that petitions were often withdrawn at the last moment. Now, in one instance which had come to his knowledge a candidate was perfectly prepared to show that the sitting Member had been guilty of corruption; but he had been compelled to withdraw his petition.

Colonel EDWARDS asked to whom the hon. Gentleman alluded.

Mr. BRADY declined to answer the question. The gentleman to whom he had referred had been compelled to withdraw his petition against the sitting Member, in obedience to the request of 100 of his own supporters. ["Name, name!"] He believed that the House would accept his statement on his vouching to its truth. He did not see that the issuing of the Commission in this instance could result in any good; but he trusted that the necessity for issuing so many Commissions after one general election would have the effect of attracting attention and showing the importance of action being taken in the matter.

Sir GEORGE GREY thought that it was quite right that in the case of a borough in which an Election Committee had reported that corrupt practices had extensively prevailed, the House should exercise the power placed in its hands, and adopt the course now proposed in order to ascertain whether the opinion of the Committee was well founded; and to take ulterior measures if it should be found that corrupt practices had extensively prevailed. He agreed that the proceeding involved delay, but he thought it would be too stringent a course to disfranchise a borough on the Report of an Election Committee.

MR. BAXTER desired to explain. His proposal was that a borough should be disfranchised on the Report of an Election Committee, where it had previously been made the subject of similar Reports.

SIR GEORGE GREY: But the Report of one Committee as to the last election adds no weight to the opinions of a previous Committee. The question was as to the best means of ascertaining the fact of bribery. But where a Committee reported that there was extensive bribery, and a Commission reported to the same effect, he thought they ought to be less slow in dealing with the delinquent borough. He believed that disfranchisement in such a case would greatly tend to check corruption.

MR. DARBY GRIFFITH explained to the hon. Gentleman the Member for East Cornwall (Mr. Kendall) that the statement he had made with regard to the defeated candidate for the borough of Helston was made upon report only. He was, however, perfectly willing to accept the disclaimer, and would retract with pleasure any imputations which he had made.

Motion *agreed to*.

Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto.—(*Mr. Bouverie.*)

GREAT YARMOUTH ELECTION.

MOTION FOR A JOINT ADDRESS.

MR. MOWBRAY, Chairman of the Great Yarmouth Election Committee, rose to propose for that borough a similar Commission to that to which the House had agreed in the case of Totnes. The borough of Great Yarmouth differed in many respects from the borough of Totnes; but, although the former, instead of being a small, was a populous and rapidly increasing borough, the same atmosphere of corruption appeared to prevail in both. A Commission, however, for Great Yarmouth was emphatically necessary, because, as he should be able to show the House, corruption had prevailed in the borough ever since the passing of the Reform Bill. There had been repeated inquiries into the elections at Great Yarmouth, and the House had even disfranchised a certain portion of the electors of the borough—the freemen—but had failed to effect any improvement. The population of Great Yarmouth, according to the Census of 1861, was 34,810; and in 1866 it was computed at 36,959. In 1835 there were 643 £10 occupiers and 1,042 freemen; and in 1866 there were 1,640 £10 occupiers. By the recent Electoral Returns they learnt that of these voters 324 belonged to the working class, and the person by whom that estimate had been furnished had appended a note, which was not only curious in itself, but was peculiar to the return for Great Yarmouth. That note was as follows:—

> "With reference to the number of the working classes on the register it is stated that a great many persons who came within that description occupy houses at and above £10 rental, whose wives let their houses or apartments to visitors in the summer months, living in some portion of the house, or managing to keep a room or closet to themselves, so as to keep on the register and possess the franchise, which in Yarmouth is considered of some importance."

Abundant evidence had been adduced before the Committee in the course of the inquiry to show that in Great Yarmouth the franchise was rightly enough regarded as a matter of importance, for four cases of bribery were proved against the sitting Members, and seven against the defeated candidates, all of the latter seven voters, however, having either received or been offered money to vote for the sitting Members. He did not purpose calling the attention of the House to the evidence taken before the Committee, because that evidence was already in the hands of Members, but he would refer for a moment or two to matters connected with former elections for this borough. The history of corruption in Great Yarmouth dated, indeed, as far back as the Reform Bill. In 1835 a Select Committee was appointed to examine into a petition presented complaining that the sum of two guineas per head had after the election of 1834 been paid to many of the voters. That Committee reported that up to the passing of the Reform Act it was the invariable practice, or nearly so, to pay two guineas to each voter who applied for it on each side of the question, without reference to the success of the candidates. The invariability and impartiality of the payment was alleged to have divested it of the character of bribery. That payment was discontinued in 1832. Still that election—the first after the Reform Bill—cost the successful candidates between

£5,000 and £6,000. In 1834 the election cost the non-successful candidates £3,300, and the successful candidates £5,620. £1,200 was paid to the voters for the successful candidates, above £900 to 450 freemen, and £300 to £10 householders. Considerable drunkenness and excitement prevailed. 6,000 half-crown and 2,000 five-shilling tickets were printed for the successful party. The next petition was presented in 1848, when Lord Arthur Lennox and Mr. Coope were unseated for bribery by their agents. On that occasion thirteen persons were proved to have received £3 each, and the Committee reported that gross, systematic, and extensive bribery prevailed at the last and at the previous election for Great Yarmouth among the freemen of that borough. The Committee expressed to the House their unanimous opinion that the freemen should be disfranchised, and that no writ should be issued until legislative measures should have been taken for the purpose of such disfranchisement. In accordance with the recommendation of that Committee the freemen were disfranchised; but little was done by that means towards checking corruption. In 1857 Mr. M'Cullagh Torrens and Mr. Watkin were unseated for bribery by their agents, and on that occasion four persons were shown to have been bribed with sums of £3, £5, £6, and £10. In 1860 Sir Edmund Lacon and Sir Henry Stracey were declared duly elected. It was proved to the Committee appointed to examine concerning that election that four persons were bribed with £13 and £15 and that one Spilling endeavoured to bribe one Crane by offer of a sovereign. He could well understand that any attempt to bribe a voter of this borough with a sovereign must be futile, because the price of Yarmouth bloaters appeared to have increased of late years something after the increase which had taken place lately in the price of oysters in London. Before the passing of the Reform Bill the price was two guineas a head. In 1832, as soon as the Reform Bill had passed, they rose to the value of £3 each. In 1852 they reached the value of £10 each. In 1860 the price ranged from £13 to £16, and in the last year, at the election, their value was something between £15 and £30 a head. In the late election, moreover, a new feature had been developed, for there were two gentlemen who stated before the Committee that they did not regard it as inconsistent with their political morality to receive bribes from both sides, and in fact, one of them had received £15 from each side, and the other £10 from one side and £15 from the other. It also appeared that a practice prevailed in the borough of getting 10*s*. commission for obtaining these sums of £10 or £20 as bribes for voters; and the whole of the facts detailed before the Committee led to the conclusion that gross corruption had prevailed during the election. But the question might be raised as to whether a Commission would produce a more satisfactory result than a Committee; and to that he would reply that the Committee had been prevented from obtaining the evidence of several witnesses who could have supplied important information; and the Committee had, therefore, been unable to go fully into the case. A Commission, however, being on the spot, would be able to take much evidence which the Committee could not obtain, and he felt sure that the Commissioners would be able to lay before the House a much more complete picture of the state of things prevailing in the borough than it was possible the Committee could.

Motion made, and Question proposed,

That an humble Address be presented to Her Majesty, as followeth:—

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, beg leave humbly to represent to Your Majesty, that a Select Committee of the House of Commons, appointed to try a Petition complaining of an undue Election and Return for the Borough of Great Yarmouth, have reported to the House, that they had reason to believe that corrupt practices have extensively prevailed at the last Election for the Borough of Great Yarmouth:

We therefore humbly pray Your Majesty, that Your Majesty will be graciously pleased to cause inquiry to be made, pursuant to the Provisions of the Act of Parliament passed in the sixteenth year of the reign of Your Majesty, intituled, "An Act to provide for more effectual inquiry into the existence of Corrupt Practices at Elections for Members to serve in Parliament," by the appointment of Wyndham Slade, esquire, Augustus Keppel Stephenson, esquire, and George Russell, esquire, as Commissioners for the purpose of making inquiry into the existence of such corrupt practices.

Motion *agreed to.*

Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto.—(*Mr. Mowbray.*)

REIGATE ELECTION.

MOTION FOR A JOINT ADDRESS.

Mr. HUSSEY VIVIAN, Chairman of the Reigate Election Committee, in rising to move for a Royal Commission to inquire into the existence of corrupt practices at the last Election for the borough of Reigate, presented a petition from the inhabitants of the borough urging the necessity for such an inquiry. The petition was signed by 140 inhabitants, including the high bailiff, the mayor, the vicar, every clergyman resident in the neighbourhood, and by the chairmen of both candidates. The fact that these last-mentioned signatures were attached to the petition, in company with the signatures of a large number of the most respectable people of the borough, showed that very corrupt practices must have prevailed there, and that the more respectable among the inhabitants felt strongly aggrieved at the fact. Among the fourteen cases of bribery brought before the Committee, seven were clearly proved. They found that very many promises had been given, and that many of the electors seemed to look upon their vote as so much marketable property—in fact, it seemed to be almost a part of the political creed of a great number of the electors that they ought not to vote unless they had received a promise of some pecuniary consideration. But although the Committee were generally impressed with the corrupt state of the borough, it was impossible for them to report fully upon that point, as it was the desire of the parties who came before them rather to make out specific charges against their political opponent than to blacken the borough. The consequence was, that their conclusions must be come to rather from inference than from absolute proved facts. It was proved before the Committee that a witness named Allen Edwards stated that one Joyce, a sub-agent of the then sitting Member, had offered him £5 "to vote for Gower." He promised to do so; but because he did not receive the promised £5 he voted for Mr. Richardson, a gentleman who, it appeared, had no idea of standing for the borough, as he had either proposed or seconded Mr. Monson as a candidate. It was fair to presume that eleven other persons who voted for Mr. Richardson did so from similar motives. A man named Johnson stated that Joyce had said to him, with reference to a voter named Pitt, "I did think he was square, but he wanted buying the same as the others; he wanted a fiver I had promised him, and more if I could get it." From this and other evidence, the Committee came to the conclusion that "a fiver" was the price of a Reigate vote. That sum had, it appeared, been promised right and left, but in many cases nothing had been paid. The electors looked upon the bribe as so much a matter of course that one voter who was not paid had actually brought an action against the agent who promised him for the recovery of the £5 as a debt. When the case came on in the County Court, forty other voters cherishing a similar grievance were present in court, fully resolved to follow his example if he were successful, but of course he was not. Other evidence was forthcoming touching the number of promises made. A person appeared in Reigate after the election calling himself Mr. Naylor. It turned out subsequently that was not his name, but that he was a publican of Shoreditch. He announced on his arrival in Reigate that he was the representative of Mr. Gower, and that he had come to settle with all those who had been promised money for their votes. A number of the "promised" voters fell into the trap, and although he diligently recorded their names, he gave them no satisfaction, and soon afterwards some one else called upon them and took down their statements in writing. Indications were given in the evidence produced before the Committee of corrupt practices having prevailed at previous elections. It was not competent for the Committee to inquire into these matters; but a Royal Commission would be able to do so, and that was one reason which led him to urge its appointment. He was not now giving the House the names of those witnesses who were reported as having been absolutely bribed. A voter named George Jupp, canvassed by Mr. Green, admitted that he had received £10 for voting for Mr. Gower. The evidence taken before the Committee was as follows:—

"And there, outside the Committee-room, did you see Mr. Green ?—Yes. Did he say to you anything about voting ?—Yes; he said to me, 'Are you coming upon our side again ? You seem backward in coming forward.' I said, 'I do not know.' He said, 'Did I not behave well to you before ?' I said, 'Yes.' 'Well,' he said, 'I will do the same to you again.' That was an answer. What did he give to you before ?—I cannot exactly say what it was; it was about £10. He gave you about £10 before ?—Yes. Was that for voting before ?—And canvassing a little. I infer from what you say that you had voted for Mr.

Gower upon former occasions ?—Yes. Had you canvassed for him upon a former occasion ?—All that I did was to take one circular."

There was also the case of the voter named Balchin, which was a peculiar one. This man admitted that he had received £5 in the first instance from the opponents of the sitting Members, and that he subsequently received £2 15*s.* from the agents of those Members, so that he obtained bribes from both sides. He said that he had been employed to look after voters; but it was very evident that he required a good deal of looking after himself—for the whole night previous to the election he was held in confinement, and kept in a state of drunkenness. During the night, whether he desired to go back to his former love or not, it was impossible to say; but when he made a search for his boots he was not able to find them. The next day he was taken in a cart to the polling-booth. He stated that he knew for whom he voted; but the Committee were unable to determine whether he was really aware for whom he was recording his vote. The cases he had mentioned clearly proved that corrupt practices extensively prevailed at the last election. On the whole, there could be no doubt that if ever there was a case clearly made out for the appointment of a Commission of Inquiry on account of bribery and corrupt practices it was that of the borough of Reigate.

Motion made, and Question proposed,

That an humble Address be presented to Her Majesty, as followeth :—

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland in Parliament assembled, beg leave humbly to represent to Your Majesty, that a Select Committee of the House of Commons, appointed to try a Petition complaining of an undue Election and Return for the Borough of Reigate, have reported to the House, that corrupt practices have extensively prevailed at the last Election for the said Borough :

We therefore humbly pray your Majesty, that Your Majesty will be graciously pleased to cause inquiry to be made, pursuant to the Provisions of the Act of Parliament passed in the sixteenth year of the reign of Your Majesty, intituled, "An Act to provide for more effectual inquiry into the existence of Corrupt Practices at Elections for Members to serve in Parliament," by the appointment of Thomas Allen, esquire, Frederick James Smith, esquire, and T. D. Archibald, esquire, as Commissioners for the purpose of making inquiry into the existence of such corrupt practices.

Mr. BUXTON said, that the remarks of the hon. Member who had just sat down forcibly showed how necessary it was that the course pointed out by the hon. Member for Dundee (Mr. Baxter) should be adopted—namely, that the agent guilty of the act of bribery should be rendered liable to be prosecuted for the offence. In the present case it was clearly shown that Mr. Gower was innocent of the bribery which had been proved, and from his knowledge of that gentleman he was convinced that he would do all in his power to check corrupt practices. Over zealous supporters would be restrained from resorting to illegal acts if they knew that the Attorney General would, as a matter of course, prosecute every person who was proved to be guilty of bribery. That was the only way of effectually checking such proceedings.

Mr. DUTTON, as a member of the Reigate Election Committee, said, that he did not think it was possible to conceive a worse case than that of Reigate. In the borough there was no political feeling whatever; it was entirely in the hands of the Liberals; and the consequence was that the electors, to a large extent, only looked out for the man who would pay them the most money for their votes. There was, in fact, hardly a man in the place who had not been bribed.

Mr. BRADY asked the House what they would do after these inquiries had taken place? What practical step was expected to result from the inquiries to be made by the Commission? Four Commissions of Inquiry had already been moved for — he did not know how many more were to follow—but about £8,000 at least must be expended upon them. In his opinion not the slightest profitable result would follow those investigations. When the Corrupt Practices Bill was before the House he placed an Amendment upon the table to the effect that all Members, on being sworn, should deliver an account in writing of their expenses, and declare that those expenses were all that were incurred by them, or that they had paid, or intended to pay by themselves or their agents. That Amendment, however, was not accepted by the House; and that fact went a long way to prove that the House was not thoroughly honest in their intention to put down corruption. He hoped that the Government, for the protection of the public purse, would ask themselves, before they went further into these Commissions, what benefits would result from them.

Mr. GREGORY concurred in the opinion that in order effectually to check bribery and corruption at elections, it would be necessary to instruct the Attorney General to prosecute all persons guilty of such illegal proceedings. He wished to point out to the House, however, that cases might arise, and frequently did arise in which bribery was practised, without either the candidate or his agents having had anything to do with it; and then constituencies got a bad name. He had risen to make these remarks because an impression seemed to him to prevail in the House that the course pursued by the Wakefield Committee was that of undue leniency. Now, only two cases of bribery were proved before the Committee, and they were not in the smallest degree attributable to the candidate, his committee, or his agents. In another case money was offered by a person who, in vulgar parlance, would be called a sporting man; he had entered into very large bets on the result of the election petition, and he spent a great deal of money on his own account, in order that he might win them. In every other case where money was offered it was refused. He had taken the opportunity of vindicating the character of Wakefield, which he must say he thought had been very unfairly aspersed. All the evidence that could be obtained was laid before the Committee, and it clearly proved that the last election for Wakefield was an extremely pure election.

Sir MATTHEW RIDLEY, as a Member of the Wakefield Election Committee, corrobarated the statement of the hon. Member for Galway (Mr. Gregory). It was utterly impossible to connect the sitting Member or his committee with any of the cases of bribery and corruption which were proved to have occurred. It was not proved that bribery had been offered or committed by any agents of the sitting Member or by any of his committee.

Mr. E. P. BOUVERIE said, it appeared that these Commissions did some good, because at the last election for Wakefield, it had not been shown that there was any bribery committed by the sitting Member for that borough or his agents. He wished to set his hon. Friend the Member for East Surrey (Mr. Buxton) right as to the law upon the subject. His hon. Friend suggested that instructions ought to be given to the Attorney General to prosecute in all cases reported to the House. Now, that was the law at present. [The Attorney General: That is after a Commission.] He read it in the alternative—either a Committee or Commission. They disfranchised Sudbury without the Report of a Commission, and St. Alban's after one. The general Act was passed for the appointment of Commissions where extensive bribery was supposed to have been practised, with the view of Parliament dealing with it afterwards. He hoped that when it could be proved that any of these boroughs had been guilty of bribery, that the House would be prepared to disfranchise them.

The ATTORNEY GENERAL said, that if his right hon. Friend looked at the latter part of the clause, he would see that it contemplated the case of a Commission after the Report of a Select Committee; but he admitted the clause was not well worded, because the words were "such Report with the evidence taken before the Committee, shall be laid before the Attorney General." He apprehended the Home Secretary would cause the evidence to be laid before the Attorney General, and he would be bound to prosecute unless he in his judgment thought that evidence to be insufficient. It by no means followed that there must be a Commission; for he had not the least doubt that, in any case where an Election Committee reported that bribery and treating had prevailed, it would be competent for that House, without a Commission, on their own Motion, to direct the Attorney General to prosecute, or to lay papers before him with a view of his prosecuting, and that on the Resolution of the House.

Mr. DARBY GRIFFITH said, he must protest, with all due deference to the Chairman of the Wakefield Election Committee, against the statement that no bribery had been committed, because it had not been proved that the bribery was by the agents of the sitting Member. How was the Committee to know that the bribery had not been committed by some person who had been secretly commissioned to do so.

Mr. Alderman LUSK said, he had listened with great attention to all that had been stated with regard to these delinquent boroughs, and it appeared to him that the only and best remedy against bribery was the ballot. He believed they might as well try to keep sparrows out of a field by stone walls, as to prevent bribery by fencing it round without the ballot.

Motion *agreed to.*

Ordered, That the said Address be communicated to The Lords, and their concurrence desired thereto.—(*Mr. Hussey Vivian.*)

POOR LAW—MINES ASSESSMENT.

LEAVE.

Mr. STEPHEN CAVE, in moving to introduce a Bill to amend the law in England and Wales with reference to the Assessment of Mines to the relief of the Poor, said, that as he understood the right hon. Gentleman the President of the Board of Trade had no objection to its introduction, he should reserve any observations he had to make upon it until the second reading.

Mr. COLVILE said, he regretted that the hon. Gentleman should, at this time more especially, when the mining interest was in such a depressed state, bring in such a Bill. It should be remembered that three Bills, which had been brought in before with the same object, had failed, because the opinion of the House was that this description of property was of too speculative a nature to be rated. He should be happy to meet the hon. Gentleman on the whole question of rating, but he was at a loss to know why the mining interest alone any more than timber, young plantations, and even shipping, should be the object of the hon. Member's attack. He should feel it to be his duty, representing, as he did, the mining interest, to oppose the further progress of the Bill at every stage.

Motion *agreed to.*

Bill to amend the Law in England and Wales with reference to the Assessment of Mines to the Relief of the Poor, *ordered* to be brought in by Mr. Stephen Cave, Mr. Henderson, Mr. Percy Wyndham, and Mr. W. E. Duncombe.

LANCASTER BOROUGH ELECTION.

MOTION FOR A JOINT ADDRESS.

Mr. HOWES, Chairman of the Lancaster Election Committee, said, that after the discussion that had taken place that evening with reference to the other reputed boroughs, he thought it was unnecessary for him to take up the time of the House by entering in detail into the circumstances connected with the last election for the borough of Lancaster. The Committee had unanimously reported that they had reason to believe that bribery extensively prevailed at the last election for Lancaster. He might, however, further add that it was the unanimous opinion of the Committee that bribery was practised there in an open, and unblushing and systematic manner. And it was admitted by the counsel for the petitioners that the unsuccessful candidate was unable to claim his seat because his agents could not come out of the proceedings with clean hands. It was admitted as fact that there was as much bribery practised on one side as on the other.

Motion made, and Question proposed,

> That an humble Address be presented to Her Majesty, as followeth:—
>
> Most Gracious Sovereign,
>
> We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, beg leave humbly to represent to Your Majesty, that a Select Committee of the House of Commons, appointed to try a Petition complaining of an undue Election and Return for the Borough of Lancaster, have reported to the House, that they had reason to believe that corrupt practices extensively prevailed at the last Election for the Borough of Lancaster:
>
> We therefore humbly pray Your Majesty, that Your Majesty will be graciously pleased to cause inquiry to be made pursuant to the Provisions of the Act of Parliament passed in the sixteenth year of the reign of Your Majesty, intituled, "An Act to provide for more effectual inquiry into the existence of Corrupt Practices at Elections for Members to serve in Parliament," by the appointment of W. F. Fletcher Boughey, esquire, Thomas Irwin Barstow, esquire, and Robert M. Newton, esquire, as Commissioners for the purpose of making inquiry into the existence of such corrupt practices.

Motion *agreed to.*

Ordered, That the said Address be communicated to The Lords, and their concurrence desired thereto.—(*Mr. Howes.*)

ADMIRALTY COURT (IRELAND.)

LEAVE.

The ATTORNEY GENERAL for IRELAND (Mr. Lawson), in moving for leave to introduce a Bill to extend the jurisdiction, alter and amend the procedure and practice, and regulate the establishment of the Court of Admiralty, Ireland, said, that as he understood there would be no opposition to the introduction of the Bill, he would merely content himself by saying that its object was to unite the business of the Irish Court of Admiralty with that of the Irish Court of Probate.

Mr. WHITESIDE remarked that there could not be a better Judge for the discharge of such responsible duties than the present Judge of the Irish Court of Probate. The only question was whether the learned Judge would like to have this jurisdiction transferred to him.

SIR ROBERT PEEL desired to know what was to be done with the present Judge of the Admiralty Court—whether he was to discharge other duties, or whether he was to be superannuated.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) said, it was proposed to allow the present Judge of the Admiralty Court to retire upon his full salary.

SIR COLMAN O'LOGHLEN objected to the two Courts of Admiralty and Probate being united. The jurisdiction of the Irish Court of Admiralty might be extended beneficially, and it should be placed upon the same footing as that of England. He wished to know whether the proctors of the Irish Court of Admiralty would receive compensation in the event of that Court being thrown open to the profession generally.

MR. PIM said, that what was required in the Court of Admiralty was prompt decision. He thought that a remedy ought to be provided for the existing evils, of which complaint was so justly made.

MR. MAGUIRE thought that the Government had acted wisely in dealing with this question, but did not approve the course adopted in ignoring some of the most material recommendations of the Commission by whom this matter had been considered. He was in favour of reforming the practice and procedure and extending the jurisdiction of the Court, and continuing it as a separate and independent Court, as recommended by the unanimous Report of the Royal Commission. He did not recommend the superannuation of the present painstaking Judge; but should there be an intention on the part of the Government to superannuate that Judge, he then said it would be a more politic course to carry out that intention, and appoint a new Judge to preside over a Court whose business would be certain to be very much increased by the assimilation of its practice with that of the English Court of Admiralty, than to hand it over to the eminent Judge of the Probate Court who had sufficient business of his own to occupy his time.

THE SOLICITOR GENERAL FOR IRELAND (Mr. SULLIVAN) said, that the Judge of the Probate Court would be able to discharge the additional duty.

MR. SERJEANT ARMSTRONG concurred in the opinion that the recommendations of a Commission ought, as a rule, to be accepted. He did not purpose discussing the details of a Bill not before the House, but he trusted that the Government would be prepared at the right time to show that the Commissioners had made a great mistake, and that they were not entitled to the confidence of the House.

Motion *agreed to.*

Bill to extend the jurisdiction, alter and amend the procedure and practice, and regulate the establishment of the Court of Admiralty, Ireland, *ordered* to be brought in by Mr. ATTORNEY GENERAL for IRELAND and Mr. SOLICITOR GENERAL for Ireland.

REPRESENTATION OF THE PEOPLE BILL (HARDEN PETITION).

Order [24th April], That a Select Committee be appointed, "to inquire whether the signatures to the Petition presented to this House upon the 12th day of April 1866, professing to be a Petition of Inhabitants of Harden, near Bingley, in the County of York, in favour of the Representation of the People Bill, are the genuine signatures of the persons whose signatures they profess to be; and under what circumstances such signatures were annexed," read.

Motion made, and Question proposed, "That the said Order be discharged."—(*Mr. Ferrand.*)

Motion, by leave, *withdrawn.*

Notice taken that 40 Members were not present,—Committee counted, and 40 Members not being present:

Mr. Speaker resumed the Chair:—House counted, and 40 Members not being present:

House adjourned at half after
Seven o'clock.

HOUSE OF COMMONS,

Wednesday, May 2, 1866.

MINUTES.] — SELECT COMMITTEE — *Report* — Kitchen and Refreshment Rooms (House of Commons), First Report. (No. 228.)

SUPPLY — *considered in Committee—Resolutions* [April 30] *reported.*

PUBLIC BILLS — *Ordered* — Burials in Burghs (Scotland).*

First Reading—Burials in Burghs (Scotland)* [132]; Admiralty Court (Ireland)* [133]; Church Temporalities Acts (Ireland)* [134].

Second Reading — Marriage with a Deceased Wife's Sister [50], *negatived;* Glebe Lands (Scotland) [115].

Committee—Public Companies* [35].

Report—Public Companies* [35.]

CASE OF EMILY JANE BALLARD.

QUESTION.

Mr. SHERRIFF said, he would beg to ask the Secretary of State for the Home Department, What course has been pursued in reference to a case which occurred near Redditch, Worcestershire? The facts had been reported in the newspapers, and were to the effect that Mr. Gray, a minister of the Church of England and a magistrate in the county of Worcester, had sent a child named Emily Jane Ballard, to the lock-up, where she was detained from Monday to Friday, on the charge of having purloined a penny from the pocket of another child. The case was investigated by the magistrates at Petty Sessions, and dismissed.

Sir GEORGE GREY said, in reply, that he had called on the magistrates for a Report upon the case, and they sent him a full statement of all the circumstances. On reading the statement, he thought that the case required the attention of the Lord Chancellor, with whom alone rested the power of removing a magistrate from the Commission of the Peace, and, without expressing any opinion of his own, he sent to the noble and learned Lord all the papers connected with the subject. A few days ago he received the following letter from the Lord Chancellor:—

"I have the honour to inform you that upon receipt of your letter of the 5th instant, inclosing a statement by the Justices of Redditch Petty Sessions, as to the case of Emily Jane Ballard, a little girl charged with stealing a penny, and the conduct of the Rev. George Robert Gray, vicar of Inkberrow, in reference thereto, I wrote to that gentleman pointing out the great impropriety of his conduct in ordering the girl to be taken to Redditch, without any information on oath or legal warrant, and to be there confined for four days without bail. I also requested to know what explanation he had to offer. Mr. Gray has since forwarded to me a long letter of explanation, in which, while admitting the facts as reported by the other Justices, he urges that he was actuated by the most conscientious motives, and trusts that his good intentions and long services may be taken as a set-off against the single error in judgment. Upon consideration of the whole case, and taking into account Mr. Gray's long services on the Bench, and believing that he was actuated by no improper motives, I have felt myself justified, notwithstanding the great indiscretion of which he has been guilty, in abstaining from the extreme measure of removing him from the Commission of the Peace. I have accordingly written to him intimating that in the circumstances of the case I should refrain from taking further action, though highly condemning his conduct."

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL—[Bill 50.]

(*Mr. Chambers, Mr. Hankey, Mr. Morley.*)

SECOND READING.

Order for Second Reading read.

Mr. THOMAS CHAMBERS, in moving the second reading of this Bill, said, that considering the illustrious men who had preceded him in the advocacy of this cause, he had undertaken the conduct of the measure, not spontaneously, but on account of having been very much pressed to do so by those who were favourable to the proposed legislation. For a great many years the question had been before Parliament and the country, and as the result of discussion usually was to elicit the truth and lead to a satisfactory settlement of debated questions, he was inclined to believe that a similar effect would be produced in the present case. He was aware that the subject was a difficult and delicate one, but he trusted to be able to bring it under the consideration of the House without trespassing beyond the fair limits of discussion. It was an advantage in dealing with this subject that it was not a party or sectarian question. The supporters of the present Bill did not wish to coerce any man's conscience, but all they desired was that the law should be put in such a state that a man's freedom of action should not be limited according to other men's consciences. What was now asked for was demanded *simpliciter*, and not as an instalment of larger demands hereafter for altering the law of marriage. He had been surprised to see an advertisement in *The Times* newspaper, proceeding from the Church Union, representing that the Amendment in opposition to the Bill, which was to be moved by the hon. Member for Northamptonshire (Mr. Hunt), would be supported by all the Conservatives and by the Scotch Members, for it was not true that it would be supported by all the Conservatives, or by all the Scotch Members, several of whom were favourable to the proposal; whilst 20 per cent of the advocates of the proposed change were Conservatives. A little while ago a deputation went to Lord Derby on the subject of this Bill, and that noble Lord, after stating that the balance of his opinion was rather against the proposed change of the law, distinctly declared that he would never sanction the question being made a party question or the identification of the Conservative party with it. It would be premature and unwise summarily to alter any law which had existed for a very long time, but when the people had come to an understanding on a question after full consideration, then it would be unwise in the House to refuse to follow public opinion, and to decline to change the law. Speaking generally, he maintained that the opinion prevailed among the public of all classes that the restriction which the present Bill proposed to remove was an unwise restriction. Not only was such the opinion in this country, but the voice of Christendom itself had come to a tolerable unanimity on the question. The ground he took enabled him to use no timid tone in this matter, and he declared that every day the restriction continued injustice was committed. What was the history of this question? There was no trace for 4,000 years in any country, however intelligent and civilized, of such a restriction on marriage, a fact utterly incredible, if the marriages in question were incompatible with the purity, the happiness, or the refined affections of domestic life. He was confident that neither in ancient Rome nor in Greece, whose codes of marriage law were exceedingly good, did the restriction exist which it was the object of the present measure to remove; yet any unnatural connection in relation to marriage even though inadvertent, was denounced in the literature of those times, and described as sure to bring down the vengeance of the gods. The Jewish law was the marriage law of this country. It was the only law on Divine authority, and there was no addition to it or alteration of it in the New Testament. He believed that law to be absolutely binding on the Jewish Church and on all Christian Churches to the end of time. If the marriage in question were against God's law, there was an end of the matter, and every hon. Gentleman who now supported the Bill would in such case abandon it. But the supporters of the Bill contended that this kind of marriage was not against God's law. The law was as binding and as extensive as at the time when it was first given, but no further; and there was an implied sanction in the New Testament that the law was a perfect law, because though reference to it occurs several times, no alteration was introduced under the new dispensation. No one would dispute that one of the earliest errors and heresies which crept into the Christian Church was a mistaken view with respect to marriage. For the first 300 years of the Christian era there was no law restraining the marriage which it was now sought to legalize, unless it applied to the clergy alone; but a spirit of asceticism crept into the Church, and the result was that one restriction after another was imposed, until prohibitions against the marriage of relations up to the seventh degree of consanguinity and affinity were established. Not only that; but spiritual affinity, as it was called, was included, arising out of sponsorship or baptism, for the law then allowed baptism by laymen. This state of things, so intolerable to the laity, was altered by the Church in the year 1235, and the prohibition brought back to the fourth degree. In those days the clergy were the only educated persons, and the laity were in a great degree in their hands, and yet they reduced the prohibitory degrees to the fourth, as he had stated. Notwithstanding that, if we looked to the 32nd of Henry VIII., we should find what were the mischiefs produced in society by the state of the law at the time. It was there recited that in consequence of the inconveniences which had ensued, and might ensue from divers persons who had long continued in matrimony being divorced and separated contrary to God's law, though the marriage had been solemnized in the face of the Church, and children born of it, and by reason of other prohibiting than God's law admitteth, which else were lawful, and so disturbing married persons, &c., the Act went on to say that it made lawful all such marriages as might not be prohibited by God's law. It would be seen from that Act that, notwithstanding the change made in the Church law on the subject, a further change was necessary for the purpose of removing the grievances which were caused by the previous state of things. The opponents of the Bill would say that the Reformers left this among the prohibited degrees. It was true that they did, but universal Christendom now admitted that they made a mistake in doing so. ["No, no!"] He was quite sure the Church of England said so. In his opinion, upon this point the Reformers were mistaken. But, however, the point which was material to his argument was this, that we began with the Divine law, we went on through hundreds of years under Church law, and when we come to change we come back to God's law. The foundation of the statute law of this country on the subject of marriage was God's law, and the advocates of this measure would not be turned aside by shifting them from God's law to Church law, because were it not for the enlightened opinion of the laity on the question, Church law might still be enforced. The time of Henry VIII., however, was not the most favourable for determining such things as these, because the statutes in that reign were framed very much upon what was considered the King's feelings, and the political convenience of the day. Now, the state of the law which resulted from the passing of the Act of Henry continued for 300 years, and all that time marriage with a deceased's wife's sister was unlawful, but was it not contracted? Why, during the whole of that time, from 1530 to 1835, any person might have married any other person, however allied to him by affinity, only subject to the Ecclesiastical Courts setting the marriage aside during the lifetime of both the parties. So that virtually a man might have married his step-mother or his step-daughter, subject to the censures of the Ecclesiastical Courts, and subject to the marriage being set aside by those Courts. But, if none of these things happened—and they rarely did, because actions of this kind were seldom entered on, and only when a question of obtaining property and setting aside the legitimacy of children arose—the marriage remained perfectly good. Was there any scandal occasioned by marriages within the prohibited degrees during the whole of that time? Were there any complaints that religion or morals were discredited? Who complained? Was any trace of such complaint to be found in the literature of England during those 300 years? Nothing of the kind. The Christian sentiments and feelings of the nation were sufficient to protect it from evil consequences, although the law was very imperfect for securing a proper condition of the married state. The people went on without having their moral sense wounded by such marriages as took place within the prohibited degrees; for they were almost without exception marriages with a deceased wife's sister. And now he came to what he believed to be the most important portion of his argument—the Act of 1835. The marriages in question were all voidable in the Ecclesiastical Courts by process; but if they were not made void by such process during the lifetime of the parties the marriage was indissoluble and the children were legitimate. He was going to speak very freely of the Act of 1835. It went under the name of Lord Lyndhurst's Act, but it had been distinctly and specifically disavowed by him, for it was as different from the Bill brought in by Lord Lyndhurst as anything could be. Lord Lyndhurst was not entitled to the credit of the Act if it were a good one, nor to the reproach if it were mischievous and ill-advised. The Bill of that noble and learned Lord proposed that all these marriages should be unassailable in the Ecclesiastical Courts unless they were assailed within two years. That was the single and simple object of the Bill; but at the instance of a distinguished prelate, against whom he should not say a word—the late Bishop of London—the measure was so altered as while validating those already contracted to declare all such marriages absolutely null and void for the future. Before that time the general impression of people of this country was that all marriages within the prohibited degrees were alike contrary to God's law. They believed that, and believed the law to be justified by that. But after the passing of the Act of 1835 it was utterly impossible for any person to think so for the future. For what were the recitals of this Act? They were that—

> "Whereas marriage between persons within the prohibited degrees was voidable only by sentence of the Ecclesiastical Courts during the lifetime of the parties thereto, and it is unreasonable that the status of the children of parents within the prohibited degrees of affinity should remain so long unsettled"——

And here he would stop for a moment and ask, Why not leave out the word "affinity," and say only "prohibited degrees?" Why draw a distinction between affinity and consanguinity if there was no difference between them? The words employed left marriages within the prohibited degrees of consanguinity where they were before, and, that being so, there was no escape from the position that in the estimation of those who framed and passed that Bill there was a distinction between the prohibited degrees of affinity and consanguinity, for it was on that distinction that the Act passed thirty years ago was actually founded. The recital then went on to say—

> "It is fitting that all marriages which may hereafter be celebrated within the prohibited degrees of affinity and consanguinity shall, *ipso facto*, be absolutely null and void."

Was there ever such an Act of Parliament in the world before? Was it desirable to draw a distinction in the first part of the recital between marriages of affinity and consanguinity, and then to declare that hereafter marriages of both kinds were alike absolutely null and void? The Bishop of Exeter said, he would never have consented to the Act if the parties to the marriage were not still left liable to proceedings against them for incest. But here was an Act of Parliament which legitimized the offspring of a marriage, prevented the parties to it from separating or contracting any other marriage, while it left them liable to ecclesiastical censure for incest, if they continued to discharge the highest obligations of marriage after the passing of the Act of 1835. So that what would be lawful on the 31st of August would on the 1st of September be unlawful and incestuous. The Legislature said that the union was a lawful one, and nobody should presume to call it in question; but the Church said it was void *ab initio*, it was against God's law, it was incestuous, and every day the parties continued in it they would be liable to severe censure. The first clause in the Act gave efficacy to such marriages already contracted, while the second made them for the future absolutely null and void. Such an Act as that subverted one's notions of morals, the common people did not understand it, it only confused them. He would not complain of an Act of Parliament which would say what were the prohibited degrees, provided they were consistent with God's law. He and those who acted with him would be prepared to make such decrees binding and the violation of them punishable. He would not complain of the law if it had been carried out as Lord Lyndhurst intended; but when an Act of indulgence was sought to be obtained for a person in high rank, which would give him wealth, large estates, and a place among the nobles of the land, he did complain that it should have been thought a fitting occasion to forbid, under the severest penalties, a practice which had been practically allowed for 300 years, under which the parties to the union and their children were received into society, and for which there was practically a standing dispensation, subject only to a casualty which did not happen, perhaps, once in a hundred years. Blackstone defined a legitimate child to be "a child born in lawful wedlock;" and under the statute the offspring of the marriage in question being made legitimate are held to be born in lawful wedlock, yet the Judge of the Ecclesiastical Court and the Bishop of Exeter declared the contrary of the very same children, declaring them to be the fruit of an incestuous connection. The people for a long time had not been able to understand the distinction between "void" and "voidable." Every man in this country was entitled to marry, whatever his rank in life; and, not understanding the distinction to which he had adverted, they had been greatly misled since the passing of the Act of 1835. The people did not believe that the bishops believed these marriages were against God's law. He would be told that this was a very delicate question, and that it would be a rash and hazardous thing to meddle with it. But he did not ask for any change which was forbidden by God's law. The opponents of the measure had changed the Church law—they multiplied prohibited degrees until the country groaned under them, and then they altered the marriage law. What he and his friends said was this—that there was one thing still remaining which when granted would satisfy the necessities of the country. He did not expect to hear it much argued that the proposed change was contrary to God's law, because those who were in the habit of using such arguments had greatly diminished. And as for the text which had been so often appealed to, a Hebrew question was involved in that, which he was not competent to discuss, and he was quite willing to take the opinion of sound learned critics upon that point. But were they to be guided by the opinion of the Church of England? If so, he would say the majority of the bishops and clergy had come to the conclusion that the proposed change was not against the law of God. The Bishop of London and 400 of the metropolitan clergy had petitioned in favour of the Bill. He was entitled, at all events, to argue that the Church of England was so divided in opinion on the subject that they could not be considered as against the proposed change. Well, then let them look to foreign nations. Every country in Europe had sanctioned it. They had made the change in France, they had made it in Switzerland, they had made it in every Roman Catholic country in Europe—only there a form of dispensation was required — but that was granted without difficulty where there was no immorality. He was entitled to say, therefore, that, both in the opinion of the Protestant and of the Roman Catholic Church, these marriages were not against the law. In Scotland they were not unanimous on the subject. The Dissenters were uniformly in favour of the proposed change. It was only the other day that a petition was presented signed by Dr. Aldis and 200,000 communicants of the Baptist Union in favour of a change in the law. If it was considered that the change was not against God's law, then there was an end of the question. The general defence of this restraint was that it secured for our domestic circles a degree of purity and refined affection which would not otherwise exist, but such attempts to secure a factitious and sentimental purity, in excess of what Scripture laid down, had always an effect the reverse of what was intended. No instance could be cited of a laxity of moral sentiment as the result of allowing such marriages, for Lord Lyndhurst stated of Massachusetts that there was no community in which purer morals existed. Moreover, the Church in her most solemn formularies appealed only to God's law pronouncing void alliances which contravened it, and declaring indissoluble those which did not. The Bill did not seek to compel any man to contract or solemnize a marriage which he considered unlawful, neither did it interfere with property, for all vested rights under the present law were left intact. It simply proposed to legalize all such marriages from the year 1835 and henceforth, and whereas the Act of that year made twenty marriages of different classes of affinity unassailable in any Ecclesiastical Court, this only proposed to make one such class of marriages unassailable. The highest authorities in the land, those most eminent in learning in law, in statesmanship, and in the Church, had expressed their approval of this step. He might refer to many, but he would only quote the opinion of the late Lord Palmerston, who said that the moral feeling of the community at large was not with the present law, that a great number of persons transgressed it without believing that they committed any moral offence, and that the law caused a great deal of misery and social evil among the middle and lower classes. The Bishop of London and 400 of his clergy had petitioned in favour of the measure, because as charged with the welfare of the middle and lower classes, they saw the imperative necessity for this alteration. He would appeal, too, to county Members, even to those who were perhaps about to oppose the Bill, whether in their own villages they were not acquainted with cases in which a sister-in-law was the most prudent and honest choice a man could make to fill the place of mother to his bereaved family. Of course, it was no argument to say because a law was broken therefore it should be altered, but when a law was broken with impunity and was at issue with the moral sense of the community, which alone gave law its efficacy, the Legislature ought not to allow such a state of things to continue, especially when the nearest affections of the people were concerned, but were bound to bring the law into agreement with the moral sense of the community.

Mr. HUNT said, he cheerfully acknowledged the tone and temper of the remarks of the hon. and learned Gentleman (Mr. Thomas Chambers) in introducing the Bill, and hoped that he himself and those who might follow him would observe his example in that respect. He should be sorry to wound the feelings of any individuals who thought differently from him on this subject. He had himself private friends whose personal feelings and happiness were mixed up with this question, and he had received letters from persons most anxious that it should be settled in the manner proposed in the Bill of the hon. and learned Gentleman. He could not withhold his compassion from persons so situated ; but in a question of such public importance no consideration of individual feeling should be allowed to operate. It was a great public and social question, and hon. Members had to discharge their duty as legislators, to put aside private feeling, and do what they thought was right for the public at large. The hon. and learned Member said the Bill was not in any respect hostile to any particular individual, or any particular class of individuals. But he (Mr. Hunt) maintained that the Bill was hostile to the interests of the whole community. He asked the House to sanction a measure which would be inimical to the whole country for the sake of a small number of individuals who, with their eyes open, had broken the existing law. He believed the House would never have heard of this measure, or at all events would not have seen the extensive agitation that had been got up in its favour, had there not been wealthy individuals personally interested ; the consequence of which had been that large sums of money had been spent in getting up petitions, and advertisements had even appeared in the public press offering specific sums for the obtaining a certain number of signatures thereto. The House would understand, therefore, the factitious nature of this agitation. It was represented by the hon. and learned Gentleman and by those with whom he acted that the alteration sought by the Bill was the only thing at which they aimed, and that on succeeding in this their organization would be disbanded. He (Mr. Hunt) had never in his life heard a statement that showed so thorough an absence of principle. It had been said that affinity was nothing in this question—it had always been argued that consanguinity was everything, and that affinity was nothing. If so, why was this particular instance singled out for legislation? Why did they want to allow marriage with a deceased wife's sister more than with any other person who came within the degrees of affinity? Why, for the sake of consistency, did they not legalize a man's marriage with his deceased wife's niece, or with his deceased wife's mother? [*A laugh.*] It might be an amusing thing for hon. Gentlemen to think of the notion of legalizing marriage with a man's stepmother; but he believed that, in the majority of cases, the mother was more willing to take care of the children than the sister was. What was the argument used on former occasions? Why, it was represented to be a poor man's question, and it was urged that such a man, through want of proper accommodation, could not have his deceased wife's sister living in the same house with him unless they were married. Now, if that argument was worth anything in regard to the one case, why was it not of equal value in regard to the other? If a poor man's house would not admit of his late wife's sister taking charge of the children, how would it admit the wife's mother or the wife's niece? and were not these very proper persons to take care of the children? The advocates of the measure, therefore, would not be consistent if, after they succeeded in their proposal—which he hoped they would not—they did not bring forward a Bill to enact that no marriage should be voidable by reason only of the affinity of the parties. Again, he wanted to put a question with regard to the other sex. If they wished to make it lawful for a man to marry his deceased wife's sister, why should they not allow a woman to marry her deceased husband's brother? The only answer he had ever been able to get to these questions was, "Oh, but there are special circumstances in the case of a deceased wife's sister. She is the proper person to act as mother to the children." Now he did not deny that she was a proper person to take care of the children; but he wanted to know why she could not do so just as well without marrying her deceased sister's husband? He believed that for one case in which the Bill would secure proper care for the children, there would be ninety-nine cases in which it would deprive them of such care; for if this Bill became law, would it be possible for any sister of a deceased wife to go and take charge of the children? Would not she be liable to be taunted with seeking to become her sister's successor, and would not her own delicacy of feeling make her shrink from placing herself in a position where a marriage with her brother-in-law might be likely to happen? This Bill would drive away from the motherless homes of England persons who were now willing to discharge these important duties. The hon. and learned Gentleman (Mr. Chambers) said that this was not a party question, and he (Mr. Hunt) rejoiced that it was not. He wished there were more questions of which the same could be said, and in opposing this Bill he welcomed the aid of many hon. Members on the other side of the House, who would throw their ability and eloquence into the cause. When, however, the hon. and learned Gentleman went on to say that there had been a great growth of public opinion in favour of the measure, he entirely took issue with him. The votes of that House were a tolerably correct measure of the growth of public opinion; and what had been the history of this measure of late years? Why, for a certain number of years there was a majority in its favour, and it was sent up to the other House and always rejected there; but since that time public attention had been more closely drawn to the question, it had been more fully discussed and considered, and the result, as he believed, was that there had been a great change of public opinion, and that it was decidedly turning against the alteration in the law proposed by this measure. In 1859 there were three divisions on the Bill, and in each case there was a considerable majority for it, the votes being on the first occasion 155 Ayes, against 85 Noes; on the second 135 Ayes, against 77 Noes; and on the third 137 Ayes, against 89 Noes. These figures showed a considerable majority in favour of an alteration of the law. But in 1861, the Bill, when brought in by Lord Houghton, then Mr. Monckton Milnes, was rejected in that House by a majority of five; and though in the following year the second reading was carried by a small majority on account of the early period of the Session at which it was taken, when the Scotch Members were not present in large numbers, the Motion for going into Committee was negatived on the 12th of March by a majority of thirty-two. Since that time no one had had the courage until now to revive the measure, and though he did not complain of its being again brought forward in this new Parliament, he should be much surprised if the decision of the present House of Commons was different from that of its predecessor. The hon. and learned Gentleman (Mr. Chambers) went into a long and historical argument, in order to show that the ancient and civilized States permitted such unions. He would not follow the hon. and learned Gentleman in his historical arguments; but he would contend that as the world grew older we ought to look for improvement, for a higher sense of morality, and for greater purity in domestic relationships; and if we went back to a period anterior to the Christian era to prove that no such law existed, we must remember that there were then many practices which were now spoken of as heathenish, and which it was not desirable to imitate. We must not, therefore, take the era before the promulgation of Christianity for our pattern. The hon. and learned Gentleman next appealed to the history of Christendom on this subject. But though it was true that the Church of Rome had granted dispensations for such marriages in favour of certain privileged individuals, it must be admitted that the law of that Church was against these marriages, and that dispensations were only granted under special circumstances. He was no defender of the practice of dispensations, for he thought that what was law for one man should be law for another; but surely no one could dispute that the law of the Romish Church and that of Christendom for centuries prohibited these marriages. The hon. and learned Gentleman admitted that if these unions were against God's law his case was at an end; but he tried to throw the *onus probandi* on his opponents, and argued that unless they were proved to be contrary to God's law they would be upheld. This position, however, would carry him a great deal too far. There was a law that no person under the age of twenty-one could contract a legal marriage without the consent of parents; but such a law was certainly not to be found in the Bible. This, it might be said, was hardly an analogous case. Perhaps a more analogus case was that of a man having two wives. Now he (Mr. Hunt) was not aware that there was any prohibition of bigamy in the Scriptures; and yet the hon. and learned Gentleman would hardly maintain that, unless there was such a prohibition, we had no right to forbid a man having two wives. It was quite sufficient that it was contrary to the law of the land; and he had a right to insist that it was sufficient that it was the opinion of a very large portion of the community that these marriages were against God's law. The petition which he had presented, signed by 5,000 persons, expressed that opinion. In the structure of the Bill itself there was an admission to that effect, for it proposed to make those marriages good if contracted before the registrar, the hon. and learned Gentleman being well aware that the opinion of the Ministers of religion was generally that those marriages were opposed to God's law. He contended that they had no right to alter the law in opposition to the religious opinions of the great bulk of the community. He was not going to argue the Levitical question, for there were great differences of opinion as to the construction of the particular verse upon which the point was supposed to hinge; but if, for the sake of a few individuals, they legislate in opposition to the religious views of a large part of the community, they would create an impression that the Legislature were willing to violate God's law, and the authority and respect which they enjoyed would be grievously impaired. He agreed with the hon. and learned Gentleman in condemning some of the provisions of the Act of 1835. That Act, however, made the law certain, for whereas, until that time the validity of these unions and the legitimacy of the children born of them could only be questioned during the lifetime of the parents, it made such marriages absolutely void, and the issue absolutely illegitimate. The hon. and learned Gentleman had tried to make out that these marriages were not void, but only voidable by the law of England. He believed they were always void, and such was the opinion expressed by Lord Brougham in the case of "Forster

v. Livingstone." Lord Lyndhurst's Act made no difference as to their legality, and merely altered the mode of proceeding in questioning it. He could not agree that anything had occurred that necessitated an alteration of the law as it now stood. It did not follow because certain marriages had been declared at a particular period valid, that that should be drawn into an argument for legalizing all past and future unions of this kind. The hon. and learned Gentleman had hardly alluded to the great argument on this question—he meant the social argument. He (Mr. Hunt) maintained that this was a social question, and ought to be treated entirely as a social question. He believed it to be a question in which the domestic happiness of the inhabitants of this country was deeply involved. Unless husband and wife could receive their near relatives at their home, three-fourths of the comforts and happiness of married life would be at an end. He believed, indeed, that the relation between a husband and his wife's sister was almost the only case of platonic affection that really existed; for under the present law a wife rejoiced to see friendship and affection between her husband and her sisters, and such affection materially contributed to the comfort and consolation of a husband if his wife was taken from him. A woman was at present able to nurse her dying sister or take charge of her household, without any possibility of jealousy on the part of the wife or any feeling that her conduct could be regarded as indelicate or unfeminine, and after the wife's death she was able, without reproach or suspicion, to take the charge of her brother-in-law's house, and be the guardian of his children. If this law, however, were passed, she would in thousands of cases be driven away, for she could not remain there with the idea that she might be thought to have any ulterior object. Much had been said on former occasions as to this being a poor man's question; but he (Mr. Hunt) believed that it was almost entirely a middle-class question. The women in the lower classes either married early or went into service, and there was but little probability of the unmarried sister of a man's deceased wife leaving her situation in order to live with him and bring up his children. He did not rest his statement that the subject was not a poor man's question upon mere individual assertions, but upon statistics laid before the Commission appointed in 1848 to inquire into this matter. It appeared from those statistics that since the passing of Lord Lyndhurst's Act in 1835 there had been 1,648 such marriages, of which five had been contracted by mayors of towns, seventy by magistrates, persons of title, gentlemen of fortune, and naval and military officers, thirty by clergymen and ministers of the Gospel, 1,503 by merchants and others of the middle classes, and only forty by labourers. Those figures entirely set at rest the point whether or not this was a poor man's question, and proved that it was in reality a middle-class question. The hon. and learned Gentleman had not upon this occasion advanced the old argument that the laws making such marriages unlawful should be repealed because a great number of persons had broken them, and therefore it was not necessary for him (Mr. Hunt) to deal with that point—he trusted he should never hear that argument again. He would ask hon. Gentlemen whether they would be inclined to permit marriage with the sister of a divorced wife, and if not, what difference they drew between the two cases. He asked the House to reject the Bill because he believed it would involve an immense amount of discomfort among the people —because it was not called for; and because the agitation in its favour had been got up entirely by a few individuals who had broken the law. He asked the House to reject it, because he believed that the more the question was looked into and the more it was studied, the more strongly the House would be of opinion that it was desirable to maintain the present state of the law affecting the degrees of affinity.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Hunt.*)

Mr. KNATCHBULL - HUGESSEN said, a question which so intimately concerns the social relations of society has been well described both by the learned Gentleman who moved the second reading, and the hon. Mover of the Amendment, as a question of no party character; indeed, Sir, it is one far removed from the atmosphere of party passion and political prejudice. Members of each of the two great political parties will doubtless vote for and against the measure; and, although Members of Her Majesty's Government may equally speak on either side, it must be clearly understood that they so speak each in his individual capacity, and that the Government will not throw its weight as a Government into the one scale or the other. And indeed, Sir, it appears to me that whilst this question is one which especially requires—so it is one to which we are particularly well able to give—our calm and dispassionate judgment. That judgment is not likely to be disturbed by any great external pressure. Those who are immediately affected by the present state of the law are neither by their numbers nor by the nature of the case likely to assail us with noisy agitation. Comparatively speaking, they are few in number, and, for the most part, they suffer in silence. But, Sir, they are the representatives of a very large number of persons in this country who most entirely and conscientiously believe that, neither in a social, moral, nor religious point of view can any valid objection be urged against these marriages. If placed in similar circumstances themselves, they would feel that should they contract such marriages they would do no wrong ; they know that in other countries such marriages are good and legal, and that their belief upon this subject is the belief of the majority of every other Protestant community in Europe, and they ask us to enact that henceforward those who entertain this belief may be free to act upon it, if the occasion should arise, without subjecting themselves—and worse still, their children which are yet unborn—to civil disabilities of a cruel and degrading character. And, Sir, by this enactment we seek no interference with those who hold a different opinion. They will be as free as heretofore to act upon their own opinion in their own cases without let or hindrance from us ; we only ask that they will no longer insist upon the infliction of a cruel punishment upon persons—as good, as moral, as religious as themselves — who conscientiously differ from their view of the matter. And, Sir, is this, at first sight, an unreasonable request? Is it one inconsistent with the spirit and principle which has generally guided the legislation of Parliament? Is it not one entirely in accordance with the view generally adopted in this country—that civil rights ought not to be affected by religious opinions—and is not that view the very life and soul and essence of that reformed religion which the majority of us profess?

But, Sir, in placing my views upon this subject before the House as briefly and concisely as I can, I wish to be just and fair towards those who oppose us ; and, although at first sight concession to our demands appears—as I confess it does to me—so just, so wise, so reasonable, I am bound to admit that there are arguments on the contrary side which require and deserve to be fully and fairly considered and encountered. Sir, I will not attempt to dive deeply into theological arguments. I have listened attentively to the speech of my hon. Friend opposite who moved the Amendment, and I think I shall be best stating his views and the views entertained by both sides of the House by assuming that it is generally agreed that theological opinions ought not to involve civil disabilities, except and until their result and action upon society prove injurious to its interests, and then you would desire the law should interpose to check and prevent that action and result. If, then, I understand rightly, the two strongest and most substantial arguments against this change, as advanced by my hon. Friend are these. First, that it would injuriously affect social relations which exist at present, and thus, he says, would be hostile to the best interests of the community ; and secondly, it would initiate a course of legislation which it would be difficult to stop—if the wife's sister—why not the wife's niece? If the wife's niece ; why not the husband's brother? There is no resting-place, no principle to stop you, and moreover, many of the arguments which would induce you to consent to this change would, if their validity were once admitted, and if they were carried to their legitimate conclusion, equally justify bigamy, or polygamy. Therefore, say you, better to stop where we are, and not take this first step on the downward course. I hope I state the case fairly, and I will endeavour to meet it. Sir, the last argument is one which, ever since the foundation of the world, has always been urged against any change which ever has been proposed ; even if good in itself, it might lead to something more objectionable at some future time. But surely it is but fair that each question should be considered upon its own intrinsic merits. The forbidding of this particular marriage is that which constitutes the social grievance especially complained of—if this grievance is shown to exist—if you cannot prove by the example of other countries where it does not exist that its removal would injuriously affect society—is it just and fair and right to refuse to grant the remedy merely on account of some vague fear of ulterior demands? And upon what grounds do you say that this is the safest, surest resting-place at which permission to marry should cease and restriction should begin? The Church of Rome forbids these marriages, and grants dispensations under which they may be contracted. But the Church of Rome equally forbids the marriages of first cousins, and equally grants dispensations under which they may be contracted. I know many persons in the Church of England who entertain the strongest objections to the marriages of first cousins; they hold that the children of own brothers and sisters are very near relations; far nearer than the sisters of a deceased wife; and that they ought not to intermarry. But suppose for a moment that these marriages were illegal in England and that we desired to legalize them, should we not be encountered by precisely the same arguments as at present? Should we not be told that the repeal of the law would dislocate the framework of society, and that the arguments in its favour were equally favourable to bigamy and polygamy? But why is that point at which the marriages of first cousins are lawful and that with a deceased wife's sister unlawful a safer and surer resting-place than the point at which both should be lawful? The canon law forbids both, and if you argue upon this ground, in order to be consistent you should not be content with opposing this Bill, but should seek also to render illegal the marriages of first cousins. But, Sir, the truth is that this matter can only be argued on the side of restriction in two ways. Either you must say we will forbid these marriages upon theological grounds, because the teaching of our Church by law established forbids them, and we think her teaching ought to be by law enforced—upon which point I will say a word presently—or else, in considering the marriages which you will hold legal or illegal, you must take into account the state of public feeling and public opinion, so far as you can accurately ascertain it. And herein is the difference between those marriages which we desire to legalize, and those to which you say this legalization would lead us—the universal feeling of the public condemns the one and does not condemn the other. Bigamy is rather beside the question. The bigamist offends against the public sense of religion and right, and he is visited with penal consequences. And, to be consistent, if marriage with a deceased wife's sister is injurious to the interests of society, you ought not to be content with subjecting to civil disabilities those who contract such marriages, but you ought to seek the infliction of penal consequences. But this no one will dream of for a moment. Polygamy is repugnant to public feeling and to public policy. Again, if a man marries—or rather, lives as if married—with his own sister, or niece, or any similar relation, he outrages public opinion and violates every feeling of social decency. Such a man would not be tolerated in any English society, but would be regarded with disgust and abhorrence. But is this the case with the man who marries his deceased wife's sister? Why, Sir, I am speaking to those many of whom probably know, as I know, such instances in more than one grade of life. Does public opinion condemn persons who have contracted such marriages? Are they not received with the best of us into the society of their own rank? I never heard it pretended to the contrary. And why is it so? Because public opinion attributes no moral turpitude to such people. Because the opinion of society sees nothing immoral, irreligious, or disgraceful in such marriages; and therefore I say that you maintain this restriction in defiance of the practically expressed feeling and opinion of the public mind. But, Sir, let us look a little more closely into the assertion that the social relations of life will be injured and unhinged by the alteration of this law. Says my hon. Friend, "if a woman marries her deceased sister's husband and bears him children, she will love them better than her sister's children, and be more likely to treat the latter unkindly." Well, Sir, but is it not true of every stepmother, that she is likely to love her own children better than those of her predecessor, and is she not rather more likely to love the latter if they are the children of her own sister than if they were the children of a stranger? Then my hon. Friend repeats the oft-repeated allegation that, if your wife knew that you could legally marry her sister after her own decease, that sister could never more stay in your house during your wife's lifetime upon the same intimate and affectionate terms as at present. Sir, I venture, with respect, entirely to dispute that proposition; it appears to me to pre-suppose a state of jealousy and want of confidence between husband and wife which is incompatible with our notion of that domestic happiness and tranquillity which pervades our English homes. In the first place, I do not believe that a wife is constantly thinking what her husband would do, and whom he would marry, after her death; and, in the next place, if any wife was afflicted with such an unhappy disposition, it would not be of her sister alone that she would be jealous, and depend upon it the relaxation of this law would not be required to render the social relations of that family disturbed and miserable. Sir, I believe that this fear of social discomfort to arise from the proposed change is based upon a sentimental objection which does scant justice to the good sense, good taste, and good feeling of the wives and women of England—and one word upon this point—we are told that the feeling of the women of England is decidedly opposed to this alteration of the law. Well, Sir, if the opinions of English women ought ever to have weight with an assembly of Englishmen it is upon a question of this nature. I confess that I attach great importance to those opinions if they are clearly and unmistakably expressed. But in the first place, judging from petitions which have been presented, and from other evidence, I do not believe that this feeling of the other sex is so strong and so prevalent as has been proclaimed by the opponents of change; in the next place, I am sure that it does not extend to the middle and lower classes; and, in the third place, where it does exist, I think we ought to bear in mind the great amount of ecclesiastical and clerical opposition to this measure, and the peculiar susceptibility of the female mind to clerical and ecclesiastical influences; and, taking this into account, I think we may well doubt whether the whole strength of the case on both sides has ever been fully and fairly placed before those women who have pronounced against the proposed relaxation. For, indeed, Sir, I advocate this change at least as much in the interests of the woman as in the interests of the man. I do not desire to inflict any clap-trap arguments upon the House, or to talk of this only as a "poor man's question" thereby to excite your sympathy. But if the House will consider for a moment the case which has often been brought forward of a labouring man who loses his wife and is left in the greatest difficulty as to providing for the care of his young children, they will find that often the wife's sister is the only available person. But in what position does the present law place her if she comes to take charge of the children? In one of temptation and trial which too often ends in sin and sorrow. The wife has often, on her death-bed, recommended her sister as the best person to fill her place; but the present law places her at a fearful disadvantage, whilst it frequently leaves the alternative between the neglect of the children and the temptation of the parent. But with regard to the man who is placed in such a position? What good will it do to talk to him of the canon law which forbids these marriages? A power greater than churches and synods has implanted in his breast an instinct and feeling which tells him that there is nothing wrong in taking as the legitimate successor of his wife the sister who has already learned to love the children, and this feeling and instinct will not be overborne and outweighed by any canon law that ever was enacted. But how will his love and respect for the Church be affected by the knowledge that it is her teaching which imposes this restriction upon him? Why, Sir, apart from every other reason and argument, I give my vote upon this question emphatically as a Churchman, and in the way which I believe to be most truly in accordance with the real interests of the Church of England. Those Members of the Church of England who sit on this side of the House are sometimes accused of being callous to her interests—lukewarm in her defence—ready to concede everything and to make a stand for nothing. Sir, I believe that nothing can be more unfortunate for an Established Church than that any oppressive law should be upheld by the civil power as the result of her teaching. In a country where opinion is free nothing could so tend to weaken an establishment. Sir, I desire to avoid this in the case of our Church. I am in favour of an Established Church, and I am in favour of our Established Church. An Established Church is the acknowledgment by the State that religious teaching should exist throughout the length and breadth of the country. Our Established Church is the recognition by the State of those fundamental truths of Christianity, upon which is based the religion of the great majority of our people. I, Sir, am not one to underrate the value of such a recognition and such an acknowledgment. But the more that I recognize in the Church of England a mighty engine for good, the more anxious I am that no man or body of men should see in the enforcement by law of her teaching any infringement of civil rights or of religious liberty. Such an infringement I think I see in the present marriage law, which we propose to change. In arguing in favour of that change, I trust I have said nothing to give offence to those who conscientiously resist it. I do feel strongly on the subject. I believe that the general social dangers which are apprehended are visionary and chimerical, whilst the particular social advantages to be gained are real and substantial. I believe that the interest of morality will be furthered; the interest of religion unassailed, and the position of the Church of England strengthened by the relaxation of this law. I think that the present law operates injuriously upon society, and might be altered to its great and lasting benefit; and, so thinking and so believing, I can come to no other conclusion than to give my earnest, hearty, and cordial support to the second reading of this Bill.

Mr. MONK trusted that the House would grant him the indulgence usually accorded to Members addressing them for the first time. It would have been more agreeable to him to have given a silent vote on this question, especially as he could not suppose that he should be able to adduce any new argument or throw any new light upon the question; but feeling strongly upon the matter, he felt that it was his duty to say a few words upon it. Notwithstanding what had fallen from the hon. Member who had just spoken, he felt assured that the majority of Englishwomen viewed with alarm these oft-repeated attempts to induce the House to reform the marriage laws and to re-arrange the boundaries of the Prohibited Degrees. He would shortly state his reasons for voting against the second reading of the Bill. He was glad to find that the question had not been treated in a party or political spirit, and he trusted that it would never be regarded in that light. He entertained a strong opinion, almost amounting to conviction, that these marriages were prohibited by Divine law, that they were at variance with the best interests of society, and were opposed to those purer and higher principles of morality that were introduced under the Christian dispensation. This being so, he hoped that the House would pause before it consented to relax a prohibition which was undoubtedly founded upon the Levitical law, and which obtained force throughout Christendom for more than fifteen centuries. The hon. Member for Northamptonshire had already argued the question on social grounds, and he (Mr. Monk) proposed to devote himself only to the Scriptural view of the matter. He would lay down three propositions, two of which, he thought, would scarcely be disputed. The first was that the Divine law prohibited marriage between those who were near of kin; secondly, that this prohibition extended to affinity as well as consanguinity; and thirdly, that where the cases were strictly parallel with the exception of sex, the prohibition in the case of the man extended to the woman, and *vice versâ*, although there might be no prohibition in direct terms. Marriage was prohibited in Leviticus between a man and his deceased brother's widow; indeed, there was a curse against such unions, that they should be childless; and, by parity of reasoning, surely the same prohibition must extend to a marriage with a deceased wife's sister. It was said that there was an exception made in favour of a marriage between a man and his deceased wife's sister; but he entirely demurred to that conclusion. Judging from the context and from the whole tone and tenor of the chapter, he was forced to the conclusion that the natural interpretation of the passage was that placed in the margin by the translators of the Bible—namely, "one wife to another." But why was an exception to be made in the case of marriage with a wife's sister, who was in the second degree of affinity, while the prohibition was to be maintained in the case of a deceased wife's niece, who was in the third degree of affinity? Previously to the Act of 1835, marriages with a deceased wife's sister were unlawful, though they were only voidable by process of law; and though the Act of 1835 relieved parties who had contracted these marriages from pains and penalties, it was passed merely to protect the issue of such marriages; but it expressly re-affirmed that these marriages were forbidden by the law of God, and made them void *ab initio*. The state of the law previous to the passing of the Act had given rise to very great abuses. He recollected a case of a somewhat extraordinary character. A man married the niece of his deceased wife, a young girl just emerging from childhood. They lived several years together, and children were born; but growing tired of the connection, he instituted a collusive suit in the Ecclesiastical Court to dissolve the marriage, the office of the Judge being promoted by a servant of the husband. The Judge of the Court had no alternative but to pronounce for the nullity of the marriage. From feelings of humanity, however, he postponed passing sentence from time to time until he ascertained that an annuity had been settled upon the forsaken woman and her children. It appeared to him (Mr. Monk) that it was an insufficient argument to use that these marriages ought to be legalized in this country, because they were allowed in other countries, and that the law as it stood interfered with the liberty of the subject. The same argument applied with equal force to the law prohibiting bigamy and polygamy. He recollected a speech of the Bishop of St. David's on this subject, in which he said—

> "He was afraid there were some persons who regarded this as a liberal measure, but to him it appeared a retrograde movement, which would carry them back from Christianity to Judaism, not however to stop there, but to go on until it landed them in a state of nature."

There was a time when marriages between brothers and sisters were not only permitted but were absolutely necessary, and when polygamy was also allowed, but a purer code of morality was subsequently introduced. If the present Bill were passed, he (Mr. Monk) thought that it would rudely snap asunder one of the holiest and most cherished ties that bound families together, and by abrogating the moral law of the country, would produce the most serious consequences to society generally.

Sir GEORGE GREY said, that having frequently expressed his opinion on this subject, he should not repeat his arguments on this occasion. He thought that looking to the interests of society, the balance of argument was in favour of the alteration of the existing law. He did not believe that the House was competent to decide upon the scriptural part of the question. Each hon. Gentleman must form his own opinion on that branch of the question, and take the course which his conscience dictated. When the subject was last under discussion, he felt strongly, and he still felt, that it was undesirable repeatedly to introduce a measure of this character unless a probability of its passing existed; because the effect of keeping this question continually under notice was to induce people to contract these marriages in the hope of their being legalized, the result of which was much domestic discomfort and misery. The hon. and learned Gentleman the Member for Marylebone (Mr. Thomas Chambers) might consider himself justified in again submitting this question to Parliament, if he had any reasonable ground for supposing that the opinion of the new House of Commons on this subject was different to those of former Houses. Unless, however, he had good grounds for such an impression, he (Sir George Grey) did not consider that it was wise or politic to bring this question frequently under the consideration of Parliament. If the result of this debate should prove that there was no reasonable hope that Parliament would be induced to alter the law, he must urge upon hon. Gentlemen not to revive the question, and consequently to encourage expectations that were not likely to be fulfilled. he Act of 1835 was, in his opinion, indefensible. He doubted, however, whether the alteration in the law proposed by the Bill was exactly the alteration which was required, but he approved the principle that these marriages should not be absolutely declared void.

Sir WILLIAM HEATHCOTE confessed he was much disappointed at what had fallen from the right hon. Baronet the Secretary of State for the Home Department, because, if he recollected rightly, on the previous occasion when this question was before the House the right hon. Gentleman stated that he doubted very much if the interests of society would be served by the question being agitated year after year in the House without the prospect of some Bill being carried; and he said that—

> "If the House should refuse to accede to his hon. Friend's (Mr. M. Milnes) proposal, or if it should assent to it by only a small majority, and there be no real prospect of an alteration in the law, he thought that repeated agitation of the question would only be calculated to encourage these marriages and bring misery upon those who enter into them."

And he added—

> "I throw out these suggestions with a view of guarding myself against being considered pledged under all circumstances to support a similar proposition in future."

He (Sir William Heathcote) felt, therefore, greatly disappointed at hearing the right hon. Gentleman declare his intention of voting in favour of the present Bill. The hon. and learned Gentleman (Mr. Chambers) who introduced the subject supported the principle of the Bill upon his belief that no human legislation ought to interfere for the purpose of narrowing the limits within which marriage might be contracted, unless there was clear foundation for such legislation in the Divine law. The hon. and learned Gentleman also submitted that this was not an atmosphere for religious or scriptural discussions. Now, though he (Sir William Heathcote) did not feel the smallest doubt as to the aspect of this question in reference to the Divine law, nevertheless he agreed with the hon. and learned Gentleman that this was hardly to be considered as an assembly suited for a discussion of conflicting interpretations of the sacred writings. Avoiding as much as possible, therefore, such arguments, he should confine himself simply to laying down a few propositions against the enactment of any such law as that which was now proposed. He hoped, however, he should not be misunderstood, or as being supposed to have given up such arguments; because he recollected what an uncandid use had been made of this line of proceeding adopted by certain hon. Gentlemen on a previous occasion, when it was asserted by some of the advocates of this measure that the opponents of the Bill had abandoned the religious ground because they proceeded on the secular part of the case. To guard himself from being supposed to be unwilling to meet the advocates of this measure upon theological grounds he would say that the code of the prohibited unions in the Scriptures bore upon the face of it marks of being applicable to mankind in general as well as to the institutions of Jewish polity, and still remained in full operation. He would also venture to say that the parallel between similar degrees of the sexes was complete, and that marriage with the widow of a brother or the sister of a wife rested on precisely the same grounds, and must stand or fall together —it was impossible to justify the prohibition of the one upon any ground that did not apply with equal force to the other; and that where there were special grounds or limited circumstances found under the Jewish polity to justify the marriage of a man with his brother's widow such a union could only be taken as being allowed under special conditions, and as furnishing an exception to the general rule. Again, whatever might be the interpretation of the phrase in respect to a wife's sister, it was impossible to make use of it for the purpose of sanctioning such a marriage by any process of reasoning which would not be equally applicable as an argument for the sanctioning of polygamy. He made that protest in passing, not for the purpose of urging it further, but to guard himself against its being supposed by the supporters of the measure that he did not feel that the Divine law was opposed to them. He did not abandon that point, although he did not base his opposition to the measure upon it, feeling with the hon Member for Northamptonshire (Mr. Hunt) that there was enough without it to justify them in opposing the Bill. But he desired to impress upon the House the fact that there were only a rich and active minority—a number infinitesimally small—who were desirous of enforcing their views on the great majority of the people who did not desire to move in the matter. They ought to have a strong case in their favour before they called upon the opponents of the measure to resist it, because it was for them to set up a case, before they called on their opponents to defend their position. The friends of the movement had ventured to state that the law of England had always been in the direction to which they wished to reduce it; but he (Sir William Heathcote) apprehended that the law, beyond all doubt, had never sanctioned one of these marriages, and that both before and since the passing of Lord Lyndhurst's Act they had been void in the eye of the law, and the decisions to which the hon. and learned Gentleman the Member for Marylebone (Mr. Chambers) had referred showed that, in the opinion of the Judges, that was the case. The hon. and learned Gentleman acknowledged that the law ought not to be repealed merely for the convenience of those by whom it had been broken; but as far as he (Sir William Heathcote) understood him, he did rely very much upon the fact that amongst a certain class of society the breaking of the law was looked upon with some favour. But if he intended to assert that the law had become practically obsolete—that there was any general disposition in widowers to marry the sisters of their deceased wives, or in the rest of the world to approve such a marriage when it did occur, then he (Sir William Heathcote) would join issue with the hon. and learned Gentleman on the fact. It had been urged in favour of the proposed change that the deceased wife's sister was the natural guardian of the children. That might be true—very probably it was true—but if they passed this Bill it would be impossible for her to continue in that relation for which she was considered to be so well fitted, unless she married the father of those children. But in the great majority of cases no such marriage would be desired by either party, and then they must separate entirely when the proposed change in the law should have made it impossible for them to live together without scandal. In the small minority of cases she might be willing to marry her sister's husband, and in such cases she would be put in the position of a stepmother, who, if she had children of her own, would naturally prefer them to those of her sister. Thus in the majority of cases they would drive her away from the sister's children, and in the minority of cases she would have interests prior to those whom they wished her to protect. It was impossible if they passed the Bill that the matter could rest there, but they must be prepared to witness men looking forward to the reversion of their brother's wives. The laws relating to divorce would also have to be considerably relaxed, and in proportion to the temptation which they offered by the relaxation of the marriage laws would be the justification for such a course. He had risen chiefly for the purpose of protesting against the uncandid interpretation put upon their silence respecting the scriptural argument by those who advocated a change in the law, and to express the grief which he felt at the course which his right hon. Friend the Secretary of State for the Home Department had announced his intention of pursuing.

Mr. BUXTON said, that the hon. Member for Northamptonshire (Mr. Hunt) in the course of his speech had said that if the Bill passed the question could not rest there. His answer to that was—to use an expression that had become familiar during the last week or two—that the hon. Gentleman did not "know the men with whom he had to deal." They were practical men, and would not proceed on theoretical notions—they wanted to get rid of a cruel practical grievance, and he was therefore surprised to hear the hon. Gentleman use as an argument that if they legalized marriage with a deceased wife's sister it would be necessary to go farther and permit a man to marry his wife's grandmother. The advocates of this measure wished to bring the marriage laws into consonance with the moral sense of the country. To show that the feeling of the country was in favour of such marriages, he had only to refer to the fact that this House had between thirty and forty times recorded its decision in their favour, and petitions signed by upwards of 1,100,000 persons had been presented in favour of legalizing them. The hon. Member for Northamptonshire had stated that in the short interval between the passing of Lord Lyndhurst's Act and the sitting of the Commission of Inquiry into this question, 1,648 of these marriages had taken place against the law of the land in the upper and middle classes, which he said showed that it was not a poor man's question. But that was no proof that such marriages were not frequent among the poor. The fact was that it was more difficult to ascertain these marriages amongst the poorer classes than in the upper and middle classes. The number of these marriages in the upper and middle classes was a proof that the law required alteration in that direction. He was sorry to hear it said that these marriages were contrary to the Divine law. How came it, that if these marriages were forbidden by the Old Testament, the Jews, whose interpretation of their own law was surely entitled to weight, never dreamed of regarding them as unlawful? In every Protestant community except this, these marriages were allowed, and no immorality was the result, and, but for the Scotch Members, he did not believe that the law would be maintained here for a single Session. In the Roman Catholic Church 600 dispensations were granted each year for these marriages. Seeing the law of God did not prevent this marriage, he did not see how they could support the existing law. The real reason there was so much objection to the measure was because there were so many hon. Gentlemen who had an objection to the law of the land interfering with the canons of the Church. But an injustice should not be done on that ground. It was said that if this Bill were passed, it would cause wives to be jealous of their sisters. Any one who knew the tender and affectionate ties that existed between sisters would know that this would not be the result in but very few instances. It was also argued that if these laws were sanctioned there would be greater difficulty in sisters taking charge of the children of their deceased sisters. He did not, however, believe that it would prevent that; but it would do away with much suffering and injury of which the present law was the cause. Was it not, on the other hand, generally felt by the widower that no one would be as tender to his offspring as the sister of his deceased wife? But she was driven away from his home of which she was so well calculated to be the head. He should support the Bill—in reference to which its opponents had given up the

Scriptural argument—on the ground that it was simply an act of justice.

MR. BERESFORD HOPE said, that his hon. Friend the Member for East Surrey was quite mistaken if he thought that the Scriptural argument was universally or at all given up. He could say that it was not so, and if hon. Members on his side of the House did not oppose the social revolution on religious grounds, that abstentation proceeded from the delicacy which they felt in thrusting upon the House matters of such a solemn nature as direct references to Scripture involved. This delicacy and disinclination were inured in their minds—perhaps too much so—by the consideration that they were mostly supporters of that form of religion which happened to be the Established Church; and they feared, therefore, that for them to dwell upon their own doctrinal views in such a debate might savour of a desire to enforce religion by the secular arm. With this explanation, he would make good to assert, that the Scriptural argument was not abandoned, and he would proceed to examine the question in its social and practical aspects. The purposed alteration was, he contended, an attempt on the part of a very small minority to tyrannize over the feelings and wishes of the large majority. His hon. Friend attempted to prove that these marriages were not contrary to the Word of God, by the assertion that Great Britain and Ireland were the only Protestant countries in Europe in which such marriages were not allowed. He took him at his word, he accepted the challenge, and he repeated the hon. Member's statement, that Great Britain and Ireland were the only Protestant countries of Europe in which such marriages were not allowed. What of that? Great Britain and Ireland were also the only Protestant countries where marriage with an own niece, a brother's or a sister's daughter were not also allowed. The two prohibitions universally hung together, and it would be impossible to relax one without directly leading on to the relaxation of the other. Again, in all Roman Catholic countries marriage with a wife's sister was also permitted by dispensation. So equally by dispensation marriage with a niece was tolerated. In a word in Protestant countries wive's sisters and own nieces were marriageable without dispensation, and in Roman Catholic countries, with dispensation, but in either case the two relationships stood or fell together. His hon. Friend had professed that the present measure was intended to be final, and expressed a belief that nobody would think of inviting the House to consider the relaxation of any other degree. He did not believe in this assertion, and he would say why. When this unlucky measure was first ventilated, some years since, the wife's sister was not the only degree of affinity included in the Bills then brought under their notice; they also comprehended the wife's niece. ["No, no!"] It was very well for hon. Members who knew nothing about it to say "No, no!" but he was talking of debates and divisions in which he had himself taken a part as he was doing in the present one. Now the niece was dropped out to make the change go down more pleasantly with the unwary. He had no faith in the pretended finality. In twenty years or less the claims of the wife's niece and those of the brother's widow would certainly be urged. If this Bill passed a man might for a short time rest and be thankful on the bosom of his wife's sister, but in time she might die, and he would then look for similar comforts from the daughter of some other sister and come to the House to give them to him. That this was no imaginary contingency was shown by the Report of the Committee on Petitions of a few days since, recounting one in which a conscientious and bereaved gentleman had actually prayed to be allowed to take to himself the daughter of his deceased wife's sister. He repeated, it was true that the Roman Catholic Church granted dispensations for the marriage with a deceased wife's sister, but dispensations for unions with nieces, aye, and with aunts, could also be obtained, and the evil effects of such marriages were exhibited in the degenerate, weak, and puny members of the Royal families of Spain and Portugal, among whom such marriages had been common. His hon. Friend had endeavoured to furbish up an argument by insisting on the unnecessary and vexatious extent to which this canon law had carried its restrictions, instancing what was termed spiritual affinity. But the complete answer to this plea, so far as it was an argument for laxity, was given by considering what the principle was which England adopted at its Reformation. It swept away at once and for ever dispensations. It said that most conjugal unions were lawful and should be lawful for all men—and a few were unlawful and should be unlawful for all men. It should not be forgotten that whatever might have been the secondary causes which had led up to the Reformation the last and immediate one was such a marriage—the marriage with a brother's wife, contracted by Papal dispensation. It had not been many years before that date that the first dispensation of the kind had ever been given, and he begged the House to note who the Pope was who gave it—Borgia, infamous in history as Alexander VI., who permitted Emmanuel King of Portugal to marry his wife's sister. The marriage law of this Kingdom might be different from that of other countries, but he trusted it would long preserve its insular peculiarity. The hon. Member who last addressed the House asked how it was, if the feeling of the country was against the measure, that the House of Commons had several times given its assent to the proposed change in the law? He (Mr. Beresford Hope) asked in return, if the feeling were in favour of the measure, how was it that the proposed change had never been carried out in face of successive illusory majorities? The fact was, that the innovation ran counter to the best feelings of the people of England, Scotland, and Ireland; and so the measure was constantly wrecked against the manifestation of that feeling. The question had been many years ventilated, and was then laid by to rest; and it had only been brought again to light by the special efforts of new Members seeking for notoriety in a new Parliament. On the Scriptural argument he would not contest the question. On the argument in favour of the measure, founded on the practices of foreign countries, he had, he conceived, grounded a strong argument against the change. On the social question, he refused further to discuss until he saw on the table an overpowering mass of petitions from wives wishing to give their sisters, in the telling words used with such effect by Mr. Sheil in a former debate, a "reversionary interest in the pillow" on which they were to lay their dying head—from the sisters anxious to bring that reversion into possession—and from children anxious for the substitution of an aunt into a stepmother. In the absence of any such petitions he refused to believe in the popularity of the change, which they were too apt to forget was emphatically a woman's question; when such made their appearance, he would argue the matter at greater length. Till then, he denounced it as the mere handiwork of an anonymous society, which was always pretending to possess powerful and respectable supporters, but which when called on to name its concealed backers never got further than "Joseph Stansbury, Secretary." He trusted that the House would peremptorily reject that which he refused to call anything better than "Stansbury's Relief Bill."

Mr. PIM said, the Bill would operate to the detriment of the best interests of the country. On the Scriptural argument he did not think he ought to use his own opinion as a test; but the fact that the prohibition was supposed to rest on the Canon law was likely to have prevented the Dissenters from taking a fair view of the subject. Of the argument drawn from the practice of foreign countries all he would say was that if such practice permitted marriage in the case now under consideration so also did it permit marriage in other cases, the introduction of which into England no one would venture to seek. All the arguments in favour of legalizing marriage with a deceased wife's sister went too far. The arguments equally applied to a deceased wife's mother. He should certainly vote against the second reading.

Mr. LEATHAM said, it had been often said England was the only place where real domestic happiness was known; and he believed that if this Bill were allowed to pass that statement would have to be materially qualified. He believed that by far the great majority of the women of this country had an intense and instinctive dislike to the marriages which it was now sought to legalize, and this he thought was quite a sufficient reason why they should pause before they consented to pass this Bill.

Sir WILLIAM JOLLIFFE said, he should not have risen but for a remark of the hon. Gentleman opposite (Mr. Hunt) which had put the question entirely on the ground of sentimentality. He joined issue with him on that point, and contended, that however much the sentimental argument might apply to upper-class marriages of the kind referred to, it did not apply to the marriages of the poorer classes. This was very much a poor man's question. True, statistics showed that few marriages of this sort were contracted among the poor; but that was because the parties were not brought into such intimacy as they were in other classes. By depriving the poor man of the opportunity of marrying his deceased wife's sister they were doing a great wrong. Their object was to remedy the evil inflicted by the Act of 1835, and to relieve the working classes from the pressure of that Act. He hoped they would not prolong a state of things which was really dangerous to the nation. He should vote for the second reading.

MR. COLERIDGE: Sir, it is a great satisfaction that this question is not treated as in any degree a party question. Rising to speak after the right hon. Baronet the Member for Petersfield (Sir William Jolliffe) who tells us that he supports the Bill of my hon. and learned Friend, I desire to explain in a few words why I vote for the Amendment of the hon. Gentleman opposite the Member for Northamptonshire (Mr. Hunt.)

I admit, Sir, that as a general rule this House is quite unfit for the discussion of points of religious doctrine. And besides, I do not think it satisfactory in general to force on other persons a view of religious doctrine which they do not accept, or a religious authority the obligation of which they do not admit. And yet, in a matter of marriage I am unwilling altogether to pretermit all reference to moral and religious considerations; it is, perhaps, the one subject as to which within certain limits it is fair to press these considerations upon other people. Very briefly, therefore, Sir, I put the moral and religious part of the argument in this way. If what is forbidden to one sex is forbidden to the other—and what is forbidden to one sex must be forbidden to the other, or else a woman may marry her own father, for such a marriage is nowhere in terms forbidden—then this marriage is expressly forbidden in the 18th chapter of the Book of Leviticus. And farther, it is forbidden as contrary to natural morals, for the Canaanites are said to have offended Almighty God by making this marriage amongst others. I pass by a long, obscure and difficult scholastic discussion as to the meaning of a particular verse which is supposed by some to come in as a sort of qualification on a general prohibition—such discussion having, in my opinion, with all respect to those who differ, nothing to do with the matter in hand. I waive, as quite unfit for the House of Commons, all questions as to the authority of the Book of Leviticus. I waive even all question as to its authenticity. I only say that whatever its authority and whoever wrote it, it is plain this is the meaning of it. Now, how has universal Christendom interpreted it? I do not deny, though I do not assert, that this marriage may have taken place in fact just as marriages of priests took place in fact. But I say that there cannot be found a recorded instance of a permitted marriage of this sort for the first fifteen hundred years of Christianity. Churches and sects, the orthodox and the heretical, East and West, differing on almost every other subject under heaven agreed in this. And I think my hon. Friend the Member for Stoke-upon-Trent (Mr. Beresford Hope), has already pointed out that the first dispensation for this marriage was granted by Alexander VI., a Pope not remarkable for the spotless purity of his own private life. Now, this view of universal Christendom these islands received as part of their marriage law from the very earliest times. There never was a period when this marriage was not illegal. True, it could only be set aside in the Ecclesiastical Courts as matter of procedure, but that was because by the law of this country all questions of marriage were decided by those tribunals. Marriages the most horrible and the most incestuous could never, as far as I know, be questioned except in those courts. That has always been till lately the law of the land, and although it may be that through the imperfections, or if you will, the corruptions of the Ecclesiastical Courts these marriages were in fact celebrated, still they were always illegal, and they could always be set aside in the same way, and in no other way than a marriage between a brother and sister or a father and daughter. We are therefore, I think, justified in thus far enforcing the moral and religious view on all persons living in these islands. We have a right to say, to those who wish a change, "Ever since we have had a Government at all this has been the law—you were born under it—it is part of the moral and Christian code as accepted by the whole British people for centuries—and if you break it do not ask us who love it, who profit by it, who think it right and are quite sure it is expedient to sanction your breach of it, and to repeal a law which is a great blessing to us because you with your eyes wide open have chosen to set it at defiance." My hon. and learned Friend the Member for Marylebone (Mr. Thomas Chambers) has indeed told us that these marriages though forbidden by the Christian law, were not forbidden by the two great nations of classical antiquity, and he has been pleased to appeal to me to confirm his statement. Sir, I am not quite sure how the matter stood in the latter ages of Rome, when the Empire became Christian, but I should not be disposed to go to the earlier times of the Empire, to the times of Claudius and Agrippina, or of Nero and Poppæa, for my laws of marriage. Nor should I go to the Athens of Alcibiades, and to the state of society painted in the comedies of Aristophanes for my canons of purity of life. Nay more, when the Greeks founded their great dynasties in the East, every one knows who has heard of the later Ptolemies and Cleopatras what horribly incestuous marriages became amongst them not the exception but the rule.

But I pass from these matters to the social argument; and the social considerations, I confess, seem to me all one way, and to constitute an overwhelming case for maintaining the law as it stands. Who, to begin with, can count the sum of innocent delight or the moral and intellectual improvement which the present happy relations of brothers and sisters-in-law has brought about in this country? It was an observation not sentimental, but practical, and made by a much wiser man than myself, that unpassionate affection is one of the great educators and civilizers of mankind. Every candid man knows this is so in his own case, and must admit that the wider in reason the circle of such influences can be made the better for the nation. Change these relations—suffer brothers-in-law and sisters-in-law to marry—and besides destroying these influences, you lower at once the whole idea of Christian marriage. Now, the husband's relations are the wife's relations, and the wife's the husband's; for they are no more twain, but one flesh. But pass this law, and you make them twain at once—or rather half twain; for you propose to keep the wife tied to your relations, but to set yourself free from hers. There are a multitude of other social considerations on which at this period of the debate I refrain from insisting; but one thing I must point out—that if this law be changed no modest marriageable woman can henceforth ever treat her brother-in-law as a brother. For the very alteration of the law after so much discussion and argument would point her out upon the wife's death as the proper Parliamentary successor, and if she put herself in the way of the succession most people would be sure to say she was seeking it.

And where is the case for such a change? Can it be denied that the people of Scotland are almost unanimous against this Bill? Is not Ireland, happily, without distinction of creed, by a great majority against it? Why are Scotland and Ireland not to be considered when the peace of their families and the purity of their marriage law is in question? Can it be denied that the great majority of Englishwomen shrink from this alliance? that certainly an overwhelming majority of the women of England are vehemently against it? Is the Parliament of England because it consists of men to pass a law relating to marriage from which the great mass of English women will recoil with horror? Farther, Sir, there is no principle in this Bill. It does not sanction marriage with a brother's widow, nor with a wife's niece, nor with a husband's nephew; yet all these marriages, one would think, were included in the one under discussion. And if the same amount of energy were employed, and the same amount of money spent in getting up a case for either of these marriages, does anybody doubt that the same sort of statistics might be obtained? Farther, it is no argument to say that there is no natural horror at these marriages. Marriage laws are of necessity conventional; marriages which we should all shrink from now were, as we know, and from the nature of things must have been at one time common. And those who know best what life is in our crowded cities, aye, and in our miserable cottages, will be the last to rely on natural horror to protect us from incestuous connections, or to desire to bring down the standard of our laws to the level of the habitual breach of them. If, then, no case has been made out for the abolition of this restriction, why should we hesitate to stand where we are? Why make any difficulty in rejecting this Bill? Some gentlemen who have broken the law are naturally anxious to legalize their breach of it, and they perhaps wisely limit their endeavours to changing this particular restriction. But by some persons there is a zeal, and almost a religion, imported into this matter which I confess I do not understand. My hon. and learned Friend the Member for Marylebone (Mr. Thomas Chambers) pursues his argument with an energy I find it difficult to follow. He almost resembles a person of whom I am reminded by seeing my hon. and learned Friend the Member for the University of Cambridge (Mr. Selwyn) in his place. My hon. and learned Friend was arguing on this subject with a gentleman who was in favour of the change, and the gentleman said to him, "Well, Sir, I am not a married man; I never have been a married man; and, probably, I never shall be a married man; but if ever I should marry, I feel so strongly on this matter that I am determined upon principle to marry no one but my deceased wife's sister." In that case, Sir, zeal certainly outran discretion.

I admit, Sir, that a minority is to be generously considered and tenderly dealt with; but this is an attempt of a minority who have broken the law to interfere with the comfort and destroy the happiness of the vast majority of the subjects of the Queen who delight in the law, and who have not broken it. You cannot allow the few who want to marry their sisters-in-law to do so without destroying the relation of sisters-in-law altogether, for the great majority of men who do not want to marry them. While there are plenty of other women in the world, while as the right hon. Baronet and my hon. and learned Friend admit, this is not a poor man's question, what pretence is there for the change? What is there to show the majority are wrong? Why in such an affair as this are their feelings to be set at nought? I end, as I begun, by rejoicing that this is not a party question. The highest and sternest views of moral and social obligation have been advocated indifferently from both sides of the House. I view it not at all as a party man; but I conceive I best discharge my duty as a Member of Parliament by maintaining to the utmost of my power a law of marriage which, although the breach of it may, and does, I believe, in some cases occasion an unhappiness which I sincerely regret and feel for, yet in itself tends greatly in my judgment to the advancement of the moral, and therefore of the general and material well-being of the people.

MR. HADFIELD said, that some of the most enlightened members of the Church of England were in favour of the proposed change in the marriage law. He belonged to a party which acknowledged only Scriptural authority in this matter, and he believed he spoke the sentiments of the whole body of Nonconformists when he said that their opinion was favourable to the principle of this Bill. The question ought to be considered as one specially affecting the welfare of the poor man.

THE ATTORNEY GENERAL said, that he must apologize to the House for rising to address it after the very admirable speech of the hon. and learned Member for Exeter (Mr. Coleridge), seeing that it was almost impossible to add anything to that which he had laid before the House; but painful as the discussion of this question was, his convictions in regard to it were so strong that he would hardly be able to justify himself if he did not on all occasions endeavour humbly to enforce the opinions he entertained. He felt that there was no interest of society the change of which in a wrong direction would be more dangerous and more liable to be attended with the greatest evils than the interest which was involved in the law of marriage. Upon the family all society rested, and the law of marriage was that which protected its sacred character. He urged hon. Members who might be influenced by the argument of the liberty of the subject to please himself in this matter, to bear in mind that liberty — that was freedom from the restraints of law—was not possible in this matter. No one would argue that Parliament should sweep away altogether all the prohibitions which the law had made upon marriage on the ground of consanguinity or affinity. There was no one present, he ventured to say, who would not shrink from the idea of a discussion being raised as to every degree, one after the other, on the table of prohibitions, calling upon the House to go through them all, and show whether from Scripture or reason, or convenience, it was necessary to maintain every one of them. All must feel that if all prohibitions were swept away, and men were left to marry their blood relations and relations by marriage as much as they pleased, a security of the utmost value would be taken away from the most sacred and fundamental interests of society. This being clear, he owned that he should have thought that it would be almost equally clear to every Member of the House that if they were to have a law of prohibition on such a subject, it should be a law consistent in itself; and that of all things the most unjustifiable and the most mischievous would be arbitrary encroachments on that law, striking out of it particular cases which manifestly fell within the range of its principle, upon the ground, forsooth, that agitation was got up against them — that a certain number of persons came forward and pleaded their own violation of the law as a reason why the law should be altered. He thought such a law as that proposed by the hon. and learned Gentleman who introduced this Bill (Mr.

Chambers) could not be defended for an instant. It would be a law utterly inconsistent with itself and repugnant to all principle, infringing on the symmetry and consistency of the law which now existed, and giving nothing consistent or symmetrical in its place. What was the principle on which the law rested? He would say that it was the fencing round, by the prohibition of marriage, the sanctity of the relation of the sexes within the family, as far, and as far only, as the permanent and the necessary interests of society required that security. It had always—especially with religious men—been closely connected with religious considerations. It was doubtless true that these considerations were carried to an extravagant length in the times of the early Church, but certainly of the mediæval Church. But at the time of the Reformation the Legislature restrained those prohibitions within what seemed to be their natural and consistent limits, and those limits were decided according to the interpretation placed upon the Levitical law. He was not going again to argue the question on the interpretation of the Levitical law; but he would take the liberty of pointing out the difference in the modes of dealing with the law at the time of the Reformation by the two parties who took it in hand. The Reformers of every community — not only Episcopalians, but Protestants of every kind—interpreted the Levitical law in the same way; and they, in some cases, like the Roman Catholic Church, allowed dispensations. When, however, they interpreted the Levitical law consistently with itself, they found out a principle by which they could tell how far they were to go. They took extreme cases, including equal and nearer degrees of relationship, and they took the case of the woman and held that there must be a converse law in the case of the man. Everybody would say that that was a consistent scheme. According to this interpretation the law did not make any arbitrary exceptions; whereas the interpretation of the other side allowed arbitrary omissions and exceptions, interfering with the symmetry, the harmony, and the consistency of the law. But the case did not rest with the Levitical law, for there were thirteen out of the thirty-three degrees not mentioned in it, and if the House were to say that there should be no degree that was not mentioned in that law, it would have to strike out half the table. That principle, therefore, did not hold good. How, then, was the question to be dealt with? The advocates of the Bill could not take their stand on theological arguments. He would be glad to know how in the world an argument conducted upon the question of polygamy would be theologically sustained. Although in the minds of religious men a sense was to be deduced from Scripture which harmonized with our law of monogamy and rejected the law of polygamy, persons who took the mere letter of the old Testament especially would very easily produce arguments much better than any ever produced on the present subject to show that polygamy was in itself perfectly justifiable. There could be no doubt whatever about it. Nevertheless, although a proposition could not be argumentatively sustained on scriptural grounds, for that reason a law consistent in itself, which presented a scheme in harmony with itself and conducive to the interests of society, was not to be set aside. The Bill before the House was one of the most extraordinary he had ever seen; the hon. and learned Gentleman who had introduced it (Mr. Chambers) actually asked the House to make a declaration retrospectively, that everybody that had broken the law for the last 300 years was to be deemed to have been obeying it—for that was the substance or the effect of his request. But he only asked the House to do so in reference to a single case—marriage with a sister of the deceased wife. It was said that this could not be helped; but on what rule did those who said so proceed? Did they go upon the hon. and learned Gentleman's interpretation of the Levitical law? He wanted, however, to know why the hon. Gentleman's interpretation of it was better than that of anybody else? They must go upon somebody's interpretation; or if hon. Gentlemen did not go upon some interpretation of the Levitical law, what were they guided by? He would tell them. They were influenced by an association formed to procure an alteration of the law to justify past breaches of it, and if Parliament were to strike out the part of the law in question for such reasons, there would speedily be formed other associations to alter some other parts of the law of marriage. Those who were not content with this argument, who did not accept any particular interpretation of Leviticus, would probably inquire whether they had anything to do with Leviticus. Some people did not acknowledge the authority of that Book at all, and they would be entitled to say, "Why should you impose upon us laws founded on the authority of Leviticus? We do not want to argue this question but upon the dictates of natural sense." A very high authority had said that it could not be proved by natural sense that any marriages of affinity were morally wrong. Lord Russell had said, with great candour, that no one disposed to maintain the present law saw any point at which he could stop short of abolishing all prohibitions of marriages of affinity, and that it would be necessary to fall back on consanguinity. If the House thus fell back to consanguinity, what was to become of the case which had been several times mentioned, of marriage of the uncle with the niece? Some persons referred to the opinions of the Jews. The other day a most respectable gentleman of the Jewish persuasion told him, as a matter of fact, that the Jews recognized the law of marriage between a man and his niece, one reason being that such marriages were not expressly prohibited in the chapter in Leviticus. He did not know whether that was so; but it was easy to imagine that there might be a difference of opinion among Jews; and it was no doubt the fact that those marriages occurred among the Jews, and also by dispensation among the Roman Catholics, and among the Protestants of some European countries. If we were to square ourselves to what the Jews permitted, we could not stop short of encroachment upon consanguinity. He wanted to know why we were to abrogate the law of affinity, or to alter it in this particular manner? He ventured to say there was no case in which the protection of affinity by law was of more value than it was in this. If there were one case in which more than another the law ought to protect the family and social relationship by prohibiting marriage it was that of the wife's sister. And why? Because the society of the sister was of much more importance to the wife than the society of the niece—there could be no doubt about it—and he could conceive no greater encroachment or inroad upon the happiness and peace of a family than the enactment of a law, which, directly or indirectly, altered the status of the wife's sister in the family. She now regarded her sister's husband as a brother. Would it be possible if this Bill were passed any longer to treat one's wife's sister as equal to one's own sister? It was an immense blessing to every class of society that the present law entitled husbands to treat their wife's sister as their own, and to receive her into the house upon that footing. It was proposed to take away that privilege and blessing. He entreated the House not to do it. He did not wish to dwell upon the Bill, but every Bill of this sort bore upon the face of it the stamp of its own condemnation. Why, for instance, should there be one law for England and another for Scotland? One great novelty of the Bill was that it was to be retrospective. Every marriage was to be deemed to have been good which had been solemnized against the law in England since 1837; while in Scotland it applied only to marriages contracted after the passing of the Act. Every time the subject had been introduced it had been introduced by persons having no object in view that was conducive to the settlement of the question; they merely endeavoured to gain a particular object important to some few persons at any expense as to the consistency and symmetry of the law, not minding whether they had one law for England and another for Scotland—not minding whether there was one law for a husband's brother and another for a wife's sister—but unsettling everything. And for what purpose?—merely to gratify agitators who had been encouraging breaches of the law by constantly and perseveringly misrepresenting it to ignorant members of society. He would now say one word on the argument of the right hon. Gentleman opposite (Sir George Grey), who spoke of this Bill as in his judgment a poor man's question. The right hon. Gentleman, however, admitted that marriages with a deceased wife's sister were not common, and the grievance was that poor people were not able to make them; that was to say, he was desirous of giving the poor the opportunity of making such marriages, thinking they would be highly advantageous to such people. But he could not see that the poor differed in this respect from other classes of society, and the infrequency of the marriages was not an argument in favour of legalizing them. The last time the subject came under discussion in the House he received communications from several of the clergy of the largest and most populous parishes in the metropolis, among them being the Rector of St. Giles's, while others were sent from Manchester and other parts of the country; and those clergymen informed him that they had taken very great pains to ascertain as accurately as possible how far marriages of this sort were common among the populations committed to their spiritual care. The result was that they found fewer cases of this particular kind of violation of the law than other kinds which they mentioned, which the Bill did not propose to deal with. He admitted, of course, but with deep sorrow, that what was described as incest was to be met with—not often—in the lower classes of society, under circumstances which tended to explain if not to extenuate it. That was much to be lamented; but the cure for it was to elevate the persons, to improve their dwellings, to increase their spiritual superintendence, and to give them better education; but of all things least likely to improve their morals and lead them away from crime was to teach them, by such examples as this, that it was only necessary to commit a certain amount of crime, and then form a society to get it legalized through the action of Parliament.

MR. THOMAS CHAMBERS, in reply, said, that he was astonished, after the principle of this Bill had been sanctioned by the most eminent Judges and members of the episcopal bench, that those who now supported this Bill should be subjected to the sweeping censure which had been pronounced by the Attorney General. If they carried the Bill, would the Attorney General and his friends have any objection to such marriages in Scotland being declared valid? It was his (Mr. Chamber's) desire to validate these marriages in every part of the Empire. His hon. and learned Friend below him (Mr. Coleridge) said that there was no instance of a dispensation being granted for the marriage with a deceased wife's sister until that granted in the case of the King of Portugal. The hon. and learned Member for Dundalk (Sir George Bowyer), however, had referred him to a case in which such a dispensation had been granted long before that time. Why, for 300 years before 1835 there was practically a standing dispensation for all such marriages, and there was nothing whatever to show that any public scandal or any relaxation of the morals of the country had been produced in consequence. He fully believed that the provisions of the Bill were not contrary to Divine law—had it been shown that they were he would have given it up. The Attorney General had dwelt forcibly upon the moral results of the Bill. Now it was his (Mr. Chamber's) conviction, if this Bill were passed, that so far from any of the evils predicted from it arising a vast deal of good to society generally would be produced.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 154; Noes 174: Majority 20.

Words *added*.

Main Question, as amended, put, and *negatived*.

Second Reading *put off* for six months.

AYES.

Adair, H. E.
Adam, W. P.
Akroyd, E.
Anstruther, Sir R.
Ayrton, A. S.
Bagwell, J.
Baines, E.
Baring, T.
Barnes, T.
Baxter, W. E.
Beaumont, H. F.
Beaumont, W. B.
Bentinck, G. C.
Berkeley, hon. H. F.
Bonham-Carter, J.
Browne, Lord J. T.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Buller, Sir E. M.
Butler, C. S.
Buxton, C.
Calcraft, J. H. M.
Calthorpe, hn. F. H. W. G.
Candlish, J.
Carnegie, hon. C.
Cave, T.
Cheetham, J.
Childers, H. C. E.
Cholmeley, Sir M. J.
Clive, G.
Colvile, C. R.
Cowen, J.
Cowper, hon. H. F.
Crosland, Colonel T. P.
Crossley, Sir F.
Davey, R.
Dent, J. D.
Dick, F.
Enfield, Viscount
Evans, T. W.
Fawcett, H.
FitzGerald, Lord O. A.
Fitzwilliam, hn. C. W. W.
Foljambe, F. J. S.
Forster, C.
Forster, W. E.
Fortescue, rt. hon. C. P.
Galway, Viscount
Gaskell, J. M.
Glyn, G. C.
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, J.
Gray, Sir J.
Gridley, Captain H. G.
Grosvenor, Lord R.
Grove, T. F.
Gurney, R.
Gurney, S.
Hadfield, G.
Hanbury, R. C.
Hankey, T.
Harris, J. D.
Headlam, rt. hon. T. E.
Heathcote, hon. G. H.
Henderson, J.
Hibbert, J. T.
Hodgkinson, G.
Holland, E.
Horsman, rt. hon. E.
Howard, hon. C. W. G
Hughes, W. B.
Jackson, W.
Jervoise, Sir J. C.
Jolliffe, rt. hn. Sir W. G. H.
Kelly, Sir F.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Knatchbull-Hugessen, E
Lawrence, W.
Lawson, rt. hon. J. A.
Lee, W.
Leeman, G.
Lewis, H.
Liddell, hon. H. G.
Lowe, rt. hon. R.
Lusk, A.
Mackinnon, W. A.
Marjoribanks, D. C.
Marsh, M. H.
Marshall, W.
Martin, C. W.
Martin, P. W.
Meller, W.
Merry, J.
Milbank, F. A.
Milton, Viscount
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Moore, C.
More, R. J.
Morrison, W.
Neate, C.
Norwood, C. M.
O'Loghlen, Sir C. M.
Owen, Sir H. O.
Padmore, R.
Pelham, Lord
Peto, Sir S. M.
Philips, R. N.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Price, R. G.

Rawlinson, Sir H.
Repton, G. W. J.
Robertson, P. F.
Rothschild, N. M. de
Russell, A.
Russell, H.
Samuelson, B.
Scholefield, W.
Seely, C.
Seymour, A.
Shafto, R. D.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. A.
Smith, J. B.
Stacpoole, W.
Stanley, Lord
Stansfeld, J.
Stirling-Maxwell, Sir W.
Sturt, Lt.-Colonel N.
Taylor, P. A.
Tite, W.
Tollemache, J.
Tomline, G.
Treeby, J. W.
Trevelyan, G. O.
Vivian, H. H.
Vivian, Capt. hn. J. C. W.
Watkin, E. W.
Whitbread, S.
White, J.
Whitworth, B.
Wynn, C. W. W.
Wynne, W. R. M.
Wyvill, M.
Young, R.

TELLERS.
Chambers, T.
Gilpin, C.

NOES.

Acland, T. D.
Adderley, rt. hon. C. B.
Annesley, hn. Colonel H.
Armstrong, R.
Aytoun, R. S.
Baggallay, R.
Bagge, W.
Bailey, Sir J. R.
Baring, hon. A. H.
Baring, H. B.
Barnett, H.
Barron, Sir H. W.
Barttelot, Colonel
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Benyon, R.
Bernard, hon. Col. H. B.
Blennerhassett, Sir R.
Booth, Sir R. G.
Bovill, W.
Bridges, Sir B. W.
Brooks, R.
Bruce, Major C.
Buckley, E.
Burrell, Sir P.
Cairns, Sir H. M'C.
Campbell, A. H.
Cartwright, Colonel
Castlerosse, Viscount
Cave, S.
Cavendish, Lord G.
Cobbold, J. C.
Cole, hon. H.
Coleridge, J. D.
Conolly, T.
Corry, rt. hon. H. L.
Courtenay, Lord
Cooper, E. H.
Cranbourne, Viscount
Cubitt, G.
Dalkeith, Earl of
Dawson, R. P.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. A.
Dundas, rt. hon. Sir D.
Dunlop, A. M.
Dunne, General
Du Pre, C. G.
Dyott, Colonel R.
Eckersley, N.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, hon. W.
Elcho, Lord
Esmonde, J.
Ewing, H. E. Crum-
Farquhar, Sir M.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Floyer, J.
Forde, Colonel
Forester, rt. hon. Gen.
French, Colonel
Gallwey, Sir W. P.
George, J.
Gladstone, W. H.
Goddard, A. L.
Greenall, G.
Greville, A. W. F.
Greville, Colonel F.
Grosvenor, Capt. R. W.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, G.
Hardy, J.
Hervey, Lord A. H. C.
Henley, rt. hon. J. W.
Herbert, hon. P. E.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hodgson, W. N.
Hogg, Lt.-Colonel J. M
Holford, R. S.
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Humphery, W. H.
Jones, D.
Kearsley, Captain R.
Kelk, J.
Kendall, N.
King, J. K.
Kinnaird, hon. A. F.
Knox, hon. Major S.
Langton, W. G.
Leatham, W. H.
Lefroy, A.
Leslie, W.
Lindsay, hn. Colonel C.
Lindsay, Colonel R. L.
M'Lagan, P.
M'Laren, D.
Mainwaring, T.
Manners, rt. hn. Lord J.
Miller, S. B.
Miller, T. J.
Miller, W.
Monk, C. J.
Monsell, rt. hon. W.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
North, Colonel
Northcote, Sir S. H.
Ogilvy, Sir J.
O'Neill, E.
O'Reilly, M. W.
Otway, A. J.
Packe, C. W.
Paget, R. H.
Palmer, Sir R.
Parker, Major W.
Paull, H.
Peel, rt. hn. Gen.
Peel, A. W.
Peel, J.
Percy, Maj-Gen. Lord H.
Pim, J.
Powell, F. S.
Rebow, J. G.
Ridley, Sir M. W.
Samuda, J. D'A.
Sclater-Booth, G.
Scott, Lord H.
Selwyn, C. J.
Simonds, W. B.
Smith, S. G.
Stanhope, Lord
Stanley, hon. F.
Stronge, Sir J. M.
Surtees, H. E.
Sykes, C.
Taylor, Colonel
Tottenham, Lt.-col. C. G.
Turner, C.
Vandeleur, Colonel
Verner, E. W.
Verner, Sir W.
Vernon, H. F.
Waldegrave-Leslie, hn. G
Walker, Major G. G.
Walpole, rt. hon. S. H.
Waterhouse, S.
Whiteside, rt. hon. J.
Whitmore, H.
Wickham, H. W.
Williams, F. M.
Winnington, Sir T. E.
Wyndham, hon. H.
Wyndham, hon. P.
Young, G.

TELLERS.
Hunt, G. W.
Heathcote, Sir W.

GLEBE LANDS (SCOTLAND) BILL.

(*Sir James Fergusson, Major Walker, Mr. M'Lagan.*)

[BILL 115.] SECOND READING.

Order for Second Reading read.

SIR JAMES FERGUSSON, in moving the second reading of the Bill, said, it was intended to supplement the insufficient receipts of many of the parochial clergy of Scotland by utilizing existing Church property. By the present law, no one could grant a lease of glebe lands for a longer term than his own life; hence, it was impossible that land could be properly farmed, as a tenant could not safely make improvements. The glebes in Scotland consisted on an average of five or six acres, and were originally intended to supply the household wants of the minister. Now, however, the immediate want of a horse and a few cattle was not felt, as those things could be readily obtained by purchase; but the cost of living was increased. It seemed desirable, therefore, that the provision to be made for the ministers of the Church should be utilized as much as possible. It was in the neighbourhood of rising towns where it would be most easy to utilize the glebe land by letting it on building leases, and it was just in these places that the population demanded clergymen of a superior order, such as might be obtained by larger stipends than were now available. The present law did not allow an incumbent to grant a building lease in feu. He could only do that by obtaining a private Act, which would cost £500, and it was quite beyond the reach of an ordinary clergyman to obtain a private Act. The number of glebes in Scotland was about 900; and of these he had information of more than 460 to which the power sought to be obtained by this Bill could be properly applied. As regarded the leases, they were chiefly valuable for the parishes in which there was a very large extent of unimproved land. In 80 parishes the glebes amounted to upwards of 50,000 acres; but that being Church land—not worth more than 1*s.* an acre—it did not imply an addition to the stipend of more than £40 or £50 a year. But it was represented that extensive glebes would be to a certain extent improvable, and might be much more beneficially farmed by being let, than by the minister farming it himself. From the Returns obtained by the Council of the General Assembly of the Church of Scotland in 1864, it appeared that in 105 glebes, amounting to 660 acres, feuing would be likely to take place. Since then they had heard of 15 more, of 57 acres; so that 717 acres might be very beneficially feued. There were some others, making perhaps 150. In 100 cases, the gain would be from £20 to £80 a year; in 9 cases, there would be about £100 additional; in 7 cases, the gain would be from £100 to £150 a year; in 3, about £200 a year; and in only 1 above that sum. It was a remarkable fact that, where the gain would be £100 a year, they were nearly all cases where the present stipend of the minister was of the minimum rate allowed by the law—namely, £150 a year; and therefore it was precisely in the cases of the most necessitous ministers that this Bill would benefit the incumbent. Inasmuch as a private Act cost £500, and in seven-tenths of the parishes the Bill would only give additions under £100 a year to the stipends, it was no great thing that was asked; but having regard to the limited income of the parish ministers of Scotland, it was an addition that would be very sensibly felt in increasing their comforts and providing for the education of their families. In the Bill which he had introduced, particular pains had been taken to avoid injuring the rights of individuals; and if the House would allow him, he would point out in a few words how the rights of all persons were guarded. In the first place, it was proposed that if the minister desired power to feu his glebe, he should in the first place obtain the consent of the heritors and the Presbytery; and having their consent he should petition the Court of Tiends that it should employ a reporter to make proper inquiries. On his being satisfied that the feuing might be properly exercised, the Court might grant the application, making such rules as the Court should think fit for the carrying out of the scheme. There was a clause providing that all proper sanitary precautions should be made; and then the Bill said that casualties and renewals should go into a sinking fund to defray the original expense. There was a right of pre-emption proposed by the Bill to conterminous proprietors, so that no one could be injured by a populous place being raised in the immediate neighbourhood of a gentleman's park. He thought it was a question whether, even in such a case, there should be power to sell the glebe land. He looked upon the incumbent of a parish as very much in the position of the proprietor of a settled estate. He thought it would be better if the House would grant the second reading of the Bill, to strike out the power to sell to any proprietor, but to give a conterminous proprietor the power to feu the land, if he should prefer. These were the leading provisions of the Bill. There was a clause which provided that after a certain point the proceeds should be applied towards providing additional supervision for the parishes; but he thought that clause might as well be dropped, inasmuch as the addition to the stipends would be so small that there would be no funds available for such a purpose. On the whole, he trusted the House would pass the Bill, which had been submitted to those who represent chiefly the landed property of the country, had been prepared with the full consent of the Church, and injured no one's rights. At all events, he hoped the House would not object to the second reading. He would take care to place the Committee on a distant day, so that all possible consideration might be given to the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time." —(*Sir James Fergusson.*)

Sir ANDREW AGNEW said, he concurred in most of the remarks that had fallen from the hon. Gentleman who had moved the second reading of the Bill, which he thought would be a measure of general advantage to the Church of Scotland. As the incomes of the Scottish clergy were very scanty, and with regard to half the parishes no means of raising the stipends could be found, any addition that could be given to the incomes must be not only a means of increasing their comforts, but must also have the effect of attracting more extensively the talent of the country; so that there might be retained within the boundaries of the Church those who would naturally demand in their clergymen the possession of such qualifications. With regard to the leases, it appeared to him that eleven years was a long period; and in the uncertainty of human life, supposing a lease was just entered upon, and the minister were to die within a few months afterwards, it would be a disadvantage to the new minister to find that he could not have the occupation of the land for a long period. He saw no objection to the principle of the Bill, if matters were so arranged that consent of the Presbytery should be obtained within one year. With that provision, he should support the second reading of the Bill.

THE LORD ADVOCATE approved of the object and principle of the Bill, as he thought it was only fair that the clergy of the Church of Scotland should be assisted in the way that it proposed. He had, therefore, no objection to make to the second reading of the Bill. The only remark he had to make on the measure was this—that some provision ought to be made for those cases of parishes where the population had gone far beyond the present means of its spiritual provision. Provision ought to be made for those cases, which would not probably be very numerous; and the provision might be placed under the control of the Commissioners.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* 28th May.

HARWICH ELECTION.

House informed, that the Committee had determined—

That Henry Jervis White Jervis, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich.

That John Kelk, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich.

And the said Determinations were ordered to be entered in the Journals of this House.

House further informed, that the Committee had unanimously agreed to the following Resolutions:—

That Henry Jervis White Jervis, esquire, was not disqualified to be elected and serve in this present Parliament by reason of holding an office or place of profit under the Crown created since the passing of 6 Anne, c. 7, nor as a deputy or clerk in the office of Her Majesty's Principal Secretary of State for War within the meaning of 15 Geo. II.

That no evidence of acts of bribery or undue influence exercised by the said Henry Jervis White Jervis, esquire, and John Kelk, esquire, has been laid before the Committee.

That no agreement between the said Henry Jervis White Jervis, esquire, and John Kelk, esquire, was made before the Election that the said Henry Jervis White Jervis, esquire, should unduly use the influence of himself and the Great Eastern Railway Company with and over Voters of and in the Borough of Harwich in favour of the said John Kelk, esquire, and that the said John Kelk, esquire, should, in consideration thereof, pay and bear the expenses of and attending the Election of the said Henry Jervis White Jervis, esquire, or any portion thereof, as alleged in the Petition of John Burt and others.

That the Petition of the said John G. K. Burt and others against the said Henry Jervis White Jervis, esquire, and John Kelk, esquire, is frivolous and vexatious.

Report to lie upon the Table.

Minutes of Evidence taken before the Committee to be laid before this House.—(*Mr. Gathorne Hardy.*)

BURIALS IN BURGHS (SCOTLAND) BILL.

On Motion of Mr. BAXTER Bill to revive Section Sixty-nine of 'The Nuisances Removal (Scotland) Act, 1856,' relating to Burials in Burghs, *ordered* to be brought in by Mr, BAXTER and Mr. CARNEGIE.

Bill *presented,* and read the first time. [Bill 132.

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, May 3, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Legitimacy Declaration (Ireland) * (96); Consecration of Churchyards * (97).

Second Reading—Selling and Hawking Goods on Sunday (92); Exchequer Bills and Bonds * (58).

Referred to Select Committee—Ecclesiastical Commission * (52).

Committee—Customs Duties (Isle of Man) * (82); Local Government Supplemental * (84).

Report—Poor Persons' Burial (Ireland)* (94); Customs Duties (Isle of Man)* (82); Local Government Supplemental* (84).

Third Reading—Qualification for Offices Abolition* (41); Salmon Fisheries (Scotland)* (86), and *passed.*

THE OATH TO BE TAKEN BY PEERS.

STANDING ORDER.

On the Motion of The LORD CHANCELLOR, it was

Resolved, That the Oath appointed by the Act of the present Session of Parliament, intituled "An Act to amend the Law relating to Parliamentary Oaths," to be made and subscribed by Members of both Houses of Parliament on taking their Seats in every Parliament, be made and subscribed by Members of the House of Peers betwixt the Hours of Nine in the Morning and Five in the Afternoon: Ordered, that the said Resolution be declared a Standing Order, and that it be entered on the Roll of Standing Orders of this House.

TOTNES ELECTION — GREAT YARMOUTH ELECTION—REIGATE ELECTION—LANCASTER ELECTION.

Messages from the Commons that they have agreed to Addresses (which are severally set forth) to be presented to Her Majesty, to which they desire the concurrence of their Lordships.

Message to the Commons for Report and evidence taken before the Select Committee of the House of Commons on the Petitions complaining of undue Elections and Returns for the said boroughs.

SELLING AND HAWKING GOODS ON SUNDAY BILL.—(*The Lord Chelmsford.*)

(No. 92.) SECOND READING.

Order of the Day for the Second Reading read.

Lord CHELMSFORD *presented* petitions from tradesmen of Marylebone, Clerkenwell, Bethnal Green, and Spitalfields, Islington, Stepney and Limehouse, and from persons signing, praying for the adoption of measures to restrict Sunday trading to such articles as are necessary to public convenience:—and from inhabitants of St. George the Martyr, Holborn, West Ham, and Christ Church, Bermondsey, in favour of the Selling and Hawking Goods on Sunday Bill.

LORD CHELMSFORD, in proceeding to move that the Bill be now read the second time, said, that the petitions he had just presented were signed by not less than 10,000 persons, all of whom were specially affected by the question, and who desired that Sunday trading should be prohibited by law, so that they might be enabled themselves to abstain from a violation of the Sabbath, to which they were at present driven in self-defence. For many years past, various attempts had been made to pass a measure for this object. In 1832, and again in 1847, a Committee of the House of Commons sat upon the subject, and in 1850 their Lordships also appointed a Committee to inquire into the whole subject. All of these Committees received a considerable amount of evidence, proving the extent to which Sunday trading was carried on, the utter inefficacy of the law, and the necessity for fresh legislation. Various Bills, framed in accordance with the recommendations of these Committees, had been introduced to Parliament; but they had unfortunately all been unsuccessful. In 1850 a noble Earl on the cross-benches (Lord Harrowby) introduced a measure which was favourably reported on by a Select Committee and passed their Lordships' House; but it was so late in the Session before it reached the House of Commons that it fell through. The framer of that measure had assisted him to draw up the Bill he had introduced to their Lordships' notice, and he expected the noble Earl would cordially support him in his endeavours to get the Bill passed. In that year 1855 a noble Lord (Lord Ebury), who was then in the House of Commons, introduced a measure, which was read by that House the second time; but the people at that period grew much agitated upon the subject of Sunday observance—not, he believed, in consequence of the provisions of that Bill, but because the public-houses had been ordered to close at ten o'clock on Saturday by an Act of Parliament passed in the previous year—and so threatening was the appearance of the large numbers of the people gathered in the Parks at the time that at the request of the Government of the day his noble Friend was induced to withdraw the measure. In 1860 he himself introduced a similar Bill, and their Lordships' passed it; but it failed to pass the Commons. Considering that all these efforts had been made and failed, it might be very fairly asked why another attempt was made, and how he could hope to be successful now. But there were at the present time certain considerations which led him to hope that the present moment was peculiarly favourable for the attainment of his object. In the first place, he believed there was a growing opinion abroad that the tradesmen who complained of the existing system were subjected to an intolerable grievance, and were entitled to the protection of the Legislature—and, in the next place, the work-people generally were released from labour earlier on Saturdays, and were paid their wages earlier in the day, than formerly—arrangements which obviated the necessity of making purchases on Sunday. He believed that much prejudice existed against legislating upon the subject; but that arose chiefly from the efforts made in former times by good and religious men, who caused a cry to be raised that it was useless to attempt to make people godly by Act of Parliament. This idea, perhaps, arose in the first instance from the provisions of the Act of Charles II., wherein it was ordered that—

> "All and every person or persons shall on every Lord's Day apply themselves to the observance of the same, by exercising themselves therein in the duties of piety and true religion, public and private."

Of course, the injunction failed to have any effect; and he desired that it should be expressly understood that his Bill should be looked upon as a measure of protection and not of coercion. He wished to leave it to the dictates of a man's own conscience as to how he should spend the Sunday; but he also desired to insure that he should not be bound to continue his work on that day, and thus lose the blessing—the inestimable blessing—of a day of rest, and the opportunity of employing that day in a becoming manner. In the Reports of the Committees to which he had referred, abundance of evidence would be found as to the extent to which Sunday trading was carried on. The facts disclosed might almost be described as startling. Trading of every description went on, and it was computed that 10,000 shops in the metropolis were open every Sunday. Many of the public thoroughfares were thus crowded by noisy multitudes, and the decent and respectable portion of the community were annoyed on their way to church by the scenes exhibited—they were subjected to much inconvenience and sometimes to insult; and worse than this, the tradesmen who desired, for the sake of themselves, their families, and their servants, to enjoy the Sabbath as a day of thankful repose, were prevented, almost by necessity, and certainly from regard to their worldly interests, from doing so, and compelled to join the throng of Sunday traders. The number of persons computed to be thus engaged was not less than 100,000. It might be said, if these tradesmen were so desirous to have Sunday as a day of rest, why did they not agree among themselves and close their shops? But the experiment had been tried over and over again, and it had invariably failed, because it was found that unless there was a unanimous agreement in a neighbourhood that every shop should be closed it was in the power of a very small minority to defeat the object of the majority, and to compel the latter in self-defence to keep their shops open. It was almost impossible for a man who was striving to obtain a livelihood and support his family to protect himself against the competition of trade and the dread of loss caused by closing his shop on Sunday. He wished to call their Lordships' attention to a letter written by a butcher in the New Cut, Lambeth, which put this part of the question in a very strong light. The writer said—

> "My Lord,—I trust your Lordship will pardon the liberty I take in addressing you for the purpose of soliciting the favour of your Lordship's kind aid and support to the Bill now before Parliament in reference to Sunday trading. Permit me, my Lord, to state that I have carried on the business of a butcher in this locality for the last ten years, and have a wife and nine children entirely dependent on me for support. As nearly all the shops are open on Sunday, I am compelled to do the same. Were I to close while others are open, in all probability my business (in a neighbourhood like this) would be reduced one-half, and my family might be ruined. I find, however, that the system subjects me and my dependents to much unnecessary toil and degradation, and entirely prevents my giving that attention to the duties and responsibilities which I am sure your Lordship will feel devolve upon one having the care of so large a family. We are generally in business eighteen hours on Saturday, and from seven o'clock up to dinner time on Sunday, and I hardly need assure your Lordship that the whole of the afternoon and evening of Sunday is scarcely sufficient to recruit our exhausted energies. Many attempts have been made by the tradesmen themselves to close their shops by voluntary arrangement, but a very small minority have invariably defeated the object, and it is clear that nothing short of a legal enactment will cure the evil. There cannot, my Lord, be a shadow of doubt that not only the tradesmen and their assistants, but the labouring classes, would be greatly benefited by confining Sunday trading as much as possible to articles that are perishable, or those absolutely needed by the public on that day. Again apologizing for the liberty I have taken in thus addressing you, I beg most respectfully and urgently to intreat your Lordship's serious consideration of the subject

and your Lordship's powerful support to the Bill now before your Lordships' House."

Another person who was engaged in the news trade, wrote the following letter:—

"My Lord,—I should not have troubled your Lordship on the present occasion, but seeing an account in to-day's papers of a deputation on Sunday trading waiting upon the Secretary of State, and the last words, as reported, of Sir George Grey are, 'that there must be a deal of opposition on the other side seeing there are so many shops open on the Sunday,' as much as to say, that all those Sunday traders would be opposed to the Bill. But as one of those traders (in the news trade) I humbly submit that three parts of those traders are quite ready to close their shops if they could do so without offending their customers all the week. Now if the Government passed a Bill prohibiting trading on that day, the public could not blame any individual tradesman. I once tried the closing of my shop on the Sunday myself, and did close for six Sundays, but I found I lost half my trade all the week and I should soon have been ruined had I not opened it again on that day. My customers told me that they should deal with those that would; for I am sorry to say that the working classes, though they have their half-holiday on Saturday, and all Sunday to themselves, are the last to wish others to rest on the Lord's Day. I have attended a number of meetings of the news trades, who number about 4,000 in London alone, and at each of those meetings I have put the question, whether they wished Sunday trading to be done away with, and I have always found the meetings unanimous in wishing to do away with it. I have not the slightest doubt, if the Bill is brought before Parliament this time, it will be carried without opposition; but I trust it will be a Bill entirely doing away with trading in newspapers on Sunday, and every other article that can be procured on Saturday."

Having shown the desire that existed for the introduction of some such measure, the only remaining questions were the necessity for legislation, and whether the existing law was sufficient to prevent the evil. The Act of 29 *Charles* II. c. 7, imposed a penalty of 5*s*. upon every person who should

"Publicly cry, show forth, exhibit, or expose to sale any wares, merchandise, fruits, herbs, goods, or chattels whatsoever on the Lord's Day."

By a somewhat extraordinary decision of the Courts, it was held that the only proof of exposing goods for sale was the actual sale of such articles. But the penalty of 5*s*., which might have been a considerable sum in the days of Charles II., was at present insufficient to insure the observance of the law; and as one penalty covered the trading on the whole of any given Sunday, a man who followed a lucrative business would cheerfully pay 5*s*. to be allowed to continue it, and many of the Sunday traders even professed their readiness to pay six months' penalties in advance. He proposed by the present Bill to render the law more efficacious by increasing the penalty for the first offence to any sum between 5*s*. and 20*s*.; and after a conviction for the first offence, he proposed to exact cumulative penalties for every separate offence on each Sunday. He also proposed that the Bill should extend to the whole of England, and that the police should be required to enforce the law. These were the main provisions of his Bill. He anticipated two classes of objections. In the first place, there were persons who would not admit the necessity for allowing any kind of trading on Sundays, and who contended that the Lord's Day ought to be preserved strictly and exclusively for religious purposes. They would regard his Bill as giving a legislative sanction to Sunday trading. The Bill of 1860 was in some degree defeated by the action of the persons connected with the Association for the Religious Observance of the Lord's Day. They sent 13,000 circulars to the clergy and Dissenting ministers throughout England, and they stirred up an opposition to the Bill by a not very faithful representation of its character. But he would ask the members of this Association whether they could hope to enforce by law the strict and rigid observance of the Lord's Day. If not, why should they object to this Bill, which was at least a step in the right direction? He knew perfectly well by experience that there was not the slightest chance of his getting the Bill passed unless the exceptions which he should propose were embodied in the Bill; but he had reason to believe that if their Lordships passed the Bill in its integrity it would ultimately receive the sanction of the other House and become law. The other class of objectors to whom he alluded were those who thought that there ought to be no restrictions at all on the liberty of persons to employ the Sunday as they liked. To those persons his Bill would oppose no new restrictions whatever. Their objection ought to be, not that this Bill imposed restrictions, but that it would make the law effective to prevent that Sunday trading which they were desirous of carrying on. He had no intention whatever by the Bill to lay any restrictions upon the private observance of the Sunday; but what he would say to those persons was this—"If you publicly employ your Sunday in such a manner as to produce annoyance to others, and to promote social and moral evil, then it is the duty of Parliament to step in and restrict you." These were the grounds upon which thousands and thousands of persons had thronged their Lordships' House and entreated that the inestimable blessing of a day of rest should be secured to them. Even as a civil institution it was impossible to overrate the inestimable value of the Sunday. Incessant toil on every day of the week, including the Lord's Day, not only tended to enfeeble both mind and body, but also to demoralize. Upon this subject he wished to call attention to the eloquent words of Lord Macaulay, who said—

> "Rely on it, that intense labour beginning too early in life, continued too long every day, stunting the growth of the body, stunting the growth of the mind, leaving no time for healthful exercise, leaving no time for intellectual culture, must impair all those high qualities which have made our country great. On the other hand, a day of rest occurring every week, two or three hours of leisure exercised in innocent amusement or useful study every day must improve the whole man—physical, moral, and intellectual."

Even in a political point of view, therefore, he would earnestly ask their Lordships to pass this Bill. But he could not help anticipating better results from the measure if it became law. Besides giving that inestimable boon of the day's rest from incessant toil, it would prevent the evil example of Sunday traffic in those districts where that traffic was carried on; it would introduce a healthier state of feeling, and, he trusted, in the result, would make Sunday what he desired it to be, a day of thankful rest, of religious exercise, and of innocent and cheerful relaxation from toil.

Moved, "That the Bill be now read 2ª."—(*Lord Chelmsford.*)

LORD TEYNHAM said, he congratulated the noble and learned Lord (Lord Chelmsford) on having introduced a measure in some respects less objectionable than one which he had some years ago succeeded in passing through their Lordships' House. The powers of the Bill to which he referred were to extend no further than the metropolitan districts; so that, had the Bill become law, there would have been one law of the Sabbath for London and another for the country—a principle altogether objectionable. England from some received the title of a Christian nation, and that they should have one law of the Sabbath for the metropolis and another for the provinces would be contrary to reason and religion. He, therefore, congratulated the noble and learned Lord that the present measure was to apply to the whole of England. Whether there was to be one law of the Sabbath for England, another for Scotland, and another for Ireland, he knew not; but so far as the Bill applied to the whole of England he was in accord with the noble and learned Lord. It had been stated by the noble and learned Lord that one reason why the law as it now stood was inoperative was the smallness of the fine, amounting to only 5*s.* for each offence. But perhaps their Lordships would allow him to remind them that just about the period when the noble and learned Lord introduced his last Bill an attempt was made by the police of Southampton to put in force the law as it now stands. There were five old persons keeping stalls in that town who were taken up and fined 5*s.* for the offence of selling on the Lord's Day; and if his memory did not fail him, in two or three of these cases the 5*s.* fine could not be recovered without a distraint. It might be true, as the noble and learned Lord stated, that there were persons in trade who were perfectly willing to pay 5*s.*, and pay it in advance for twelve months, to be allowed to carry on their trade in peace. But what might be innocuous to a man in a good line of business might be ruin to a small greengrocer or a poor woman sitting at the corner of the streets keeping a stall to sell apples and oranges. Besides, according to the Bill the fine of 5*s.* on the poor woman might, at the discretion of the magistrate, be raised to 20*s.*, and might be inflicted for every separate offence; and thus in the name of the religion of a God of love and of a Saviour who came to proclaim liberty to the captive their Lordships were asked to ruin a poor creature for this offence! If there were nothing else objectionable in the Bill than the accumulated penalty, it ought to be sufficient to induce their Lordships not to entertain the measure. But then it was proposed that there should be a tacit allowance of the sale of certain articles. Was it possible that their Lordships could in any way consent to an exemption of that kind unless as regarded matters of necessity on that day? As he understood the Bill—and the noble and learned Lord would correct him if he were wrong—it would permit selling in a shop while it prevented selling in a stall or with a basket in the streets. One of the clauses of the Bill provided that it should not extend to the ordinary business of a coffeehouse or a cookshop between 10 a.m. and after 1 p.m. In London there were peripatetic coffee dealers who sold in the streets to travellers and to the poor; and if he did not misunderstand the Bill, these dealers would be acted on injuriously, while the keepers of coffeehouses would be held harmless. One of the strongest objections that a very large proportion of our fellow-subjects would make to the Bill is that while it continues the permission to sell innocuous things, there is no further limitation, which many would have expected and hoped for, to the selling of noxious things such as wines and strong drinks. Objecting as he did to the principle and to the details of the Bill, he moved that it be read a second time this day six months.

An Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")—(*Lord Teynham.*)

THE ARCHBISHOP OF CANTERBURY: My Lords, having been appealed to, I think it is right I should say a few words upon this important Bill, and on the general question. We owe a debt of gratitude to the noble and learned Lord who has introduced the Bill, because, although I might take some exceptions to it, nevertheless I do feel that, if it be carried out, Sunday trading will be materially diminished, though not perhaps entirely prevented, and a number of persons who feel it to be a great grievance that they are driven in self-defence to violate the Sabbath will be permitted the peaceable enjoyment of that day of thankfulness and rest; for though it would be better, no doubt, to brave all the consequences of an adherence to the Divine command, it would, I fear, be too much to expect such heroic virtue from the mass of mankind. I have received deputations from persons of great respectability and from butchers doing large businesses in my own neighbourhood, who have entreated me to support the Bill, because it will protect them and give them the defence they require. Certainly it may be said that persons of high Christian principle would brave all consequences and would resolve, in spite of any loss they might sustain, to refrain from selling on the Sabbath Day. Nevertheless, there is much to be said in favour of the principle of this Bill. There may be some particulars in respect of which I should desire to see the Bill altered in Committee; but I am so satisfied that it would materially promote the observance of the Sabbath by affording protection to a great number of persons that I must give my support to the second reading of the Bill.

On Question, That ("now") stand Part of the Motion? *Resolved* in the *Affirmative:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

CRIMINALS—IMPRISONMENT FOR LIFE.

ADDRESS FOR RETURNS.

THE EARL OF CARNARVON, in moving for a Return of the Number of Criminals sentenced to Imprisonment for Life, from 1850 to the present Date, specifying the number of such life-sentenced Criminals released by Ticket-of-Leave or otherwise in each year, said: My Lords, I want to call the attention of your Lordships to the subject of life sentences, because the question will be raised when a Bill now before your Lordships' House gets into Committee, and it is desirable that the House should have all the information that may be available. I suppose it is pretty well known that a sentence of penal servitude for life in most cases resolves itself into one of twelve years penal servitude. This is known to the Judge who pronounces the sentence and to the prisoner who submits to it. It is, in fact, a great sham; it is known to be that, and it produces all the effects that a great sham always does. The character of these life sentences of twelve years duration does not differ in any respect from that of the ordinary sentences of twelve years penal servitude. Both commence with a period of separate confinement and pass on to a stage of associated labour on public works; both terminate by a conditional discharge with a ticket-of-leave. As a matter of fact, there is not a single prisoner who is not aware that, if he behaves well, he will be discharged at the end of twelve years. Up to this time there has been no great practical difficulty in the matter, because prisoners were transported. While transportation lasted, no doubt it was an admirable expedient. It benefited a colony by giving it labour; it benefited the convict by giving him a chance of a new career, and it benefited the mother-country by ridding her of the convict. All that has passed away; the colonies are closed to us, and the question before us is—how are we to dispose of our criminals? At this moment there exists this glaring anomaly, that the next sentence to that of death is twelve years' penal servitude. If, indeed, it be desired that there should be no sentences between these two, well and good—I have nothing to say; but if, on the other hand, it is not considered desirable that you should step from twelve years penal servitude to death, let the point be considered, and either let the system be altered, or convert the nominal life sentence into a real one. But you have distinct evidence that the present nominal life sentence fails to produce any effect on the criminal population. I will quote the opinions of three different persons, who are very fair—perhaps, the best—samples that can be selected. One of them is a learned Judge, Baron Bramwell, whose experience is undoubted; another is the Director of Convict Establishments; and the third is an Inspector of Metropolitan Police. Baron Bramwell says—

> "As at present administered, penal servitude is scarcely a punishment at all, in my opinion."

Of course, he is speaking of penal servitude for life. Then comes Colonel Henderson, the [present Director of Convict Prisons, who says—

> "All those men now under sentence of penal servitude for life are told that they can expect no remission whatever, but they do not believe it; they know perfectly well that ten or twelve or fourteen or fifteen years hence their cases will be brought forward, and that the crime will be almost forgotten; they are quite sure that something will happen, and that they will be released."

Then lastly, comes the evidence of Mr. Tanner, an Inspector of Metropolitan Police; and he, as is natural, speaks more of details. He says—

> "There are hundreds, or probably I may say a thousand persons in London who have very little fear of a penal servitude."

He was then asked—

> "Does the sentence of penal servitude for life make a sensible impression on them?—Yes; but they have all now a hope of getting out of it. But if it was penal servitude for life without hope of remission they would then look upon it as a very dreadful punishment?—I think so."

Now, when you find that three different witnesses, all of whom are from their professional duties remarkably fitted to form an opinion, come to the same conclusion on the subject, though from different points of view, it is not unreasonable to suppose that they are right. Then there is another point which deserves consideration. I think Parliament and the country are hardly aware what changes have of late years been made in regard to the classification of criminals. My Lords, these changes have been carried on so very gradually, and in some cases so imperceptibly, that Parliament is scarcely aware of them. But it is a matter of fact that we have now, what has never been the case in former years, a very complete system of classification. In the first place, juvenile offenders are now dealt with as a separate class. There is a separate legislation for them, and separate places where they are confined. Next, you have separate prisons, and a separate treatment for female criminals, to which may be further added many penitentiaries which are doing good service. Again, within the last year you passed an Act which assimilates the treatment in the various county prisons throughout the country, and brings all offenders sentenced from a few days to two years imprisonment into one uniform system. Beyond this, again, you have a further class of criminals who are sentenced to various periods of penal servitude, commencing at five years and going on to seven, ten, and possibly fourteen years. But from fourteen years you at once pass to the greatest sentence of all—namely, the sentence of death; and that, I think, is a great defect in the chain of penal procedure, and is very inconsistent with all you have done. My noble Friend reminds me that there are sentences of twenty years penal servitude. No doubt, some few sentences of twenty years have been passed, especially of late years; but they are few, and there is not a single instance, I believe, of a man being confined fifteen years. Now, there are, perhaps, some objections to the conversion of these nominal life sentences into real ones. The objection is twofold—first, on the ground of health; and secondly, on the ground of management. The objection on the ground of health will not hold for a moment; because, if you keep a man in prison for ten, fourteen, or fifteen years, there is no reason why the term should not be extended without injury to his health. But it is much more forcibly objected that if you confine a man for life you render the management of such criminals exceedingly difficult. It is said that if you take from a man all hope of going forth again into society, and give him no chance of the remission of his punishment, you deprive him of that element of hope which is most valuable in prison discipline—you render him, in fact, a wild beast, and that the warder who goes into his cell goes there with his life in his hand. Now, I quite admit that would be a valid objection if you were to confine these prisoners for life in the same prisons and under the same regulations as other convicts; but of course my argument rests on the supposition that prisoners sentenced for life should be confined in a different prison suited to their wants. Nor can I imagine that there would be a real difficulty in establishing such a prison. The question is, whether you can present to these men sufficient inducements as a substitute for the hope of the final remission of their sentence. When a man is thus confined in prison, and shut out from all hope of ever going into the world again, his measure of things around him is entirely changed. He sees with different eyes, and matters which before he would have deemed trifling become to him of the greatest possible value. In the short imprisonments of county and borough gaols a difficulty at once analogous and of a different sort was felt. It was said, "How can you possibly hope by any system of reasonable inducements short of morally bribing them into work, to influence men committed for short terms?" As a matter of fact, however, experience has shown that we are perfectly able to deal with criminals under short sentences. I may, perhaps, without egotism, refer for a moment to a gaol which my noble Friend near me (the Earl of Malmesbury) knows as well as I do—I mean the gaol of the county of Hants. And I do so because, first of all, the system of that prison was made the basis of the Bill introduced and carried by the Home Secretary last year, and it was acknowledged by him to be substantially the model to which all the county and borough gaols ought to be assimilated; and secondly, because the experience of the system established at Winchester shows such remarkable results. We have so disposed matters that a very large amount of hard penal labour is exacted, and at the same time a very considerable amount also of what I may describe as voluntary exertion on the part of the prisoners is obtained. The system is worked out by a gradual relaxation of the penal and more irksome labour, and the substitution of less laborious work. The men are promoted from class to class, in exact proportion to the number of marks gained, and become entitled to advantages of a most modest and even trifling nature. We find, under this system, that just in proportion as hard labour in conjunction with this mark system, which I have indicated, has been imposed upon and exacted from the men, a corresponding, and more than corresponding, diminution has taken place in the punishments inflicted for prison offences. Premising that Class I. includes prisoners during the first month of their imprisonment, I may observe that in the month of November, 1865, before the system was fully brought into effect, the number of prison offences in Class I. was fifty-seven. In December, however, the mark system was extended to Class I., and the punishments fell to twenty-two. In January there were twenty-one, in February fourteen, and in March they decreased to thirteen. Now, that is a proof which no one can gainsay as to the power of such a system over the men while they are in prison; and if you can deal with men by such a system in county prisons, where almost every thing may be said to be unfavourable to you, how much more easy it would be to do so where you have the vast machinery of a convict establishment. Well, without arguing on this point, I will only say this much — that as a matter of fact it has been shown abroad that life sentences are perfectly possible. In one large prison at Ghent there are many prisoners confined under sentences of penal servitude either for twenty years or for life. I believe that it would be both advisable and practicable for prisoners confined for life to be separated from those sentenced to imprisonment for a term of years. But I must honestly confess that I should not be at all prepared to confine these life sentences to murder in the second degree as recommended in the Bill just introduced. I think it is necessary to extend that punishment to the hopelessly incorrigible class of persons who are continually being brought up in one court or another and sentenced to various terms of imprisonment without any hope of producing any good effect upon them. I find on referring to the judicial statistics of 1864 that of the 300,000 convicted criminals 20,000 were known thieves, 20,000 belonged to the vagrant class, and were, therefore, but little better, while 45,000 were suspicious characters, making a total of 85,000 out of 300,000 who, if they did not actually belong to the criminal class, stood upon the border land which divides the criminal from the honest population. Again, the re-commitments to county and borough gaols amounted in the same year to 45,190, of whom 10,780 were re-committed above five times, and 3,975 above ten times. Every Chairman of Quarter Sessions, every Judge, must know that there are persons constantly coming before them who have been convicted twenty, thirty, forty, and fifty times, and there are recorded instances where persons have been convicted ninety times. It is perfectly clear that it is altogether hopeless to attempt to deal with persons of this description, who constitute a distinct class, with a distinct calling, and a distinct trade from honest men, and who look upon thieving as a regular and recognized profession. They go from one gaol to another, choosing as far as they can those which they regard as the most comfortable. When free they live by plundering the honest community, and when in gaol society has to furnish the funds requisite for their support, and as they become expert in their calling they become trainers of young thieves. Surely this state of things is as hopeless for the criminal as it is bad for society, and it would be a mercy to those persons to shut them up so that they could no longer injure the public and themselves. Believing as I do that the statistics I have mentioned will furnish us with much valuable information, I should wish them to be laid upon the table of the House.

Moved, That an humble Address be presented to Her Majesty for, Return of the Number of Criminals sentenced to Imprisonment for Life, from 1850 to the present Date, specifying the Number of such Life-sentenced Criminals released by Ticket-of-Leave or otherwise in each Year.—(*The Earl of Carnarvon.*)

THE LORD CHANCELLOR said, that the Returns moved for by the noble Earl would scarcely give him the information he desired, because it was only within the last few years that criminals had been sentenced to penal servitude for life.

EARL GREY said, that although afraid that the Returns would not contain much information, and he therefore doubted whether it would be advisable to call for them, he thought the House was much indebted to his noble Friend for having called its attention to the subject which he regarded as being of great importance. He agreed with the noble Earl that the sentence of penal servitude for life did not produce the effect expected from it—which he attributed to the system upon which Judges had acted in awarding that punishment. In the days of transportation it was the order and very proper practice of Judges to pass the sentence of transportation for life upon criminals who had not been guilty of very aggravated crimes. They knew that, after a certain number of years, those on whom this sentence was passed, would be liberated under a ticket-of-leave and so be enabled to commence life anew under more favourable circumstances than if they were permitted to return to this country. The system of transportation had, however, been discontinued, and, therefore, the case was very much altered, because penal servitude for life was very different to transportation for life. Not sufficiently heeding the great change which had taken place in the system of punishment, Judges had passed sentences of penal servitude for life far too frequently, and the result had been that the severity of the sentence was invariably mitigated. One of the recommendations of the Commission which sat to inquire into this subject some short time since was that the punishment of penal servitude for life should be reserved for the most heinous offences, but that when such a sentence was passed it should be most rigidly adhered to, and the criminal should be made aware that, under no circumstances, would he be discharged from custody. He also agreed with the noble Earl that there should be some special places of confinement for those sentenced to penal servitude for life. He also thought that it would be far better for society were the class of criminals who were continually being convicted permanently shut up, and so prevented from continuing their depredations upon society. Such men ought undoubtedly to be subjected to long sentences, but a distinction ought, he thought, at the same time to be made between them and those who committed manslaughter of so bad a kind as to approach to the guilt of murder, or other crimes of like enormity. In cases of this sort, in which penal servitude for life was substituted for the capital punishment which a few years ago would have been inflicted, he thought no mitigation of the sentence should be granted, and he was glad to have learned that this principle was at least partially acted upon. He had heard from the Attorney General for Ireland that a man who had been found guilty on a very aggravated charge of murder, but who, for reasons into which it was unnecessary to enter, had been reprieved, had been sent to Bermuda as a convict, and had, upon the breaking up of the convict establishment there, been brought back to Ireland, where it appeared to be the determination of the Irish Government to keep him in confinement. He hoped that determination would be adhered to, for he did not think such men ought to be allowed to be set at large. By passing very long sentences, such as twenty years penal servitude, on all crimes but the very worst which are not capital, life sentences might be confined to a very few cases, and then rigidly enforced. But owing to the very short time that had elapsed since the abandonment of transportation, and the very different practice as to passing life sentences which previously prevailed, the Returns his noble Friend proposed to call for would give an erroneous impression as to the rule now followed, and he therefore recommended that he should not press his Motion.

Lord HOUGHTON observed, that although no doubt the system of non-productive labour of which the noble Earl opposite was the advocate might be attended with success in small establishments, like that at Winchester, it would be found not only extremely inconvenient, but very expensive in large establishments such as that of which he had experience. To abandon the system of productive employment would be, he contended, to throw an additional burden on the county rates for no good reason.

Motion (by Leave of the House) *withdrawn.*

LEGITIMACY DECLARATION (IRELAND) BILL. [H.L.]

A Bill to enable Persons in Ireland to establish Legitimacy and the Validity of Marriage and the Right to be deemed natural-born Subjects—Was *presented* by The Lord Somerhill; read 1ª. (No. 96.)

CONSECRATION OF CHURCHYARDS BILL [H.L.]

A Bill relating to the Consecration of Churchyards—Was *presented* by The Lord Redesdale; read 1ª. (No. 97.)

House adjourned at Seven o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, May 3, 1866.

MINUTES.]—New Writs Issued—*For* Stamford, *v.* Sir Stafford Henry Northcote, baronet, Manor of Northstead; *for* New Windsor, *v.* Sir Henry Ainslie Hoare and Henry Labouchere, esquire, void Election; *for* Northallerton, *v.* Charles Henry Mills, esquire, void Election.

Select Committee—On Representation of the People Bill (Harden Petition) *nominated.*

Ways and Means—*considered* in Committee—Committee [R.P.]

Public Bills—*Resolutions in Committee*—Companies' Act (1862) Amendment.

Ordered—Rateable Property (Ireland)*; Curragh of Kildare*; Companies' Act (1862) Amendment.*

First Reading—Rateable Property (Ireland)* [135]; Curragh of Kildare* [136].

Second Reading—Drainage Maintenance (Ireland)* [113]; Land Drainage Supplemental* [125]; Inclosure* [126].

Committee—Crown Lands [98]; Convicts' Property [105]; Grand Juries Presentment (Ireland) (*re-comm.*)* [89].

Report—Crown Lands [98]; Convicts' Property [105]; Grand Juries Presentment (Ireland) (*re-comm*)* [89].

Considered as amended—Exchequer and Audit Departments [3].

HUDDERSFIELD ELECTION.

House informed, that the Committee had determined,—

That Thomas Pearson Crossland, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Huddersfield.

And the said Determination was ordered to be entered in the Journals of this House.

House further informed, That the Committee had agreed to the following Resolution:—

That the Committee have no reason to believe that corrupt practices extensively prevailed at the last Election for the Borough of Huddersfield.

Report to lie upon the Table.

Minutes of Evidence taken before the Committee to be laid before this House.—(*Lord Naas.*)

MUNICIPAL BOROUGHS IN SOMERSETSHIRE.—QUESTION.

Mr. NEVILLE-GRENVILLE said, he would beg to ask the Secretary of State for the Home Department, Why the towns of Weston-super-Mare, Shepton-Mallett, Wellington, and Chard, co. Somerset, which have more than 5,000 inhabitants, have been omitted from the "Return of the names of Municipal Boroughs, &c., of 5,000 inhabitants and upwards, and which are not now represented in Parliament?"

Sir GEORGE GREY said, in reply, that the Returns were made out by the Registrar General, and he stated that the reason why these boroughs were not included were as follows:—That the borough of Weston-super-Mare had no defined boundaries, and that, according to the last information obtained, it had only 2,000 inhabitants; that Shepton Mallet had 4,868 inhabitants; Wellington, 3,689 inhabitants; and Chard, 2,276 inhabitants. Each of these boroughs, therefore, had a population of less than 5,000.

Mr. NEVILLE-GRENVILLE said, that the Returns quoted by the right hon. Gentleman differed very much from those which he (Mr. Neville-Grenville) had received.

Sir GEORGE GREY said, that the figures were not his, but those returned at the last Census.

COURT OF QUEEN'S BENCH (IRELAND) —LORD CHIEF JUSTICE LEFROY.

QUESTION.

Mr. BRYAN said, he wished to ask Mr. Attorney General for Ireland, If his attention has been drawn to a statement publicly made to the effect that the Lord Chief Justice of the Queen's Bench in Ireland, when passing sentence of death on a prisoner at Tullamore last year, was unable to read the sentence, although it was written for him in large handwriting, and that his Lordship required and had the assistance of some other person in the performance of that solemn duty, and whether that statement is substantially correct?

The ATTORNEY GENERAL for IRELAND (Mr. Lawson) said, he must beg to say that the statement to which the hon. Gentlemen referred was substantially correct.

Mr. LEFROY said, he hoped the House would allow him to say a few words on behalf of his father, more particularly as he felt that the right hon. and learned Attorney General for Ireland, who was supposed to be a supporter of the law of the country, and therefore of its administrators, had failed in the performance of that duty to do justice to his (Mr. Lefroy's) relative. He would not on that occasion trespass on their attention with any evidence as to the competency of the Chief Justice, but would confine himself to the point now before them. The event referred to took place in August last year, when a most important trial came on before the Chief Justice. It was the case of a young man who had been murdered, and the evidence was altogether circumstantial. The trial lasted two days, and he maintained that during that trial the Chief Justice was enabled to give constant and unremitting attention to the case. A legal objection was made on some point by the counsel for the prisoner. Not being himself a lawyer, he would not attempt to explain the point in question, but he would refer to the Report of a leading paper published in Dublin, the correctness of which had not been disputed—

> "Mr. Molloy stood up and stated that he had a matter of law to urge upon the Court, on behalf of the prisoner. All the evidence showed that the act was committed and the body found at the Tipperary side of the river, whereas the venue had been laid in the King's County. The Attorney General: I admit the fact, but by the 9 *Geo.* IV., the offence can be tried in either county, provided it occurred within 500 yards of the boundary. Mr. Molloy: I admit such as the law, but I contend that the fact should have been averred in the indictment to have been so. Counsel cited 'The King *v.* Browne,' reported in Crawford and Dix's *Notes of Cases*, where the late Chief Baron Joy decided that an indictment was bad for not averring such to be the case, and also referred to Hayes' *Criminal Law*, where that case was referred to and recognized. The Attorney General and Solicitor General replied, and contended that the words of the statute were quite plain as enabling the Court to deal with any case arising as aforesaid, and that the fact of being within 500 yards was mere matter of evidence, and need not be set out in the indictment. The Chief Justice said, that as the point had been ruled by so able a Judge as the late Chief Baron Joy, although he did not concur in that decision, yet he would reserve the case for the Court of Criminal Appeal. The Chief Justice proceeded to charge the jury. The jury then retired, and, after about half an hour's deliberation, returned into court with a verdict of guilty. Mr. Warburton, the foreman, stated that a majority of the jury wished the verdict to be accompanied with a recommendation to mercy. Mr. Montgomery stated that he had been requested to state that the recommendation was based on the fact that the prisoner, in committing the act, was strongly under the influence of drink. When the jury recommended the prisoner to mercy the Chief Justice said, 'Gentlemen, may I ask on what grounds?' The foreman said, 'Some of the jury think he had taken too much whisky.' The Chief Justice said, 'I must decline to forward your recommendation, as, however anxious I am to pay every attention to the wishes of a jury in any case, and especially one of life and death, I must say I never heard one which from its nature and details less entitled the prisoner to such a recommendation, and it is new to me that the fact of a man wilfully committing one fault is to lesson his crime when he commits a greater one.'"

The following statement was made by an eminent Queen's Counsel who was present on the occasion:—

"I received your letter of inquiry by this day's post. It is a mistake to say that the Lord Chief Justice at Tullamore was unable to read a sentence written in large handwriting. He does not even use spectacles. I have spoken to the Deputy Clerk of the Crown of the King's County, and, from what he says, and my own recollection, the occurrence at the assizes was thus:—The Deputy Clerk of the Crown always has in a book before him entries of the different forms of oaths, and of the form of sentence in capital cases, &c., and from the first circuit the Chief Justice went, to the present day, whenever a prisoner was to be sentenced to death, a copy of the formal words of the sentence, with a blank for the day of execution, was invariably placed before the Judge on the bench. In the case in question, during the address of the Chief Justice to the prisoner, it occurred to the Judge when he approached that part where the day for execution is named, that in consequence of a point being saved for the Court of Appeal, it became necessary, instead of the usual time, to fix a day after the Dublin Commission, which was then close at hand, and sufficiently remote to enable the other Judges to attend in the Court of Appeal, and although he had previously determined on the day, he had not any memorandum of it, and was obliged to refer to an almanac, which occasioned some delay. I have no note of the trial, and nothing occurred at the time to attract my attention to any defect in the conduct of it, so as to fix it on my mind. Of course I could not see what was before the Judge on the bench, although I was nearer to it than any other of the counsel, but I believe this account of the transaction is perfectly correct. The Chief Justice had previously sentenced another man to death for murder at the same assizes, so that he must have been familiar with the form, and, from all that I have heard or seen, I have no doubt that Mr. Bryan's informant is in error."

Mr. COGAN said, he rose to order. Whilst the hon. Member was confining himself to the particular point of what had been said in reference to his distinguished relative, he had no doubt that the House would listen to him with patience; but if he went into the general conduct of the Chief Justice it would lead to a discussion of the whole question, which would be highly inconvenient.

Mr. SPEAKER: The hon. Member has extended his observations to an unusual length. I thought it was the pleasure of the House, under the peculiar circumstances of the case, to hear him; but the hon. Member will, no doubt, now see fit to put some limit to his observations.

Mr. LEFROY said, he wished to make one more observation if the House would allow him to do so. The Chief Justice, when he returned to Dublin, assembled the Judges, and brought before them this point of law as to which he had himself given an opinion contrary to that of Chief Baron Joy. The Judges having fully considered the matter, agreed with the Chief Justice in opinion.

The ATTORNEY GENERAL for IRELAND (Mr. Lawson) said, that the House would believe him when he said that he never in his life had to dischrge a more painful duty—

Mr. WHITESIDE rose to order. There was no question before the House.

The ATTORNEY GENERAL for IRELAND (Mr. Lawson) said, that he would conclude with a Motion.

Mr. HENRY BAILLIE said, he also rose to order. He wished to ask whether the right hon. and learned Gentleman has moved the adjournment of the House?

Mr. SPEAKER: Up to this time there is no Motion before the House.

Mr. ROEBUCK: Then I will move the adjournment of the House.

The ATTORNEY GENERAL for IRELAND (Mr. Lawson) said, he must repeat that he had never discharged a more painful duty than when he now rose to answer a question which had been put on the paper without his knowledge; but having been the prosecuting counsel in the case which had been referred to, it was impossible for him to do anything except to answer the question briefly and with a desire to avoid discussion as much as he could. But as the hon. Member had cast a doubt upon the correctness and accuracy of his statement he would state simply what occurred in his presence on the occasion in question. The day on which the execution was to be carried out had been arranged beforehand, and the Officer of the Court wrote out in large writing for the Chief Justice the sentence to be pronounced, and the Chief Justice proceeded to pronounce it, but was totally unable to do so in the legal form. He omitted in the sentence a material direction, the omission of which would have rendered the sentence bad in point of law. It became, upon this, his duty as Attorney General, prosecuting for the Crown, to call the attention of the Chief Justice to the irregularity and the omission in the sentence; and he was obliged himself to stand near him at the bench, and ask him to repeat over again in legal form that sentence, and he actually dictated to him the sentence in the legal form, which the Chief Justice delivered. These were the simple facts, and his statement of them could be verified by those present.

Mr. WHITESIDE said, he felt it to be his duty to make one observation on this question, which, if it had been fully brought forward instead of by a dark question, would have appeared to be a most miserable ground of cavil raised nine or ten months after the facts occurred. Now, what were the facts? The circumstances, as he understood them, were these:—An officer who went out to shoot was inhumanly assassinated by the person who accompanied him in the boat, and the assassin was prosecuted by the officers of the Crown. After the Chief Justice had completed the assize business he was asked to adjourn the assizes and to return again to Dublin to try this important case, and though this was not a very pleasant thing, he said that he would do so, and the trial took place. The notes of that trial, in his own handwriting, filled twenty-two pages, and contained every word of the evidence in the case. The prisoner's counsel, as all prisoner's counsel did when they had a point of law, laid by until the end of the trial, and then he said that the indictment was inaccurate, as the man had committed the crime within 500 yards of the county, but not within the boundary of the county in which the venue was laid and that there ought to have been an averment to this effect. A discussion arose immediately before it was now said that a fit of incompetency overtook the Chief Justice. Cases were quoted, and he was told that Chief Baron Joy had decided in favour of a prisoner under similar circumstances; but the Chief Justice said that he did not agree with the Chief Baron, but as there had been a decision the other way he would reserve the point for the Court of Criminal Appeal. The proceedings went on, the Chief Justice delivered a long and feeling address to the prisoner; but when the formal words of the sentence were placed before him he in going through them, as he had already done in the case of another prisoner, noticed that the point raised by the prisoner's counsel would alter the time fixed for the execution. The learned Judge himself said that when he came to the date he hesitated; and the gravamen of the charge against him was that he who had conducted this long trial hesitated when he took up the paper. When this occurred it was past seven at night, and he believed that the Court House was not very brilliantly lighted. The Chief Justice delayed for a moment before he completed his judgment. The same Judge who did that—who mistook what was on that piece of paper—had the capacity immediately to state the whole circumstances to the Secretary of State, and to request him to have the question discussed before the Judges, so that justice might not be delayed. The Chief Justice presided in that Court, gave his opinion, and the other Judges deferred to his judgment, and the prisoner was executed. He (Mr. Whiteside) had rather a curious interview with the Chief Justice. Chancing to be in Wicklow he called upon him, in the month of August, and found him engaged upon an Act of Parliament. He told his Lordship that he should have thought that he had had enough of law before that period of the autumn, but he told him (Mr. Whiteside) that he was engaged upon a point of law, and he also told him in a most clear manner what it was. He (Mr. Whiteside) could not but think that it was strange, this matter having occurred in August, should be brought before the House only in May; and he confidently put it to the House whether they thought that there had been any substantial defeat of justice in the case.

Mr. BRYAN said, he must beg to explain that he had put the Question in consequence of a speech in the other House. If the right hon. and learned Gentleman would look at the Votes he would see upon them a Motion which he (Mr. Bryan) intended to bring forward on an early day, on going into Supply, in order that the whole subject might be properly ventilated. He could assure him that he had not taken the subject up in the light of a personal matter, and he would pledge himself to submit his Motion to the House at as early a period as possible.

CHOLERA IN CORK HARBOUR.

OBSERVATIONS.

Mr. MAGUIRE said, he wished to avail himself of the Motion for adjournment to bring a matter of great importance before the House. The authorities of the city of Cork had been in communication with the Irish Government as to placing an old man of war in that harbour as a floating hospital. That recommendation was made some weeks since, and he had during the last three or four days been in communication with the Secretary for Ireland on the subject. He had just received the following telegram, which induced him to make an appeal to Her Majesty's Government:—"Cholera is on board an emigrant ship which has arrived in Cork harbour. There are two deaths among the passengers. There is no convenience for quarantine. I have ordered her back to Liverpool." He appealed to the Government to take prompt measures for meeting the emergency. There was a large garrison in Cork, there was a fleet in the harbour, and great numbers of emigrants were constantly assembling at that port; so that the breaking out of cholera there could not fail to be a most calamitous occurrence. In 1833 application was made to the Government and they placed at the disposal of the authorities in Cork an old man of war, the *Inconstant*, which proved to be of great service in preventing the spread of the disease. He hoped, as the danger was now so imminent, he should receive something more from the Government than general and vague assurance.

Sir GEORGE GREY said, he wished that the Mayor of Cork had telegraphed to Her Majesty's Government as well as to the hon. Gentleman who had brought this subject under the notice of the House. The Government had heard nothing from Cork; but about an hour before they had received a telegram from the Mayor of Liverpool, stating that a ship on its way to that port had touched at Queenstown with cholera on board, and pointing out the dangers which might arise if that ship entered the Mersey. On receipt of the telegram, which was to be followed by a letter, he at once communicated with his right hon. Friend the Vice President of the Privy Council, who immediately saw the President, and directions would be given forthwith for the adoption of such precautions at Liverpool as it might be advisable to take under the circumstances. Had the authorities at Cork communicated with the Government similar steps might have been taken as regarded that port at even an earlier period; but he had no doubt that since it was now known to the Government by means of the communication from Liverpool, and the statement of the hon. Gentleman that a vessel with cholera on board had touched at Queenstown, the Privy Council would give such directions as might be desirable in the case of that port also.

Mr. MAGUIRE said, that for the last week the authorities at Cork had been in communication with the Lord Lieutenant of Ireland on the subject of cholera, and he himself had been in communication

with the Chief Secretary for Ireland on the same topic for the last three days.

Sir GEORGE GREY said, the Government had received no information of the cholera on board a ship at Queenstown, except that which had been received from Liverpool.

Sir FREDERICK HEYGATE said, he would beg to ask whether the right hon. Gentleman had received any information on the subject of cholera from Londonderry. There was considerable alarm there.

Sir GEORGE GREY: No information whatever.

Mr. AYRTON said, he must express his opinion that it was outrageous cruelty to put cholera patients into a ship or to keep them in one.

SLAUGHTER OF CATTLE.

QUESTION.

Mr. READ said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of the Government to continue, by Order in Council, the slaughtering Clauses of the Cattle Diseases Act of 1866 after the 12th of May, and whether any special exemptions from slaughter of diseased animals would be made for the purposes of testing the effect of chloroform, or any other supposed curative treatment?

Sir GEORGE GREY said, in reply, that it was the intention of the Government to issue an Order in Council extending the period during which those clauses were to remain in force beyond the 12th of May. With regard to the hon. Gentleman's second question, the decision of the Privy Council must await the Report of the Cattle Plague Commission. As the hon. Gentleman himself was a member of that Commission, he must know when the Report was likely to be sent in to the Government.

THE TURNPIKE ACTS.—QUESTION.

Mr. READ said, he would also beg to ask the Secretary of State for the Home Department, Whether there is any objection to the introduction of a general Clause in future "Annual Turnpike Acts Continuance Acts," that in cases where the toll-houses do not encroach upon the road the first offer be made under the Act the 3 *Geo.* IV. c. 126, s. 89, to the persons entitled to preference under that section; and that upon their refusal (and not before) the pulling down of the toll-house shall be imperative; and if this be objectionable as a general Clause, whether a special case may on application be made the subject of a provision in the Clause which provides for the Continuance of Acts, &c.; and whether there is any provision contemplated that, where the toll-houses at present encroach upon the road, so much of the site as is necessary for the removal of the encroachment shall be thrown into the road when such toll-houses are pulled down?

Sir GEORGE GREY, in reply, said, he did not think there was any objection to the introduction of such a clause. He thought it might usefully be inserted in the Annual Continuance Bill of this year. The clause relating to encroachments in the 4 *Geo.* IV. c. 95, was not very clear, and he thought it was desirable that some provision on this subject should also be inserted in the Annual Continuance Act.

SCOTLAND—SHERIFF'S SUBSTITUTE.

QUESTION.

Mr. CUMMING-BRUCE said, he wished to ask the Lord Advocate, Whether his attention has been directed to the Sheriff Court Returns called for by the hon. Member for Montrose in 1863, laid upon the table of the House, and ordered to be printed during the present Session; and whether it is his intention to recommend to Her Majesty's Government, or submit to Parliament, any measure to remedy the inadequacy and inequalities in the salaries of some of the Sheriff's Substitute, as apparent in these Returns?

The LORD ADVOCATE, in reply, said, a great deal of the information required by the Returns was not to be found in the offices. It was not necessary to introduce any Bill for equalizing the salaries of sheriff's substitute. That might be regulated by the Treasury without any Act, and was at the present time under their consideration.

IRELAND—DEEP SEA FISHERIES.

QUESTION.

General DUNNE said, he rose to ask the Chief Secretary for Ireland, Why the Report on Irish Deep Sea Fisheries has not been presented, which should have been done in January last, as directed by the Act 5 & 6 *Vict.*?

Mr. CHICHESTER FORTESCUE, in reply, said, that the Question ought rather to have been put to his hon. Friend the Secretary to the Treasury. No doubt the Report ought to have been presented, and he should take care that it was presented.

GAS WORKS AT VICTORIA PARK.

QUESTION.

Lord JOHN MANNERS said, he would beg to ask the First Commissioner of Works, If it is true that a Bill is before Parliament which will sanction the erection of Gas Works within a short distance of Victoria Park; and, if so, whether it is his intention to oppose that Bill?

Mr. COWPER said, in reply, that, by a Standing Order of that House any Bill which authorized the erection of gas works within 300 yards of any house should be preceded by notice of such erection to the occupiers of such house. That Standing Order did not, however, apply in the case referred to by the noble Lord; but the Imperial Gas Company's Bill contained a clause prohibiting the erection of their works within 300 yards of Victoria Park. He was of opinion that there was no good case for alleging that the noxious influence of the proposed works would extend to the Park. If the manufacture of gas was carried out in a proper and careful manner, no noxious results would be felt in a place at a distance of 300 yards from the works. The effluvium came from the refuse—from gas tar, ammoniacal liquor, and the lime used in purifying the gas. The right course in these cases was to have in the Bill clauses to prevent the accumulation of such noisome refuse; but he did not think they could oppose the erection of the works.

Mr. BERESFORD HOPE said, he had given notice of a question on the same subject, and as he did not think the explanation of the right hon. Gentleman very satisfactory, he would ask it. He wished to know, Whether, if the report be true that it is proposed to erect Gas Works, covering twenty-seven acres, in close proximity to Victoria Park, he is prepared to take steps for the protection of that important place of public recreation?

Mr. COWPER replied, that his Department had no *locus standi* in the case; but he should ask the promoters to introduce such clauses as that Department deemed to be necessary.

CORRUPT PRACTICES AT ELECTIONS.

QUESTION.

Sir HARRY VERNEY said, he would beg to ask the Secretary of State for the Home Department, Whether, seeing that Commissions have been issued to investigate the Reports of Committees to the effect that illegal practices prevailed in certain Boroughs at the last General Election, he will promise that if any Commission shall report that illegal practices have prevailed in a Borough extensively, and on many occasions, the Government will bring in a Bill to disfranchise such Borough?

Sir GEORGE GREY said, he thought it would be impossible to make such a promise. He had already expressed his opinion that if the result of any of those inquiries proved that corrupt practices prevailed in a borough the House ought to be more ready to apply the penalty of disfranchisement than hitherto it had shown itself to be. Till the Report of the Commission was in the hands of the Government it would be impossible for them to decide as to what steps should be taken on it, and the evidence upon which it was based.

ENGLISH AND FRENCH FISHERIES.

QUESTION.

Mr. DU CANE said, he wished to ask the President of the Board of Trade, Whether any answer has been received from the French Government relative to the proposed International Commission on the subject of the English and French Fisheries Convention Act; and, if so, whether he will have any objection to communicate to the House the general tenour of such answer?

Mr. MILNER GIBSON said, in reply, that an answer had been received from the French Government in reference to the Fisheries Convention; but, as negotiations were still pending, it would not at present be expedient to state the substance of that reply.

THE CATTLE PLAGUE.—QUESTION.

Mr. ACLAND said, he would beg to ask the Secretary of State for the Home Department, Whether any Committee of the Privy Council has been appointed to superintend the operation of the Orders in Council on the subject of the Cattle Plague; if no such Committee has been appointed, whether any and which Member of the Administration is responsible for the consideration of questions relating to the movement of Cattle and the supply of Meat; and whether there is any Officer of the Government to whom suggestions as to the working of the Orders in Council and of the Local Authorities may be addressed with a prospect of their being considered?

Sir GEORGE GREY said, in reply, that no special Committee of the Privy Council had been appointed to superintend the operation of the Order in Council; but Colonel Harness had been appointed to receive suggestions and to conduct the correspondence, under the directions of the Privy Council; and a meeting of the Privy Council, presided over by the President, was held from time to time, before whom all suggestions received by Colonel Harness or questions addressed to him were brought by him before the Members of the Council for their decision, and answers were sent according to their directions.

INDIA—COMPLAINTS AGAINST THE LATE STATE OF OUDE.

QUESTION.

Mr. KNIGHT said, he wished to ask the Under Secretary of State for India, Whether he will lay upon the table Copies of the Proceedings of the Commission appointed by the Government of India to investigate and report upon the cases of the several claimants against the late State of Oude, and of the Report of the Commission on the claim of the Representative of the late Captain Thomas Edwards, deceased?

Mr. STANSFELD said, in reply, that the Report had not yet been put into shape, but that it would be laid upon the table of the House as soon as completed.

THE JAMAICA COMMISSION.

QUESTION.

Lord STANLEY said, he would beg to ask the Secretary of State for the Colonies, When the Report of the Jamaica Commissioners will be laid upon the table of the House?

Mr. CARDWELL: Sir, the Report which was received at the commencement of the present week, and the evidence which accompanies it, are exceedingly voluminous—so much so, that what we have already received will occupy from 1,500 to 2,000 pages of our usual Parliamentary blue books. But that is not all, for it is accompanied by an Appendix, which, I am informed by the Commissioners, contains an important part of the evidence, and which should be laid before the House with the Report. The Appendix is on its way from Jamaica. I have made inquiry, and find that, with the utmost speed which it is possible to exert, it will not be less than three weeks before the whole of the documents can be laid on the table. I will, however, take care that the papers shall be presented as soon as possible. I cannot refrain taking the opportunity of stating that the House and the country are under great obligations to those gentlemen, of well known ability and reputation, who, at great sacrifice of time, have devoted so much labour to this subject.

WAYS AND MEANS—THE FINANCIAL STATEMENT.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

WAYS AND MEANS *considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER: Mr. Dodson—After the warm debates and the sharp crisis of last week it is with great relief and satisfaction that the Government, and that I individually, come to deal with important public business of a nature which we hope and think can involve no subject likely to lead to angry controversy. It will, indeed, be my duty to enter upon points, in the course of the remarks I have to make, which, as I think, possess an interest for all in this House, and especially for those who are connected with the land and fixed property of the country. I hope, however, from the nature of the proposals I have to make, and indeed I feel convinced upon the matter, that it can only be through my own negligence or inadvertence if anything which falls from me should possibly come into conflict with the feelings or opinions of any hon. Gentleman opposite, and I would beg, if it be permitted to me, to apologize in advance for any such error should it occur.

Sir, I have not to-night to announce to the House the existence of a surplus revenue for the year which has recently expired upon a scale such as those which we have had for the last three years at our disposal. During the last three years it has been my duty to ask the House to make arrangements relating to no less a sum annually on the average than £3,500,000, and although we move within more contracted limits in the fiscal affairs of the present year, yet I shall have proposals to make which will not be without their own interest and importance.

My first duty is, as usual, to lay before the House the particulars of the expenditure of the year which expired on the 31st March. That expenditure, as estimated on the 27th of April, was £66,139,000, and as finally sanctioned by the Appropriation Act it was very nearly the same, the amount standing at £66,147,000. The actual expenditure was £65,914,000, or less than the estimate by £233,000. As regards the chief items of this expenditure, there were voted for the army £14,348,000, and there were spent £13,804,000. For the navy there were voted £10,456,000, and there were spent £10,260,000. But it will be in the recollection of the House that towards the close of the financial year we took a considerable supplementary Vote for the purpose of the New Zealand war. No less a sum than £764,000 was voted for that purpose, and the Vote enabled us to rectify the accounts of the army and navy by assigning to their proper heads sums which had been paid in advance for the purposes of the war, and included provisionally in the ordinary accounts of the army and navy services. When the whole of the figures are put together, therefore, the result is to bring the actual nearly into agreement with the estimated expenditure of the year, under these two great heads of charge.

To the sum total of our expenditure for the year should perhaps be added an item which it is not very easy to deal with, inasmuch as the peculiar arrangement, under which it appears before us, leaves it uncertain whether it should be regarded as part of the annual expenditure or as an addition to the Public Debt. I refer to the sum of £560,000 on account of the fortifications, which has to be added to the figures I previously gave, and which brings the gross expenditure of 1866 up to £66,474,000. There is, however, a sum of above £1,000,000 for Indian and other charges, which, appearing on both sides of the account, cannot be said to form any portion of the expenditure; so that the true total of the expenditure may be taken as being £65,424,000 for the financial year which has just expired.

If I look for the means of a comparison of this sum with the expenditure of former years, I find that the expenditure of 1859-60, when duly charged with all that belongs to it, amounted to £69,762,000; but in that amount were included large sums on account of annuities which expired in 1860; much larger sums than the aggregate of the annuities since created. The amount of annuities which expired at that period was £2,149,000, and those created since amount to £710,000, showing a difference of £1,439,000, partly for interest and partly available towards the extinction of the public debt, which was provided in the former year, and has not been provided in the years just passed. If, therefore, deducting this sum of £1,439,000 we take the expenditure of 1859-60, for the purposes of comparison, at £68,323,000, that of 1865-6 standing at £65,424,000, we find there has been a real decrease of expenditure in 1865-6, as compared with 1859-60, of £2,900,000. But the year 1859-60 was the year in which the most important changes in the scale of our expenditure were made. If I go back to 1858-9, the year before those changes, and compare the expenditure of that year with the expenditure of the year just expired, rectifying both according to the rules which I have stated, I find that the expenditure of 1858-9 was only £63,225,000, showing an increase in 1865-6, as compared with 1858-9, of £2,200,000. That may be taken as a fair and accurate statement of the condition of our expenditure at the present moment, as compared with what it was some seven years ago.

Next, Sir, if I look to the heads of expenditure I find they stand thus: The debt costs us £26,233,000; our defences, military and naval, cost £24,829,000; our civil government, in which I include the Miscellaneous Estimates, the Consolidated Fund charges, and the Packet Estimates, costs £10,250,000; and the collection of the Revenue is attended with a charge of £4,602,000. As the charge for the collection of the Revenue, however, ought really to be divided between the other heads of expenditure, not being itself an independent, but only a subsidiary and auxiliary description of expenditure, I will treat it in that manner. Dividing the sum of £4,602,000, then, between the debt, the military or defence charges, and the civil charges, I find these to be the percentages—the debt costs us 43 per cent of the whole expenditure; the defences 40 per cent, and the civil charges, defined in the manner I have stated, absorb the remaining 17 per cent. The figures I have now given may also be taken as an accurate statement, subject to this qualification, that in the total sum charged during the year for the expenses of the National Debt there is included a sum, not insignificant, which is really not a charge for the interest of debt, but a charge in re-payment of the capital of the debt through the medium of Terminable Annuities.

If I compare the expenditure with the revenue of the year it stands as follows: The expenditure up to March 31, according to the Exchequer account laid upon the table, was £65,914,000; the revenue, according to the same Exchequer account, was £67,812,000, showing a surplus of revenue over expenditure of £1,898,000. If I were to treat the accounts for fortifications as part of the expenditure of the year, that surplus would be reduced to £1,338,000; but I shall, in preference, and in stricter conformity, I think, with the intentions of Parliament, take notice of them when I come to consider our engagements in connection with the National Debt, under which head they ought more properly to be placed. The surplus, then, for the year stands at £1,898,000.

Now, it is a matter of some interest to compare the natural outturn of the revenue at the end of the year with the Estimate framed at the commencement of the year. The estimated revenue at the commencement of the year was £66,392,000, and the actual receipt has been £67,812,000, showing a surplus receipt beyond the estimated amount of £1,420,000. This surplus runs very much through the different branches of the revenue. I need not trouble the Committee with the totals of the figures as to each particular branch, but the actual revenue from the Customs has exceeded the Estimate by the sum of £369,000; the actual receipt from the Excise has exceeded the Estimate by the large amount of £758,000; the actual receipt from Stamps has exceeded the Estimate by £270,000; the yield of the Income Tax also went beyond the Estimate by the sum of £240,000. The branch of revenue from the Post Office has produced precisely what it was estimated to produce; and the Crown lands have yielded the same as the Estimate with a small excess of £5,000. But the miscellaneous revenue and the receipt from the China compensation fell short of what had been estimated by the sum of £224,000; an amount which, in order to estimate the real growth of the revenue, ought to be added to the surplus I have formerly named, inasmuch as those two heads indicate a diminution merely on certain heads of re-payment, and have nothing to do with the question of the real resources and elasticity of the revenue of the country.

In the same way, if I proceed to compare the revenue of the past year with that of the preceding year, I find that it stands as follows. On the whole of the nine heads of the public revenue, the receipts in the year 1864-5 were £70,313,000. In the year 1865-6 they were £67,812,000, showing an actual decrease of £2,501,000, in lieu of a decrease, which I had, estimated in the financial statement of last year, of £3,921,000. But if I strike out those two heads of Miscellaneous Receipt and China Compensation, which have no real relation to the subject, I find the actual loss was £2,386,000, in lieu of an estimated loss of £4,028,000. So that the rate of growth of the revenue, which I stated last year, on an average of the six years preceding, to be about £1,780,000 per annum, amounted almost precisely to that sum. It may be stated that, for the year 1865-6, the revenue of the country, proceeding from the same sources, and excluding all legislative measures of change which tend in any way to affect those sources, has grown by the sum of a million and three-quarters. It would probably have grown by a somewhat larger amount if the circumstances of the harvest had been more favourable. But whereas in 1864 the harvest was a fine one, and the price of wheat between October and December was 38*s.* 5*d.* per quarter; during the same period in 1865, when the harvest was below the average, the price of wheat rose to 44*s.* 10*d.* per quarter, and the price of wheat, on the whole, is a very good inverse test of the general condition of the country, and of the capacity of the people to consume those commodities which yield the principal part of the revenue.

If I look now, Sir, to the branches of the revenue of last year as they were specially affected by the changes of 1864-5, they stand as follows. The estimated loss upon tea came singularly near to the actual loss. The estimated amount of that loss was £1,868,000, and the actual loss was £1,871,000. We might naturally have expected a more favourable result. We have generally found that, under favourable circumstances, the loss upon commodities of this kind, when they have been subjected to a reduction of duty, is less than had been previously estimated. But in this particular instance I am inclined to think that a Motion to which this House, or rather the House which preceded it, was induced to accede for postponing the operation of the reduced duty on tea—although I do not believe we shall ultimately be found to have lost much by such a Motion—has had an unfavourable effect upon the revenue from tea. What, however, is more important is that the stocks have been less than at a former period, and that the short price of the commodity has risen. The price of tea in bond on the 1st of April, 1865, was 16*d.* per lb., and on the 1st of April, 1866, it had risen to 19*d.* per lb. A reduction of 6*d.* per lb. in the duty on tea was made; and as 3*d.* out of that 6*d.* per lb. was virtually neutralized by the increase on the price paid in bond, I think, on the whole, we may be rather well satisfied that the loss on this item of receipt has not been greater than was originally calculated upon.

The revenue from the Income Tax also shows a somewhat smaller loss than was expected. The loss upon that head was estimated at £1,650,000, and the actual loss has amounted to £1,568,000. I have again to announce to the Committee that there is one fixed estimate which fluctuates in a singularly satisfactory and agreeable manner, now almost from year to year, and that is the value of a penny upon the income tax. It has grown within our recollection from between £700,000 and £800,000 until it now amounts to no less a sum than £1,400,000. At that sum I am able to estimate it for the year which has now begun.

Next, I come to the subject of fire insurance, in which the House feels a deep interest, and with regard to which the hon Member for Dudley (Mr. Sheridan) recently, in conformity, as I think, with the general wish of the House, forbore to make a special Motion antecedently to the financial statement for the year. The change which was made in the year 1864-5 has now been in operation for a year and a half. That was the change which related to the duty on the insurance of stock-in-trade against fire. We have, therefore, had the effect of that change for more than a full year. The change which was made last year with respect to the larger portion of the duty—namely, the duty upon everything except stock-in-trade, upon buildings and furniture of all kinds, has been in actual operation for only six months. For this is a change the operation of which, owing to the arrangements for charging and paying the duty, necessarily takes effect at a period of half a year after it has been ordered by Parliament. We have thus, up to the present time, only half a year's experience of that alteration, and the result is as I will now describe. First, it may, perhaps, be remembered by the House that I have at all times declined to follow hon. Gentlemen—Gentlemen, I am bound to say, very numerous and of great anthority—who have at all times held out to us sanguine prospects of some such large increase upon the amount of property insured, in consequence of the reduction of the duty, as would tend to replace in a considerable degree the revenue surrendered. I have not been, and I am not, at all insensible to the great benefits and advantages, in other points of view, which may attend the reduction of this duty; but I believe, and always have believed, that it would be a mistake on the part of the House if they were to expect that any such large expansion as I have described in the amount of property insured would follow upon the reduction of the duty. I therefore estimated an increase at the rate of only 10 per cent; and I made even that estimate—I mean that I placed the probable increase of insurance at that figure—rather in deference to the opinions of others, more or less accepted apparently in the House, than because it was precisely the amount that I should myself have chosen. However, that rate of increase, such as it was, has not been realized. Comparing the two duties, and comparing the value, or the amount, of property insured for the six months, for which alone we have the figures, I find that, as regards the loss of revenue for the year 1865-6, I estimated that loss at £260,000. Its actual amount has been £272,000. And, as respects the increase in the amount of property insured, the case stands thus. The amount of property insured between October 1, 1864, and March 31, 1865—the six months to which alone the comparison can apply—was £580,000,000 in value; while from the 1st of October, 1865, to the 31st of March, 1866, the total value of the property insured was £627,000,000, showing an increase of £47,000,000, or about 8 per cent. But, then, there is a regular standing increment in the value of the property insured from year to year, which is not due to a reduction of the duty, but to the growing wealth of the country. That usual increment is on an average £17,000,000, for the six months. If I deduct this sum of £17,000,000, which is due to the ordinary growth of the wealth of the country, from the £47,000,000 which forms the gross total of the increase, I find that the increased growth in the amount of property insured, the growth traceable to the reduction of the duty, is £30,000,000, or about 5 per cent of the whole amount. I have no reason to suppose that there will be any material variation when we come to know the figures of the receipt for the whole of the first year; but it is possible that the figures for the following year may be higher. Yet, I still hold to the belief—although, of course, without presuming to dogmatize upon the subject—that if the House intend again to deal with this duty at any future period, I think it would be premature to say anything about it on the present occasion, when the change has not been yet one full year in operation—but if the fire insurance duty is to be dealt with hereafter with a view to a further remission, I frankly own that I believe it would be necessary to abandon the idea of hereafter making use of this duty as a considerable source of revenue. In fact, I incline conditionally to the view indicated by the terms of the Amendment suggested by the hon. Member for Buckingham (Mr. Hubbard)—namely, that it is not wise and politic to raise any large revenue from this source—that this duty ought to be regarded as a tax upon property, that its remission is a remission upon property, and that if it is dealt with again it ought to be by a charge on property that an equivalent for it should be found, should such equivalent be needed. The condition that I should be disposed to attach is that property should, in some other and better form, supply such an equivalent; for I do not think, considering the very large reductions we have made, in other forms, of the burdens borne by property, that we should act quite justly by the community in giving to property rather than to industry and labour the benefit of this further remission.

Sir, there are two other commodities that I would mention with reference to duties. The revenue from malt has for the year past been a very considerable revenue. The receipt had risen in the year 1864-5 to a point previously quite unprecedented; and in estimating it for the year 1865-6, we were so far cautious that we anticipated a small diminution. I believe it is a common characteristic of this head of revenue that it runs favourably for two years together. It certainly has been so in the present instance; for, under the circumstances I have named, we estimated the revenue from malt at £5,850,000, and it has produced no less a sum than £6,410,000; showing the very considerable excess of £560,000. I come next to the revenue from spirits; and the state of that revenue likewise, if we are to consider an increase of it as satisfactory, is satisfactory. The receipt upon British spirits which was estimated at £10,300,000 has proved to be £10,450,000; the receipt upon colonial and foreign spirits, which was estimated at £3,295,000, has produced £3,505,000. So that our receipt upon spirits has been no less than £13,955,000, or, in round numbers, £14,000,000, which, I think, is possibly the largest sum ever raised in any country, or at any period of history, by a tax on the consumption of any one single commodity.

That, Sir, is the whole of the review which it is necessary for me now to take of the transactions and experience of the last year; except that I ought to state, in conformity with the usual practice, that the Exchequer balance has been reduced in the course of the year, in consequence of the application of a somewhat unusual amount to the liquidation of public debt. The Exchequer Balance stood on March 31, 1865, at £7,691,000. On the same day, in 1866, it was reduced to £5,851,000. During the same twelve months, the advances on new loans made by the Exchequer amounted to £1,635,000: the repayments of advances previously made came to £1,817,000, showing a balance to credit of £182,000. I will now give the Committee the estimate we have formed of the revenue and expenditure for the current year, or 1866-7. The charge on the funded and unfunded debt under the provisions of the law as they now exist, and with a small allowance for the additional charge brought upon it through the conversion of perpetual to Terminable Annuities, sanctioned by the House at an earlier period of the present year, is £26,140,000; the Consolidated Fund charges are £1,880,000; the Estimates for the army, £14,095,000; for the navy, £10,400,000; for the collection of the revenue, £5,003,000; for the packet service, £821,000; and for the Miscellaneous Estimates, £7,886,000; giving a total of £66,225,000. The total of the Estimates of last year was £66,147,000, so that there is an actual increase upon the Estimates of the present year compared with those of last year, though it does not amount to a large sum; it is £78,000.

I ought to explain to the Committee in what manner it is that this increase, though a small one, has arisen; because, though certainly it would have been more satisfactory, had it been practicable, to present both a nominal and a real decrease in our expenditure, yet I do not think it will be said upon a fair examination of the figures that they indicate any real increase in the permanent expenditure; I should rather say there are signs, though of no great extent, of the reverse operation. The Army Estimates for the year show a decrease of £253,000; but the Indian and other repayments also show a decrease of £246,000. The Committee is aware that the Indian Army is composed of regiments supplied from this country, and that all charges incurred in this country on account of those regiments, and all non-effective charges, are borne on our Estimates, and then replaced by a payment at so much per man from the resources of India. But the Indian Government reduces its establishment at its own discretion from time to time. It being thus at liberty, under an arrangement very favourable to it in that respect, to throw back upon us any regiments it can spare without a moment's notice, the effect of that undoubtedly is that a reduction in the Indian establishment, which entails an instant reduction in the Indian repayments, cannot be followed as rapidly by a reduction in the amounts charged in the Estimates for the British Army at home.

Moreover, Sir, it is important to call the attention of the House to the very heavy charges—and I think that they are charges sustained by sufficient authority

—which we are undergoing for works in certain Departments; and first for the navy. In 1865-6 the navy charge for work amounted to £528,000; but for 1856-7 they amount to £893,000. The principal part of that augmentation, however, is due to the great extension of dock accommodation which was the subject beforehand of debate in this House, and with an express, I might almost say, an eager, sanction from a Committee of this House, appointed to consider it. The Post Office Department has also a large increase in expenditure under this head. Its works last year were estimated at £70,000, but they are estimated this year at £349,000. The object is to effect a great enlargement both of site and building in the General Post Office. I mention that item with more satisfaction in the view that I am now taking, because I think we may confidently regard the Post Office expenditure as partaking of the nature of reproductive expenditure. The Miscellaneous Estimates likewise have undergone an increase of £165,000, rising from £829,000 to £994,000. That increase is due to the circumstance that for several years our Votes for public buildings, especially those connected with the national collections, have been more or less in arrear; but I do not think there is anything unwarrantable or excessive in the proposals that are now made. The upshot of them, however, is that the total demand for works for the navy, the revenue departments, and Miscellaneous Estimates has arisen from £1,427,000 to £2,236,000, showing an increase of no less than £809,000, and accounting for the increase in estimated expenditure many times over. I now come to the estimate of the revenue for the year. We take the Customs at £21,400,000; the Excise at £19,750,000; the stamps at £9,450,000; and here I may observe that there is hardly any branch of the revenue the growth of which is more steady and satisfactory. The estimate for assessed taxes and land taxes is £3,400,000; and for Income Tax £5,700,000. I pause for a moment to state that, the Income Tax being 4*d.* in the pound, we have £1,400,000 as the estimate of what a penny in the pound will produce, the additional £100,000 being accounted for principally by taxes in arrear. The Post Office stands at £4,450,000, showing a probable increase of £200,000 upon the receipts of last year, and thus at once overtaking a large portion of the heavy charge that we are about to incur for Post Office enlargements in London. The miscellaneous receipts, including the China indemnity, wiil stand at £3,100,000. This miscellaneous receipt is materially affected by the considerable sum of £500,000 which comes into it this year as the proceeds of debentures sent from New Zealand in liquidation of a portion of the debt of the colony to the mother country, which debentures it will be our duty to ask the House to guarantee. This guarantee we shall not ask Parliament to give by way of entering into any new engagement on behalf of the colony. It will have no effect as between the colony and its creditors, but only as between the Exchequer and those to whom these debentures may be transferred. On the other hand, the China indemnity is a branch of receipt which is sinking, and must be expected to sink more. I think the estimate of it last year, if I remember right, was £450,000, but this year it is only £250,000, and it must very shortly expire altogether. The total estimated income of the year is £67,575,000, and the estimated charge of the year is £66,225,000; so that the probable surplus of income over charge for 1866-7 is £1,350,000.

The Chancellor of the Exchequer

There is no cause to be disappointed, I think, in this state of things; we may well consider the circumstances of the country to be upon the whole favourable, with the apparent promise of such a surplus as this, because it must be borne in mind that, when I say that the estimated income of the year is £67,575,000 we have had already cut off from that income no less a sum than £1,417,000, which was disposed of by the legislation of last year, although it only tells upon the balance for 1866-7. Of that sum £950,000 is on account of the Income Tax, £260,000 is owing to the reduction on fire insurance duties, and £207,000 is attributed to the reduction of duty on tea, which did not operate for the whole of the year just expired, but which will be, this year, in operation for the whole twelve months. If we add these sums together, it would appear that but for the legislation of last year we should have had to dispose of a sum of between £2,700,000 and £2,800,000.

We now come, Sir, to consider of the disposal of this money; and here I shall have, under several heads, to trespass for some little time on the attention of the Committee. The Committee is aware how important the subject of commercial treaties has become in the view of the commercial classes of this country. The Chambers of Commerce in all our commercial towns have intimated the greatest anxiety that such treaties should be formed. Those treaties, as far as have been contracted of late years, have been adjusted in such a manner as to involve none of the objections, either in principle or in practice, which undoubtedly applied to our earlier attempts at the formation of commercial treaties. We have no haggling about certain benefits which might be conferred upon our own country, but which we will not confer unless the State with which we are dealing will confer certain other distinct and independent benefits on its subjects. The character in which we appear in these negotiations, as far as they have ever involved changes in our own tariff, is simply this. We have been content to become in more than one instance auxiliaries to the Government of a foreign State, to enable it more easily to overcome the prejudices and to enlighten the ignorance of its own people by exhibiting to them the advantages to be derived from the fulfilment of promises which we hold to them, the fulfilment of those promises being at the same time most beneficial to ourselves. We have used these arrangements as means of securing a double benefit; but we have never made, or professed to make, the adoption of changes in our own law, in themselves beneficial, contingent upon any steps to be taken by the other contracting Power, in the sense of meaning to withhold them unless such steps were taken.

Now, I will not weary the Committee on the subject of the French Treaty as far as respects that portion of it which has been sufficiently explained on former occasions—namely, its effect upon England. But I should like to state, and the Committee will not be sorry to hear, the effect that treaty has had upon the export trade of France herself, because all remember the dread, the horror with which that treaty was received by considerable and influential portions of the French nation. If ever, however, there was an emphatic disappointment in the best sense of unfavourable auguries, it is that which is now presented by the remarkable results of the treaty in question upon French trade. No elaborate demonstration is necessary to prove that if the export trade of France in French commodities has increased, the business of the home market connot possibly have fallen off. For no trader can supply customers at a distance without being in a condition also, and more easily, to supply customers at his own door. I am in a position to state what are the exports of France in tissues of all kinds: of cotton goods, linen goods, woollen goods, and yarns of all the three descriptions. And the general history of the matter—taking the year 1860, the year before the operation of the treaty, as a standard—I will present to the Committee. In the year 1861, just as it happened to some extent with ourselves, the effect of the treaty, through panic, was in every instance to produce a considerable diminution in trade. In 1862 all began to rise again; and I will now give the House the figures as compared with 1860. I shall state them in millions of francs. In cotton goods, France exported 69,500,000*f.* in 1860, and 93,750,000*f.* in 1864. In linen goods, France exported 15,500,000*f.* in 1860, and 24,500,000*f.* in 1864. In woollen goods, France exported 229,250,000*f.* in 1860, and 356,000,000*f.* in 1864. In yarns of all the three descriptions, France exported 12,500,000*f.* in 1860, and 43,000,000*f.* in 1864. The total amount of these goods exported from France in 1860, immediately before the treaty, was 327,000,000*f.*, and after the end of four years the amount had risen to 517,000,000*f.* The exports to England increased in a greater and, if possible, in a still more remarkable degree. In order to spare the time of the House I will not give minute details; but these are the exports to England of the very commodities with respect to which great alarm prevailed in France, extending even to an expectation that her producers would lose the home market. The exports to England of woollens, linens, cottons, yarns, metal goods, earthenware, salt, glass, and fish amounted in value to 58,500,000*f.* in 1859, before the treaty, and in 1864 they had risen to no less than 141,000,000*f.*

Since the treaty with France we have concluded through the energy of the departments of the Government and the able assistants who have been employed (I include, especially, members of the diplomatic service, as well as the permanent Civil Service at home), many other conventions relating to commerce. There is an advantageous treaty with Turkey, which admits of a small increase of import duties to a uniform 8 per cent, but stipulates for a liberal reduction of the old rate of export duty, and a further reduction of the transit duties. We also made a Treaty with Belgium in 1862, which insures to us all the advantages previously given by that State to France, together with a deduction from the former standard of pilotage, tonnage, and navigation dues. The Treaty with Italy in 1863 secured to us the reductions given to France by means of what is termed the favoured nation clause, and a similar Treaty with the Zollverein in 1864 gave to us the reductions given to France. A treaty of a more notable description has recently been concluded with Austria. That Empire was of all other countries, perhaps, the most rigid in the preservation of the protective system. I know not whether Russia could successfully compete with her in that respect. Certainly those two countries might be regarded as the last strongholds of the pure protective system; but Austria has entirely abandoned by an agreement with us her tenacious adherence to that system. While we own that that abandonment is beneficial to us, we justly maintain that it is in a far greater degree beneficial to herself. In effecting this result, the Chambers of Commerce in the north-east of England took an active part; and Mr. Alhuson of Newcastle, I believe, did much to spread sound ideas among the people of Austria and to make them sensible how cruelly they were impoverishing themselves by a rigid system of protection. The able agents of the Foreign Office and the Board of Trade, Mr. Morier and Mr. Mallet, by the knowledge and skill which they brought to bear on the discussion of the matter, greatly contributed to the settlement of the question; and I am glad to mention a name, which I would still more gladly mention if the bearer of it were now present in the House — Mr. Somerset Beaumont—who felt, not a personal, but a public and a most keen interest in the prosecution of this subject, and took a very active and beneficial part in promoting the proceedings connected with the Austrian Treaty. My right hon. Friend the Member for Gateshead (Sir William Hutt) also laboured with Mr. Beaumont in the same cause. No man could more ably or consistently be enlisted in such a cause, and I cordially congratulate him on the result which has been achieved.

The general effect, Sir, of the Austrian Treaty, on the Austrian side is, that the French standard has been adopted, and the rate of Customs duty in Austria, after an early date, is not to exceed 25 per cent *ad valorem* on any description of British goods. That amount of 25 per cent in France and elsewhere is still a very serious obstacle to freedom of intercourse; and I think the time has well nigh arrived, after the experience she has had, when we may begin to ask ourselves whether or not our powerful neighbour France might not safely consider the policy of taking a further onward step. I am persuaded that matters will not rest here. We have found the proportionate benefit of the reduction of small duties to be fully equivalent to the reduction of great duties. Therefore, I speak of this rate of 25 per cent with satisfaction only in reference to what has gone before, and not in reference to what will follow.

And here, Sir, I have to mention two changes which we propose should be made in our tariff, and which we were the more readily induced (subject, of course, to the pleasure of Parliament) to promise, because they greatly assisted the Austrian Government in bringing to a satisfactory issue the important national engagement entered into. We propose to abolish the duty on timber; and to equalize the duty on wine in bottle with the duty on wine in wood. The duty on timber is a very low duty, and that is the best and only thing that can be stated in its favour. In any other point of view the duty on timber is as bad a duty as it can be. It is a protective duty on a raw material of which this country stands in great want; which is of vast bulk, and thus in any case made costly by carriage. The imposition of the duty, which has the effect of greatly increasing this cost, and which also as far as it goes has a protective character, is the very essence and quintessence of political folly.

The consumption of timber in this country is remarkable. In 1811 the consumption of timber amounted to 417,000 loads. At that time the duties were augmented, and in 1814 the consumption fell so low as 218,000 loads. However, the growing wealth of the country brought about a gradual increase; and I will pass over the long period of years to 1841, from which time the House will observe that every reduction of duty has been answered by more than a corresponding increase in the use of this essential material. In 1841 the total consumption was 829,000 loads. In 1842 the duty on foreign timber was reduced from 56*s.* 6*d.* to 31*s.* 6*d.*, and on colonial timber from 11*s.* 6*d.* to 1*s.* The reduction only took effect in October, 1842. In 1843 the consumption was 1,298,000 loads. In 1850 the consumption was 1,723,000 loads. In that year the duty on foreign timber was further reduced from 15*s.* to 7*s.* 6*d.*, and on deals from 20*s.* to 10*s.* The consequence was that, from a consumption of 1,723,000 loads in 1850, the consumption rose until, in 1859, it reached 2,408,000 loads. In 1860 we went to work again, and further reduced the duty from 10*s.* to 2*s.*, and from 7*s.* 6*d.* to 1*s.* At that time, a highly respectable gentleman from the colonies, who represented Launceston (Mr. Haliburton), predicted that ruin would sweep down upon the timber industry of New Brunswick ; but the consumption of all kinds, which in 1859 was 2,408,000 loads, actually had increased in 1865 to 3,700,000 loads, or to sixteen times the consumption of 1814. Of this augmentation the British colonies have no reason to be discontented with their share.

The whole revenue from timber is as follows for the entire year:—£300,000 from the general descriptions of wood goods, and £7,000 from wood manufactured into the form of ships, being a total of £307,000. I shall reckon the whole of this amount as loss for the year 1866-7, because we propose that the repeal should date back from the 1st of April, 1866.

With respect to wines in bottle—the other subject I have to touch on in connection with the Austrian Treaty—the case stands thus. At present, we charge for wine in wood by one of two rates, supposing it is real wine, and does not exceed a certain strength, for if it does it is charged as spirits. The two rates are adjusted as follows :—if it is under twenty-six degrees the charge is 1*s.* a gallon, and over twenty-six degrees 2*s.* 6*d.* per gallon. When the alcoholic test was first adopted, it was required to be applied in great frequency and to every parcel of goods, and thus great injury would have been entailed on such an article as wine in bottle. Wines imported in bottle being for the most part of a more expensive character, it was therefore thought best, when these duties were fixed a few years ago, to levy a duty of 2*s.* 6*d.* upon all bottled wines, while wines in wood were charged according to their strength. Now, however, we are able to work the system with much greater accuracy and security, and the alcoholic test is much more rarely applied. Representations have been addressed to us by the Austrian Government, and I am bound to say by the French Government also. One piece of evidence, indeed, of a kind almost peculiar in history, has been forwarded—a document addressed to myself by a large number of Burgundian winegrowers, a document which I received with very great pleasure, as a sign of the increasing sense that is felt of the common interest of the two countries in matters of this kind. From these statements we find, and there is no reason to doubt their substantial accuracy, that there is a great deal of wine which may be imported safely in bottle, but which it is very difficult to import in wood without injury to its quality. This, I believe, is the case with many Hungarian, as well as with many Burgundian wines ; and therefore, according to the request of the Austrian Government, we propose to equalize the duties on wines in bottle with those which are now paid upon wines in wood. That is to say, they will be charged according to their strength, 2*s.* 6*d.* per gallon if over twenty-six degrees of alcohol, and 1*s.* if they do not exceed that standard. The effect of such a change would be a total loss of £71,000, without any allowance for recovery ; or with some allowance for recovery and also for the portion of the year that has passed, a loss of £58,000. This I have to add to the debtor side of the account, to be set against the surplus.

I have now done, Sir, with the subject of treaties for the present ; and there are three changes which I propose to make, quite apart from any obligations under treaty. We propose to remove the duty on pepper. The fate of pepper might well excite the commiseration of any humane man. The duty, which it is very difficult to defend, has often been in the list of duties fit to be abolished, but when it has come to the last moment there has always been some more bulky and important neighbour to thrust it out of the way, and the consideration of the subject has thus lain over till this year, when there happens to be a moderate surplus, which does not admit of our proceeding to deal with any great branch of the revenue. The present, therefore, appears to be a good occasion when, without exciting feelings of jealousy in the agriculturist or any other class of the community, we can afford to do justice to pepper. The case is a hard one, and for this reason ; all the spices and condiments in which the wealthier classes have an exclusive interest have been long ago set free from duty. But pepper is a condiment common to all classes of the community; and though I cannot say whether this is so or not, I am told that it is largely consumed in Ireland. It is a commodity that can well be dispensed with by the wealthy classes, and even by those portions of the labouring community that partake largely of animal food, but is really, I believe, not only very useful, but very necessary to those whose diet consists in a much larger degree of vegetable food. Another very strong reason for the abolition of the duty is that pepper is abominably adulterated. Adulteration of food, I am afraid, is, in a very special manner and degree, an English vice. I doubt whether in any other country in the world the same amount of adulteration of food takes place as in this country; but the proportion of that adulteration is violently stimulated whenever the rate of duty, proportioned to the short price of the article, is very high. Now, the duty on pepper is little less than 200 per cent—that is to say, the duty stood at 6*d.* when the price was 3*d.* 3¼*d.*, or 3½*d.* The revenue from the article of pepper is £124,000, and deducting £12,000 for the tenth of the financial year, I find the net loss to be £112,000, which is to be added to the items I have already mentioned.

Next, Sir, I come to a subject which I am unwilling to leave wholly untouched, but which, at the same time, neither the state of our financial resources nor other considerations enable us at the moment to deal with in that conclusive and effectual manner which, I hope, some day may be brought within our power—I mean a portion of the duties upon locomotion. I do not hesitate to say that I think in principle—although I admit that some difficulties might present themselves in its application to practice—a great distinction should be drawn between the locomotion of luxury and pleasure, and that which is of necessity. I do not enter into the question of how far we can distinguish between them, but to a considerable extent our system, as it now stands, does actually distinguish between them. The House, perhaps, will be surprised to know that the revenue which we derive from locomotion in all its forms is not less than £1,600,000. Of that sum one moiety, or £852,000, is the portion of assessed taxes which I consider fairly due to locomotion; that is to say, the portion derived from taxes upon horses, taxes upon carriages, and taxes upon the proportion of men-servants estimated to be employed upon them. With that amount of £852,000, and also with the revenue of £459,000 derivable from railways, I do not propose in any manner to interfere. The first arises from a description of charge that may, I think, fairly be retained on our statute book, at any rate for the present; and the revenue derived from railways is, in my judgment, a revenue which Parliament would never think of surrendering, unless it were in connection with some comprehensive arrangement for securing benefits to the public. This, it is quite plain, we are not at present in a condition to entertain. The House is aware that a Commission composed of very able and very distinguished men, was appointed more than a twelvemonth ago to examine into the general condition of the railway system, and how far it might be possible, by such means as were defined in the instrument appointing the Commission, to improve our railway system in the direction of general accommodation of the public, and particularly of goods traffic. It is plain that we must adjourn any examination of that subject until the Commission has concluded its labours, which I hope, and am given to understand, will be in the course of the present year.

There are, however, subjects similar in character which I think may well engage our attention, and upon which such slight remissions of duty as we are in a position to make will be attended with a considerable amount of advantage. We derive from post horses and carriages, including all descriptions of carriages in London and elsewhere, £266,000; and from public conveyances £142,000, including all descriptions of such conveyances, whether stage coaches, waggons supposed to travel under four miles an hour in the country, or omnibuses which form so conspicuous a feature in the streets of London, and which are becoming from year to year instruments of almost indispensable use to the enormous number not only of the middle and lower middle, but even in the strictest sense, of the labouring classes of the community. The proposals, therefore, which I have to make relatively to the tax on omnibuses and all public stage carriages will not only bear materially on the comfort and advantage of the labouring classes in great towns, but in another point of view will tend to diminish the very injurious effect which the severity of this duty exercises in restricting rural accommodation, more particularly such accommodation in connection with the railway stations of secondary consequence. The present tax is estimated to amount to no less than from 9 to 11 per cent on the gross receipts of the London General Omnibus Company and other companies of a like description. And when one considers the relation which gross receipts bear to net, and what a very large proportion of gross receipts is swallowed up in payment of necessary expenses, it must be admitted that such a duty imposes a very heavy burden on this description of trade. I do not dwell on what relates to the railway stations, because every gentleman who resides in the country will, I am sure, be familiar with that matter from personal experience. It seems probable that in many cases the duty not only limits the number of conveyances but at particular points prevents their existence altogether. But the manner in which the working classes in the large towns are affected may be sketched as follows—A continuous process is going on, unobserved, but steadily from day to day, by which the value of land in the limited areas about the centre of great cities is rising with a rapidity hardly credible, though at the same time proved by experience. The statistics, if produced, would astonish those who have never attended to the point; and the result is this—a continual transfer of premises in central situations from residential purposes to purposes of business. The wealthier class of residents, thus dispossessed, disappear, for their pleasure; while the labouring classes—and that in a considerable proportion—cannot afford to pay the increased rents, and (where they do not become lodgers instead of householders) in many cases go out to live at greater distances from town. It is absolutely necessary, however, that their labour should still be performed in town, and accordingly it is of the greatest importance that they should have cheap conveyance. Hence the tax on locomotion, considered as a tax on the labouring part of the community, is in the severest and crudest sense a tax of the raw material of industry. For nothing more exactly corresponds with the idea of a tax on the raw material of industry than a tax affecting the sinews and muscles of the labouring man; and if he is obliged to spend those sinews and muscles in travelling to and fro between his home and the area in which he works, he spends them upon that which brings him in no wages, instead of spending them in reproductive labour. I hope I have satisfied the House that it is right to deal with these questions. I will now state the mode. We propose to leave the licences on these carriages as at present. We cannot offer a thoroughly searching solution of the whole question at present; but we think we can greatly relieve the burdensome part of the duty which is calculated on a mileage. The present duty is 1*d.* per mile, and that we propose to reduce to one farthing per mile. There would be considerable difficulty in abolishing it altogether at this time. The House will please to recollect that though there are, as I have described, strong reasons for modifying this duty, it cannot be separated altogether from other duties—from the duty on hackney carriages for instance, which we are not able, consistently with the general plans of the Government, to relieve; again, it cannot be separated from the consideration that in a very great number of cases these carriages are in direct competition with the short local traffic of railways in the neighbourhood of large towns, on which we levy, as to a large part of it, a tax of 5 per cent on their gross receipts, which receipts include the interest on the capital employed in making the road. The total income from this source, with full duty, would be £130,000 for the year. The duty can only be reduced on the 2nd of July next, when the arrangements are made for the quarter, and new licences are issued. The reduction will not, according to usage, in this case take place from the date of the Resolutions passed by the House; an Act of Parliament will be necessary for that purpose, and it will not have passed, probably, till some day in June. I have said that I do not propose to interfere with the hackney carriage duty, because the receipts from that tax are of a peculiar character, and may be considered as some compensation made by the metropolis for a great outlay, on the part of the State, in the matter of its comfort and advantage. But the post-horse duty applies all over the country. The duties are now regulated by a scale varying with the number of horses and carriages possessed, and are so framed as to bear hardly on the smaller as compared with the larger proprietors. One horse or one carriage pays per annum £7 10*s.*; two horses or two carriages just double that amount; four horses or three carriages, £20; eight horse or six carriages, £30. If you will compare £7 10*s.*

for one horse or one carriage with £30 for eight horses or six carriages, you will see how the scale is framed to bear heavily on the small as compared with the large proprietor. I propose to reduce the rates below the £30 rate so as to correspond as nearly as possible with the higher rates. That is to say, one horse or one carriage will be charged £5; three horses or two carriages will be charged £10, and so upwards, in such a manner that the small owner, the man who drives his own fly, will be placed, as nearly as the nature of things will admit, on an equality with the larger capitalists, with whom he competes. The estimated loss from that source (with allowance of 10 per cent for increase in traffic) will be £20,000; or £16,000 in 1866-7 and £4,000 in 1867-8. The Committee will see that we have now disposed of about £562,000 out of £1,350,000.

I now pass to a subject of an entirely different description from those on which I have thus far touched; a subject having this only in common with them, that it would dispose of a large portion of the remainder of the surplus available for the present year, and that in itself it is undoubtedly an important financial arrangement. Before, however, proceeding to that subject, I should state that I shall submit Resolutions to give effect to all the changes which I have mentioned; as also for renewing the Income Tax at 4*d.* in the pound sterling, and for continuing the tea duty for a period of twelve months.

But the proposal which I have now to make, and which I hope will receive the sanction of the House, will most conveniently and naturally form the subject of a separate measure; though it is one which I am anxious to prosecute as speedily as may be found practicable, with a due regard to the claims of other business yet more pressing. The question, Sir, to which I am about to call the attention of the House is connected with the one great item which I omitted from the retrospective part of my statement. It relates to the condition and movement of our National Debt. I will first give to the Committee what has actually been done with respect to the reduction of the National Debt within the year that has just passed. The amount paid off in the year 1865-6 consisted of the following sums:—

1. Exchequer Bonds to the extent of £1,000,000 were exchanged by reissue.		
2. Exchequer Bills paid in for Revenue ...	£783,000	£2,555,000
Purchased with surplus revenue ...	877,000	
Sent in at the exchanges	895,000	
3. Cancelled by Land Tax	... ...	59,000
4. Stock purchased with surplus revenue ...	... ...	1,395,000
5. Capital redeemed in Terminable Annuities	... ...	1,620,000
Total ...	...	...£5,629,000

A sum, however, of £450,000 was raised for fortifications, and therefore the effective reduction of the National Debt in 1865-6 was £5,179,000.

The next portion of the statement I have to make to the Committee relates to the Unfunded Debt. Great changes have taken place in recent years with regard to our Unfunded Debt. One portion of it consists of Exchequer Bonds; a security not liable to be suddenly or very seriously affected by the extraordinarily rapid and frequent fluctuations which, under the present, I think, wise administration of its affairs by the Bank of England, continually attend the conditions of the money market. But the case is different as to Exchequer Bills; and, as the Committee will readily perceive in a country and at a period where the current rate of interest on commercial paper for short terms with ninety or 120 days to run, or perhaps six months, is running up and down two, or three, possibly even four, or five times a year, from 3 to 8 or 9 per cent, it is almost impossible to make any large portion of these Government securities returnable as they are for cash after twelve months currency, and receivable for revenue after six, live in the market, unless we choose to adopt a course which I think unwise—to give a high rate of interest on them, and a rate of interest which, within a few weeks after it had been granted, might be found excessive with reference to the actual state of the money market. That would be a very wasteful proceeding, and the alternative which has been adopted has been to encourage a gradual absorption of them.

I will now show how far this absorption has proceeded. The total Unfunded Debt of the United Kingdom in 1815-16 was £44,727,000. Just before the Russian War, on the 5th of January, 1854, it had declined to £16,024,000; on the 31st of March, 1857, it was £27,989,000; in 1859, it stood at £18,277,000; but that reduction was brought about by funding, and one object of reduction by a gradual process is to get rid of the necessity of funding, which is a very expensive operation, performed as it generally is at unfavourable periods. In 1866, the Unfunded Debt, which in 1859 was £18,277,000, was reduced to £8,267,000, consisting of about two-thirds, or £5,887,000, in Bills, and one-third, or £2,300,000, in Bonds. This secondary branch of the Debt has therefore been brought within manageable compass during the last few years, without incurring the cost of funding: and as the £6,000,000 of Exchequer Bills are divided nearly into moieties, payable the one in March and the other in June, it is plain that they are not likely hereafter to place us in any serious financial difficulty.

Now, with respect to the grave and serious subject of the National Debt at large. I hope the Committee will not think I take an undue liberty in calling their serious attention to it. It is a subject as to which it may be difficult to say why it should be introduced to the notice of the House at one moment rather than another; but undoubtedly I am convinced, with my now rather long experience of the financial department, that the time has come when, to say the least, it is fitting that Parliament should bestow a greater degree of attention than has hitherto been bestowed on the question of the state and movement of the National Debt. I entirely concur in the opinion expressed by the hon. Member for Westminster—whose absence on this occasion I deeply regret, arising as I understand that it does from severe indisposition—I entirely concur in the doctrine he has laid down, that the first duty of Parliament, now some twenty-five years ago, was to direct its attention to the thoroughly unsound and ill-adjusted state of our fiscal system, and to its injurious effect in restricting industry and in retarding the growth of wealth. It would at that period have been a great mistake if, instead of relieving industry and the springs of commerce by the remission of duties so mischievous as those which then abounded in our law, we had made it a general rule to apply our resources to the reduction of the National Debt. But now we have got through a great part of that most necessary work. There are taxes which still remain, which we are desirous to reduce, nay, which urgently call for reduction, or even for removal; but, now that we have advanced so far in the work of reform in our system of taxation, I think the time has come for some modification of our rule of action; the time at any rate when we ought seriously to consider the state and movement of the National Debt.

Besides the recent speech of my hon. Friend there have been other indications of opinion which I, for one, have noticed with great satisfaction, and which tend, I think, to show that I am not speaking lightly or gratuitously when I submit to the Committee that the time has arrived for dealing with this question. Many positive reasons, too, may be given for such a course. Why, Sir, the condition of the public credit, as measured by the price of the funds, is in itself a matter which might well attract the attention of Parliament. It is not that the public credit, properly understood, is weaker than it ever was; on the contrary, I believe there never was a period when it was stronger; but the rising rates of profit upon money must necessarily raise, and I think have already raised, considerably, but not immoderately, the rate of interest, and have in proportion diminished the value of the public credit, as represented by the price of the funds. Considering the high price of money which now rules, I, for one, am well pleased that the funds have not fallen more heavily. At the same time, I believe it will be wise and politic on the part of Parliament, with a view to exigencies which are not perhaps likely or proximate, but which are possible, to consider the present state of the public credit as measured by the state of the funds, and to consider what would be our position if, under any overruling circumstances of honour or duty, we were obliged to go into the market as borrowers.

Again, Sir, there are several reasons which lead me to think that this is a most proper time to open the question. One is that during the next year, 1867, we are to receive another large or at least considerable relief by the falling in of Terminable Annuities. Nearly £600,000 of those Annuities will lapse: and I think it well becomes Parliament to consider what substitute it will provide for that annual charge, with the view of furthering the beneficial process of operating upon the debt. And this, be it observed, not with a view of extending the old scale of action through Terminable Annuities upon the debt, but simply to prevent another great contraction of that scale. Nor can I fail to mention that some journals, which are among the most powerful organs of opinion, with no possible object, it seems to me, but that of an enlightened zeal for the public good, have been labouring to draw the attention of the public mind to this great subject, and have, I think, materially prepared the way for the Government to submit to Parliament a proposal respecting it.

Now, Sir, of course the general movement of the National Debt can easily be set forth in the most intelligible form to the community. That debt consists of three items; but for the present purpose it is not necessary that I should distinguish one from the other, which would only perplex that view of the total to which I wish to fasten the attention of the Committee. I will, however, mention that those three principal heads or items are; first of all the Funded or Permanent Debt, including the debt to the Bank of England, though that it is not precisely a funded debt, but is simply and invariably represented by its capital sum; secondly, the Unfunded Debt, of which I have already sufficiently spoken; and thirdly, the outstanding capital value involved in Terminable Annuities that may still be running. Placing these three items of debt together, the total of the National Debt, which is commonly supposed at the close of the great war of the French Revolution to have been £800,000,000, when we come to include all these items, had turned £900,000,000 of money, the actual figures being £902,264,000. Of course, I do not include in that amount any allowance for the Sinking Fund, which I exclude altogether, as I speak only of the real obligations of the country. In 1830, the total of £902,000,000 had been brought down to £842,405,000. A good deal had been done in that interval, as will be seen, for the reduction of the debt; but very little in comparison had been done by Parliament for the liberation of the industry of the country. A beginning had indeed been made, much to the honour of those who under such difficulties were brave enough to make it, but if it was commenced it was a commencement only. In 1840 the debt had fallen to £837,848,000 or by a very small sum — namely, £4,500,000; but it must be recollected that during that interval of ten years, a loan of £20,000,000 had been contracted for the emancipation of the negroes in the West Indies. Virtually, therefore, the reduction upon the War Debt effected in that period had amounted to nearly £25,000,000. The lowest point, however, of any touched upon the present year, was reached on the 5th of January, 1854. It then stood at £800,515,000. Then came the Russian War; when Parliament, most wisely as I think, resolved to meet the expenses of that war in great part by taxes immediately imposed on the people. In consequence of this Resolution, the increase of debt was much less rapid than it would otherwise have been, and much less rapid than it must undoubtedly be if ever unfortunately this country should become involved in a prolonged war. On the 31st of March, 1857, the debt had risen to £831,722,000; on the 31st of March, 1859, it was £823,934,000; and on the 31st of March, 1866, it was £798,909,000. That is nominally a point somewhat lower than it has stood at before; but it must be remembered that we have cancelled two minor sinking fund stocks which formerly formed part of the nominal capital, so that, in fact, we may say with substantial accuracy, for it is not necessary to be particular to £1,000,000 or £1,500,000, it has now just reached the point at which we have effaced the results of a Crimean War, and the debt thus stands at the very place which it occupied at the commencement of the year 1854; that point being one lower by £100,000,000 than the sum at which the debt stood when the long war of the French Revolution terminated. The total sums applied, in all forms, to liquidation since 1815, have probably been little short of £180,000,000; the difference between the gross and the net reduction being accounted for by the sums borrowed for the Crimean War, for the West Indian Compensation, for the Irish Famine, and for minor purposes.

It is hardly necessary to observe that there are several sums not very material in themselves—of which I have in this explanation taken no account. We are indebted to the savings banks in the sum of about £3,000,000, and on the other hand we have monies lent on perfectly good security on bonds to Drainage Commissioners and other bodies, that amount to about £10,000,000; but that is not an amount that we need take into view in dealing with this enormous accumulation of the national obligations. £799,000,000, then, or in round numbers, £800,000,000 form the present capital debt. Now let us observe the rates at which during different periods we have operated upon the debt. From 1815 to 1854 there were nearly forty years of the most profound tranquillity ever known to this country, and that, therefore, was the very period in which it was most desirable for us to deal efficiently with this debt, if we were to place ourselves in a position to look war in the face again when the necessity for it might arise. Well, Sir, I have stated the sum of what was then done. The rate of decrease per annum during that period was £2,609,000—undoubtedly a very trivial sum when we consider the enormous amount of what remains to be achieved. In the three years and a quarter from the 5th of January, 1854, to the 31st of March, 1857, the rate of increase was nearly £10,000,000 per annum; in more exact figures, £9,602,000. From 1857 to 1866 the annual rate of decrease under all heads has been somewhat better, but still far below what it ought to have been; it has been £3,646,000. Now, I wish to call the attention of the Committee to this, that what we must expect is, that whereas £2,000,000 or £3,000,000 a year have represented the average of our operations in time of peace—I do not believe if we take the whole years of peace since 1815 that the average reduction would reach £3,000,000—if ever we should become involved in any great and protracted war, we must expect, not immediately, but after a year or two of war, to see the debt grow at about ten times the annual rate by which we reduce it in time of peace.

Now, Sir, the next question I come to consider is whether this is a satisfactory state of things for the country. But I cannot proceed further on that subject without asking the Committee to observe the remarkable course and tendency of affairs with respect to the accumulation of public debts in other countries. The chapter of National Debts is assuming, I think, a painful and a baleful prominence as a social and political fact of modern experience. I do not know whether the House is aware to what extent this mischievous and injurious process is going on. But I will refer first to what I do not hesitate to declare I contemplate with the least anxiety, and that is the debt of the United States. The debt of the United States is in itself something wonderful—wonderful as the creation of four years, strictly of four years, and no more, and yet amounting to nearly 3,000,000,000 dollars, or £600,000,000, and the rate of growth of the debt in the last year exceeded, I think, £200,000,000. That is a debt on a gigantic scale, and its charge is enormous. It is not possible, in the present state of the financial arrangements of that country, to ascertain the figures with perfect precision, but I believe I am not wrong in saying that the charge of that debt must be considerably heavier than our own, although the capital is less. The smallest sum at which I can estimate the charge is £31,000,000 or £32,000,000 sterling; and if upon the back of that sum we lay the necessary cost of raising the revenue, which in America is much heavier than it is here, I do not think the effective amount of taxation incumbent upon the people of the United States at this time in consequence of the Northern debt (I do not include one farthing for the Southern debt) can be taken at less than some £35,000,000 sterling per annum. Well now, looking at these figures, a man would at a first glance be struck with something like despair. But if we look at the position of the country which has to bear the burden, I must confess that I think the future of America, as far as finance is concerned — political problems are not now in question—will probably not on this score be beset with any serious or vital danger. I do not believe that that debt need constitute any difficulty for the American people. I am confident that if they show with respect to finance any portion of that extraordinary resolution which on both sides alike they manifested during the war, and of that equally remarkable resolution with which, on the return of peace, they have brought their monstrous and gigantic establishments within moderate bounds, I will not say that this debt, according to an expression which was once fashionable in this country, will be a fleabite, but we may then anticipate that in a moderate time it will be brought within very narrow limits, and it is even possible, though we may not venture to judge how far likely that it may even within the lifetime of persons now born, be effaced altogether. At this moment America is, I believe, paying all her war taxes, and the amount of the revenue of the United States is not less, I apprehend, than £80,000,000 and upwards, the largest sum ever raised in any country or at any period for the purposes of a central Government. The estimated surplus above expenditure is from £20,000,000 to £30,000,000 sterling a year, and I believe at present only about £10,000,000 sterling of all this huge taxation are menaced by the natural impatience of the people to continue under the burden of some of the taxes that have been imposed. Mr. M'Culloch, the Finance Minister of that country, strongly urges the policy of reducing the debt, and I am quite certain that from this side of the water we shall send him a hearty expression of good wishes for his success, both on account of our interest in the well-being of a friendly and kindred nation, and because it may be hoped that the example of America will react beneficially on this country, and on Europe at large.

But have gentlemen who sit here paid attention to the stealthy manner in which the practice of borrowing, in order to meet the ordinary charges of government, is becoming the standing vice of almost every Government in Europe? I do not speak now with regard to that uneasy state of things in which the Continent is at this moment apparently liable to be involved. We hope that neither unrestrained ambition in any one quarter nor neglect of the rules of prudence in any other, may be permitted by a merciful Providence to deprive Europe of the inestimable blessings of peace. But I ask the House to consider how enormously important the common practice of the Governments of Europe with regard to the contraction of debt has of late years become. I have here the National Debts of nine countries in Europe, estimated from the most trustworthy data I have been able to obtain. I find that, with the exception of Holland, there is not one of these debts that has not been virtually contracted in the last half century, while by far the larger part of them has been contracted during the last twenty years—that is to say, during a time of very general peace; for if there has been any war expenditure added to them during that time it is insignificant in amount, as I believe, with reference to the total. Holland, I find, acts prudently, and reduces her debt apparently from time to time, by the aid of her colonial resources from Java, while the finances of Prussia, whatever may be said of that kingdom in some other respects, are believed to be a model of good administration; for the Prussian debt stands at £43,000,000, and that of Holland at £85,000,000. The Russian debt is estimated at £279,000,000, and that of Austria at £316,000,000. The debt of France is not, as formally stated, a capital debt, and it is difficult to estimate it with accuracy. It is made up of Rentes or Annuities which are sold for so many years' purchase; and, perhaps I may, without the risk of great error, take its various denominations in the aggregate at twenty-five years' purchase. Upon this footing, the French debt in Rentes, together with the Unfunded Debt, will be found probably to amount to £400,000,000. It is the largest of these public debts of Europe; yet, because of the immense resources of the country, and the energy, thriftiness, and wonderful talent of its people, one need, perhaps, feel less anxiety for its future security and strength than for the stability of almost any other Continental Government. In Italy the debt stands at £152,000,000; and it is increasing with portentous rapidity from year to year. The debt of Spain amounts to £145,000,000; that of Portugal is estimated at £33,000,000; and the debt of Turkey, which I believe to be entirely a modern institution, indeed principally created since the Crimean War, amounts to £51,000,000. The great bulk of these debts, which amount altogether to no less than £1,500,000,000, has been accumulated in a time of peace, and has not been thrown upon the several countries during a struggle of life and death.

I will not trouble the Committee with many details of their rate of increase; but, omitting Holland, which has diminished its debt, and omitting Prussia, which does not habitually increase it, and omitting Spain also, which seems to keep its debt nearly at an equilibrium, we have six of the nine countries I have named that have recently managed to increase their debts during a time of peace at the annual rate of £61,000,000 sterling. And this is a growing mischief, for, like other bad habits, debt-making has a tendency to spread. Europe should therefore really bethink herself of this portentous increase, and should look at it from the right point of view. This practice should be considered both in itself and in connection with the future. It is spending in a time of peace the resources of war; it is as if in a year of good harvest the world, instead of keeping a reserve for bad years, spent the whole of that good harvest, and half another harvest beside; and it should be remembered that even if peace be preserved in Europe for the rest of the century, the debts of these nine countries at the present rates of increase would then amount to nearly £4,000,000,000. These are really prodigious sums and portentous circumstances. It is not merely the amount of money engagements which we should take into view; that is comparatively a matter of limited importance. It is not only a very great mischief that £60,000,000 or £70,000,000 should be drawn away from useful and profitable purposes for what is even worse than purely unproductive expenditure, but it is an enormous political and social difficulty which is being gradually heaped up by this most improvident course of policy. There is nothing so insidious, at least we know in public affairs of nothing so insidious, as financial difficulty. It approaches you in the first moment with smiles and caresses. The expedient of borrowing appears at the first temptation to be open to no objection whatever; the burden is so small, the relief so immediate and so great. It is like what the poet described in the lines relating to Fame—

> "Parva metu primo; mox sese attollit in auras,
> Ingrediturque solo, et caput inter nubila condit."

Perhaps it yet more recalls a noble passage in one of the tragedies of Æschylus, when he describes the cub of the lioness, incautiously taken in its infancy by the hunter to his home, reared with his dogs and petted by his children; it fawns upon young and old as long as it remains a cub, but when it has grown to the strength of mature age it forgets its seeming meekness, and manifesting with an awful suddenness the ferocity of its nature, it deluges the whole house with the gore of its victims. And thus it is with financial difficulty. It begins with the most insinuating access, and grows up gradually with changes imperceptible from day to day, so beguiling men that they still and still postpone the evil day of reckoning; but nevertheless the time will come when it must at length be confronted, only in all likelihood that will also be the time when, having grown to gigantic size it can no longer be resisted or subdued.

So much, Sir, for other countries, and now let us look at our own. I must ask you to bear with me while I endeavour to point out what I take to be the true state of our own case. I address my request to the whole Committee; but, in a certain sense, especially to Gentlemen opposite, and to those who say, and say truly, that they are deeply interested in the land and fixed property of the country; because I apprehend that if there be any special interest concerned in the subject I am about to consider it is the interest of landed property and of our fixed property in general.

In the first place, then, let it be remembered that we are living in a commercial era, the prospects of which, from their magnitude, it is almost impossible to appreciate. Every five years, it may almost be said, we seem to have almost a new era; the rate of increase in our foreign commerce is continually shifting, and always shifting upwards. The liberation of industry, the progress of invention, the steady investigations of science, the improvement of social habits, are all combining together to induce the conclusion that in the days of our childhood, when we thought the commerce of England was a wonderful thing, and that the commerce of the world was wonderful; and when we had an idea that a century's development had brought about almost a miracle of transformation, the result was, in point of fact, only in its embryo; the commerce of the world was no more than an infant in the cradle. But it was an infant Hercules, that has ever since been straining and bursting one by one its bonds; and, depend upon it, great as is the extension to which it has now reached, in all likelihood it will go on extending still, and perhaps yet more wonderfully, in the future. We are not prophets in this assembly. But it is our duty, although we must refrain from dogmatizing, to estimate probabilities as well as we are able, and, like wise men, we should permit ourselves to be guided by the balance of probability. During the next twenty, or thirty, or fifty years, then, or perhaps more, for I cannot pretend to name a time, we are to look for a still further development and extension of the commerce of this country, which is even now in the aggregate, I apprehend, at least three-fold what it was five-and-twenty years ago. Well, the population of the country during that period has been increasing at a rate less than 25 per cent, while our commerce has been multiplied three times. And this we must fairly presume will continue for some time. The demand for our productions is likely to grow as long as we have the same relative means, which we possess at present, for affording a cheap supply.

Now, the great agents of production are three; first, we have land and fixed capital; secondly, we have movable or transferable capital; and thirdly, we have labour. Let us consider, for it is most important, the relative positions of these three powerful agents. A race is going on between nations in industry and enterprize, and no doubt can exist upon the question what nation is at this moment foremost in the race. The people of the United Kingdom are by far the foremost. Their external commerce is, I apprehend, as great as that of the two countries which come next in order to it; the United Kingdom, with its 30,000,000 people, is as great in commerce as France and America, the second and third as to foreign commerce of the nations of the world, with their 70,000,000 of population. That is an extraordinary fact. We have undoubtedly got the start in the race, and it behoves us to inquire what special cause has given it us. Doubtless we have not only great but varied advantages; our geographical position is a great advantage, so also is the character of the people. But both our geographical position and the character of our people are the same as they were a century ago; and England then did not lead the trade of Europe. What, then, has given us the commanding position that we hold? Of course there is an increasing cause in our huge masses, accumulated capital, the fruit, the sign, and the reward of labours achieved; but the chief cause is the possession of our mineral treasures. The fact, not merely of the possession of coal, but of the possession of vast stores of coal under such circumstances that we can raise it to the surface at a lower price than any other country in the world; besides these we possess unequalled facilities for its circulation. Now, Sir, it is most important to bear in mind that it is not the quantity of coal, but its production at a low price which has given us the start, and has caused the enormously rapid progress of the country. From many other points of view, Great Britain might have been expected to make less rapid progress than it has actually made; because, after all, the second very great treasure of nations—namely, their unoccupied, that is unopened, land—is a treasure which we possess, in our three kingdoms, in a much smaller relative degree than almost any other European country. It is, then, our possession of coal under such circumstances as I have described and in immediate conjunction with the raw material of the metal manufactures, especially of the gigantic business of the iron trade, that has given us this extraordinary pre-eminence in commercial and industrial pursuits.

Now, Sir, it has often been a subject of very interesting discussion as to whether we may look upon our stores of coals as being practically inexhaustible. And in the condition in which our commerce was twenty or thirty years ago it would have been perfectly reasonable to answer that question in the affirmative and assume that our coal was inexhaustible. But circumstances have greatly changed. The rate of increase in our production and consumption of coal is continually progressing, the export demand grows with an immense rapidity. The consumption has become such that the minds of some of the greatest among our scientific authorities have been turned to the question, and the inquiry has been raised, what will be the influence upon our supply if our consumption shall continue to increase in a ratio such as that which it has recently attained, and I venture to express the opinion that more probably than otherwise it will so continue. But for the purposes of the present argument, I need ask you to consider no more than this—assuming for the moment that we shall not be able to continue for many generations to produce coal at prices cheaper than those of all other countries, what will happen? It is not enough to say that the expenses incurred in maintaining ventilation, keeping down the temperature, increasing the depth, and all such matters, will be economized by new inventions and contrivances, those new inventions and contrivances there may be; but they will not give us a pre-eminence over other countries, because other countries will be able to make use of them as well as ourselves. In the same way, there is no use in urging that a substitute will be found for coal. No doubt there are men of high authority who think that such a substitute may probably be found, though the matter is one on which there appears to be great difference of opinion. But supposing that a substitute shall be found, it will not be peculiar to England. It would remove or lessen our relative disadvantage, it could not enable us to maintain our pre-eminence. I think it is clear that at whatever time—whether fifty or 100 or any other number of years hence—we may cease to be able to raise coal at a lower price than other countries, our relative position towards other nations must be seriously injured.

Now, Sir, as respects the question of coal against coal, as measured by quantity, there can be no doubt how the case stands. There is another country, not only as rich in mineral wealth as ourselves, but with a coal-surface thirty-seven times greater than the coal-surface of this country; I allude to the United States of America; and though a large portion of the coal there contains so great an amount of anthracite that it is not considered to be conveniently fitted for steam or for smelting purposes, to domestic purposes it is capable of being adapted. But besides the store of anthracite coal, the United States have a supply of bituminum coal, not indeed ascertained with any precision, but believed to be enormous. Suppose, then, that pre-eminence in the cheap production of coal should be carried from us away across the Atlantic, what will happen in that event? There will, probably, be a decline of rents, a decline of profits, a decline of wages. There will be precisely the reverse of that which we have all seen taking place within our time—an increase of rents, an increase of profits, an increase of wages. And when rents, profits, and wages decline, what will those interested in them do? Those who receive wages, finding that wages are lower here than across the Atlantic, will do in a still greater degree what they even now do somewhat extensively under the attraction of increased and more certain gains, will migrate; and the holders of movable property, finding that there is a wider and more profitable field for the employment of their capital elsewhere, will send their capital abroad. What will the owners of rents do? It appears pretty plain that they cannot migrate. Personally they may do so, but that from which they derive their income cannot migrate: it is rooted in the soil. The upshot will be that the charge of the National Debt, which is now borne in full on property, profits, and rents, and in a very liberal proportion by the two latter, will remain as a permanent mortgage in its full force, on the lands, houses, and works of the country. The property of the country will have to bear a greater share of public burdens due to the obligations contracted in former times. I wish I could convey to the House the impression which the consideration of this subject makes on my own mind; and trust I take no extravagant view of it. Statistics can only be used in this question by way of general and conjectural illustration. But all that I have said is more than supported by the results arrived at by able and skilful staticians who, under the authority of the Government, have made inquiries into the matter. Their views must not be taken as demonstrated, but they deserve attention. Mr. Hull estimates the quantity of coal in the United Kingdom within 4,000 feet of the surface at 83,000,000,000 tons. He states that in 1854 the consumption was 64,000,000; in 1861 it was 86,000,000. Based on these numbers the computed annual rate of growth in the consumption is 3·7 per cent. Now, not taking it at so much as 3·7, but taking it 3·5 per cent, this would give the annual consumption in 1961 as 2,607,000,000 tons; and by 1970, 104 years from this time, the consumption will have reached 130,000,000,000 tons, or a greater quantity than all the coal now known to be available in Great Britain within 4,000 feet of the surface. I believe that long before we reach that consumption the causes will be found in operation from which an increase in price will follow. Mr. Jevons, whose statistics my hon. Friend the Member for Westminster has quoted, has gone very fully and carefully into the facts, and he holds a similar opinion in respect of our coal supply to that which I have just stated. Hon. Members remember the statement made two years ago by Sir William Armstrong. Sir John Herschel agreed with Mr. Jevons, as I believe does Dr. Percy also. I myself have had an opportunity of communicating with my distinguished friend Sir Roderick Murchison on the subject. He for years has believed the matter to be one of the very gravest order, and one demanding our most earnest consideration. I disbelieve and disapprove entirely of all attempts to limit by law the consumption of coal; in vain would it be to think of stopping the consumption of coal in this country; in vain would it be to think of diminishing that consumption by the imposition of a tax; and it would be more vain still to think of prohibiting its exportation. [An hon. Member expressed dissent.] I am only giving my own opinion; I shall not enter into that matter now; I merely wish to remark that, even could we limit the consumption of coal, I think the matter may fairly be stated thus: there is a considerable likelihood that we cannot continue to supply coal in unlimited quantities at the present low prices for an unlimited time—or say, for one or two centuries. Now the certainty of an alteration in our position is not required to be shown. That it may happen within reasonable bounds of expectation is enough. In the face of such a state of things in the future we ought to make preparations for it, and the way to do that is by using moderate and reasonable efforts to rid ourselves of our encumbrances. As those who are to come after us may have to encounter difficulties of which we have no practical knowledge, we ought not to hand down to them in their worst form difficulties which it is in our power to alleviate. The practical question to put is this. Should we not now, in the time of our wealth and prosperity, reduce our great mortgage debt? I will tell the House how I propose we should set about this task to the extent, and it is a very moderate extent, up to which it is rendered practicable by the means at our command during the present year.

There are two modes—and, as far as I know, practically, only two—of operating permanently on this great mass of debt. First, you can do it by the application of surpluses from year to year, when there is a surplus upon the receipt over the expenditure. But though by the favour of Providence those surpluses have come to us more liberally of late than they had usually done, we cannot depend on them, either in respect of amount or of their existence in a particular year. Another mode of operating on the debt with a view to its reduction is by including in the estimate of expenditure and making provision by taxation for sums which are to be applied in liquidation of debt. This is a principle and method fully embodied in our present law. It takes effect by the conversion of Perpetual into Terminable Annuities. Now, nothing happens with me more frequently than to receive — sometimes from skilled and competent persons — recommendations to introduce a scheme of this kind founded on some very broad basis. But the difficulty of such a scheme is this—there are no purchasers of terminable annuities in the market. If we go into the City to sell Terminable Annuities in the open market, we must be prepared to part with them at a low price, or to say the same thing in different terms, we borrow on behalf of the public at a high rate of interest. Consequently, as a large waste is involved in that business, no Minister has ever recommended it as a means of reducing debt in time of peace. But we have resources which open for us a new field; resources which we obtain through the medium of the funds we hold in deposit. These it is in our power to deal with and turn over as we please. We at present hold near £45,000,000 in all the different kinds of deposits, and this amount may most probably be increased in future years. A sum of £10,000,000 of these deposits has already been dealt with in the manner I now have in view—namely, by conversion into Terminable Annuities. There is a further sum of £24,000,000 which stands in what is called the State Deposit Account as due to the trustees of the old savings banks. Now, what the trustees of the savings banks have to expect from us is payment of every farthing we receive, with interest on it. They have nothing to do with the £24,000,000 as far as any mode of investment is concerned. If we lost every farthing of it, we should have to pay them, nevertheless; and if we make a good investment of it, that would be our affair, not theirs. With respect to all these deposits, we are bankers, and bankers only.

In point of fact, the state of the account is this. The assets of the National Debt Commissioners, who hold this money, are not equal in value to the amount of their obligations to the trustees. They fall short of it to the extent of a sum varying with the price of securities in the market, but one which may be roughly taken at about £3,000,000. Now, by converting the £24,000,000 into cash in the form of a Terminable Annuity, we shall pay up the £3,000,000 that is wanting, and completely square our account with the savings banks' trustees. If we do so, that amount will no longer be a part of the national obligations. This payment will of course be in reality, though not in form, the liquidation of so much of Public Debt.

I will now, Sir, proceed to state, though it must be done succinctly, the nature of the measure which, as part of the financial arrangements of the year, we recommend to Parliament. We propose a double operation, which I think I shall be able to make intelligible to the House. I will call the two operations A and B, for the purpose of more clearly distinguishing them. Operation A will be this. We take the £24,000,000 that now stand on the State deposit account, and which now cost us £720,000 a year. This sum of £720,000 is already provided for in the estimate of revenue and expenditure which I have submitted. We convert the £24,000,000 into annuities of 1885; and we thus increase the charge from £720,000 to £1,725,000; that is to say, we add in round numbers £1,005,000 to the present standing annual charge. That is the first operation. And I will now state the immediate financial effect, assuming it to be adopted by the House. In 1866-7, if the plan be adopted, we should pay one half-year's dividend upon the capital of £24,000,000; that is, £360,000; and two quarterly dividends on the annuities, or £862,000, making a total charge of £1,222,000 in lieu of the present interest of £720,000; thus imposing upon the year 1866-7 an additional burden of £502,000. But this would not represent the full effect of the change. In 1867-8 we should impose an additional burden, because while there would be no interest on stock paid for all the four quarters there would have to be paid the dividends upon the Terminable Annuity in that and in the following years. But it must be borne in mind that in 1867-8 expires what is called the dead weight annuities, amounting to £586,000 a year, and one-half of the relief from its cessation, or £293,000, would immediately become available, so that, in fact, the additional charge upon the year 1867-8 would be insignificant in amount. It may be stated in round numbers at about £200,000. The total charge undertaken by this change will, therefore, be £1,005,000; and in 1866-7 we shall have to bear £502,000 of it, in 1867-8 somewhat more than £700,000. In all the subsequent years, from the £1,000,000 £586,000 of relief will be deducted, leaving a net augmentation of charge of £419,000. If we are to operate in this way at all, that is not an immoderate burden. But I have still to state the nature of the second operation, which I have called operation B. Gentlemen will perhaps have the goodness to bear in mind, for it is a vital consideration in its bearing upon any plan of this nature, that we must look strictly to the effect of the plan upon the savings banks funds, and to their commercial use on good banking principles, as well as to the objects we may contemplate with respect to the National Debt. The fund available to meet the claims of savings banks would, as we have seen, be placed in receipt of £1,725,000 a year, and the question arises is this or is it not a thing desirable for the due discharge of the banking functions of the Commissioners for the reduction of the National Debt? The demands of the trustees have recently been very large, and, if it should happen that the price of money should continue as high as it is now, I have no doubt that these demands will continue large, and that a very considerable portion of the additional £1,005,000 which will go annually to the credit of the National Debt Commissioners, will be absorbed in meeting the demands of the trustees. But the demands of the trustees have not hitherto reached that amount. I do not mean when I say that they have not hitherto reached that amount to deny that they have done so under the influence of an extraordinary panic, but normally their demands are not so great as to absorb the sum now proposed to be provided. It is probable that a portion may be required, and that the remainder may be left free for reinvestment, and the second part of the operation I propose is this. With respect to the dividends of the annuity now to be created, so much of these dividends as is not required to meet the demands of the savings banks shall be reinvested from year to year. This is the course uniformly taken with respect to all receipts in deposits which go beyond the balance we require to keep in hand. The modes of investment are specified by the existing provisions of the law. What I now ask is, power to reconvert any of the public stocks which may thus be purchased into another description of Terminable Annuity. The extent of that portion so to be reinvested and the amount of burden to be entailed by it, will differ very much according to the assumption we may make concerning the demands of the savings banks. This is, of necessity, quite uncertain. For the sake of argument, I will assume that it may amount to one-half, and will state the financial result, but I do so upon the supposition that you adopt the two operations, first the conversion of the £24,000,000, and secondly the reinvestment and reconversion of spare dividends, and on the assumption, of course, that you will have that £500,000 to spare. Upon these suppositions, and likewise if the whole sum available shall be employed in purchasing stock, the annual charge, which begins at £419,000, would gradually mount, until it reaches in 1855 the sum of £1,444,000, and the amount of public debt cancelled by that time would be about £37,000,000. I do not say that that will be the precise effect, but it is more convenient, with regard to these large amounts, to use round numbers, which will express the general effect with sufficient accuracy, and which are more easily understood. I may add, for the information of those who desire to be informed upon the point, that the calculation is based on the assumption that the Stock will, on an average, be purchased at 88.

By a measure such as this, Sir, we should, I think, as far as the measure goes, be acting prudently, wisely, and seriously in our treatment of the National Debt, and the obligation which is imposed upon us for its reduction. I am far from saying that this is the only measure which we can employ for reducing the National Debt; but the reduction is as great as we should be justified in making at the present moment under the present circumstances. While completely fulfilling our obligations towards the trustees of the savings banks, we shall be making provisions which will tend to prevent any risk of our having to come into the market as sellers of funds. And we shall in this way pursue a course which tends powerfully to fortify and sustain the public credit. Independently, too, of large surpluses in our revenue, we shall most probably be able to come into the market year by year as buyers of stock. I commend the plan alike on the ground of its advantage in sustaining public credit, its efficacy for supporting our banking operations, and its quiet and gradual, but not unimportant action on the capital of the Public Debt.

I have nothing left me now, Sir, but to give the sum of those operations which I have already stated in detail. The amount of the surplus is £1,350,000. The remissions proposed are as follows—on wood, £307,000; on wine, £58,000; on pepper, £112,000; and on stage carriages and post horses, £85,000; reaching a total of £562,000. To this has to be added £502,000 which we propose to apply to the conversation of debt, swelling the total of the monies prospectively disposed of to £1,064,000 and reducing the surplus to £286,000. The additional burden imposed by these changes in the year 1867-8 will amount to less than £250,000; and about this I feel no scruple of conscience whatever, because there has been no recent year in which, however bad the harvest, or however unfavourable the circumstances, the natural growth of the revenue has not amounted to a considerably larger sum.

As regards the course of business, Sir, I would propose to proceed as follows—to take the Resolutions concerning the changes in the duties, if, as I rather sanguinely anticipate, they do not excite objection, on Monday next. I purpose also to take the preliminary Resolution relating to the Debt conversion on Monday next, on the assumption that it so far meets with the general approval of the House, as not to tend to a long discussion at that preliminary stage. If there is a desire for discussion on the preliminary Resolution, I should not think of going on with it on Monday. And now, Sir, I have to apologize to the House for the length of time during which I have occupied its attention. It did appear to us that the time had arrived when it had become obviously proper that a consideration of the general state of our pecuniary obligations as a state might be naturally and properly associated with the financial arrangements of the year. I hope that I have not been unwittingly led to prophesy, or to do anything more than to give such sketches of the future as will appear probable and present a fair and reasonable claim upon the attention of prudent men. Regarding the statements I have made I would not say more than this:—The facts which I have laid before the House are grave and, indeed, within certain limits urgent facts. Although, undoubtedly the ordinary duty and purpose of these occasions is to announce the financial proposals of the year, it did seem right to us, actuated as we believed by grave and reasonable causes, that from time to time we should cast our glances forward into futurity and endeavour in some degree to meet and provide for its demands and its interests, instead of absolutely restraining ourselves to the arrangements exacted by the necessities of the hour. We pursue this course, Sir, in the hope that when we who occupy this Bench, we, all or most of us, who now form the British Parliament, shall have ceased to ply our arduous task, those who come after us may have reason to confess that in the provisions made for our own time and need, we have taken some thought for them, and that our conduct has not been such as to draw forth from them either regret or condemnation.

Sir, I now place in your hands the first of the Resolutions which we shall submit to the House in order to give effect to the financial measures of the year.

Motion made, and Question proposed,

"That the Duties of Customs chargeable upon the goods hereinafter mentioned, upon their importation into Great Britain and Ireland, shall cease and determine: viz.

Wood and Timber, Foreign and Colonial, as denominated in the Tariff;

and that power be granted to the Commissioners of Her Majesty's Treasury to remit the Duty on all such Wood and Timber as shall have been landed, under Bond for security of Duty, on and after the 26th day of March 1866.

[In order to present a complete view of the Chancellor of the Exchequer's Financial Plan, the Resolutions which he had given notice to move in Committee of Ways and Means are here added as they stood on the Notice Paper.]

Abolishing the Duty of Customs on Wood and Timber.

1. That the Duties of Customs chargeable upon the goods hereinafter mentioned, upon their importation into Great Britain and Ireland, shall cease and determine: viz.

Wood and Timber, Foreign and Colonial, as denominated in the Tariff;

and that power be granted to the Commissioners of Her Majesty's Treasury to remit the duty on all such Wood and Timber as shall have been landed, under Bond for security of Duty, on and after the 26th day of March 1866.

[*This was proposed on Thursday 3rd May, and Progress reported thereon.*]

Abolishing the Drawback on Wood and Timber.

2. That the Drawback of Customs Duties now paid and allowed on the exportation of Foreign or Colonial Wood and Timber from Great Britain and Ireland shall cease to be paid and allowed on Wood and Timber exported on and after the ninth day of May 1866.

Abolishing the Duty of Customs on Ships built of Wood.

3. That the Duty of Customs chargeable upon the goods hereinafter mentioned shall cease and determine: viz.

Ships, with their Tackle, Apparel, and Furniture: viz.

Foreign, built of Wood, and Ships built of Wood in any of Her Majesty's Possessions Abroad, on the Registration thereof as British Ships at any Port or place for the Registry of British Ships in Great Britain and Ireland, for every ton of the gross registered Tonnage, without any deduction in respect of Engine Room or otherwise.

Altering the Duty of Customs on Wine Imported in Bottles.

4. That, in lieu of the Duties of Customs now charged on Wine, the following Duties of Customs shall be charged thereon, on Importation into Great Britain and Ireland: viz.

		Containing less than the following Rates of Proof Spirit, verified by Sykes' Hydrometer, viz.	
		26 Degrees.	42 Degrees.
		s. d.	*s. d.*
Red Wine	the gal.	1 0	2 6
White Wine	,,	1 0	2 6
Lees of such Wine	,,	1 0	2 6

and for every degree of strength beyond the highest above specified, an additional Duty of 3*d.* per gallon.

Ten per Cent. of Proof Spirit may be used in the fortifying of any Wine in Bond, provided that the Wine so fortified be not raised to a greater degree of strength than 40 per Cent. of such Proof Spirit, if for Home Consumption.

Abolishing the Duty of Customs on Pepper.

5. That the Duties of Customs chargeable upon the goods hereinafter mentioned, upon their importation into Great Britain and Ireland, shall cease and determine: viz.

Pepper, of all sorts.

Continuing the Duty of Customs on Tea for another year from 1st August 1866.

6. That, towards raising the Supply granted to Her Majesty, the Duty of Customs now charged on Tea shall continue to be levied and charged on and after the 1st day of August 1866 until the 1st day of August 1867 on the importation thereof into Great Britain and Ireland: viz.

		£ *s. d.*
Tea	the lb.	0 0 6

Mileage Duty on Stage Carriages.

7. That, towards raising the Supply granted to Her Majesty, there shall be charged and paid on and after the 2nd day of July 1866, the following reduced Duty on Stage Carriages in Great Britain in lieu of the Mileage Duty now payable thereon (that is to say):

For and in respect of every Mile which any Stage Carriage shall be licensed to travel, the Excise Duty of One Farthing.

Duty on Horses let for Hire.

8. That, towards raising the Supply granted to Her Majesty, there shall be granted and paid, on and after the 6th day of July 1666, the following reduced Duties on Licences to be taken out yearly by persons who shall let any Horse or Horses for hire in Great Britain as hereinafter mentioned:

	£	s.	d.
Where the person taking out such Licence shall keep at one and the same time to let for hire one Horse or one Carriage only . . .	5	0	0
And where such person shall keep as aforesaid any greater number of Horses or Carriages—			
Not exceeding three Horses or two Carriages . . .	10	0	0
Not exceeding four Horses or three Carriages . . .	15	0	0
Not exceeding five Horses or four Carriages . . .	20	0	0
Not exceeding six Horses or five Carriages . . .	25	0	0

Income Tax.

9. That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the 6th day of April 1866, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the 16th and 17th years of Her Majesty's reign, chapter 34, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):

For every twenty shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Four pence.

And for and in respect of the occupation of Lands, Tenements, Hereditaments and Heritages chargeable under Schedule (B) of the said Act, for every Twenty shillings of the annual value thereof,

In England, the Rate or Duty of Two pence, and

In Scotland and Ireland respectively, the Rate or Duty of One penny halfpenny.

Subject to the provisions contained in Section 3 of the Act 26th Victoria, chapter 22, for the exemption of persons whose Income from every source is under One Hundred pounds a year, and relief to those whose Income is under Two Hundred pounds a year.

In answer to Sir JOHN PAKINGTON,

THE CHANCELLOR OF THE EXCHEQUER said, that he should propose to proceed with these Resolutions on Monday, unless there should be a desire for extended discussion, in which case he would postpone them. The first thing on Monday would be to consider the Re-distribution of Seats Bill and the Reform Bills for Scotland and Ireland. He begged to move that the Chairman report Progress.

MR. WALDEGRAVE-LESLIE wished to know whether the Chancellor of the Exchequer intended to do anything with the tax on dogs?

THE CHANCELLOR OF THE EXCHEQUER said, he did not propose to apportion any of the surplus to this purpose. His hon. Friend the Secretary to the Treasury (Mr. Childers) would, however, take the matter in hand, and he would, he hoped, be able to mature a measure which would satisfy the very reasonable wishes entertained on this subject.

MR. WARNER trusted that the Chancellor of the Exchequer would reconsider the existing duty upon omnibuses. Less than £30,000 would enable him to take off the duty altogether. This tax was nothing more than a protective duty in favour of railways. Every one knew the extreme difficulty of getting conveyances from country railway stations, and nothing would more conduce to the advantage of railways themselves than that the vehicles which were their feeders should be untaxed.

MR. ALDERMAN SALOMONS wished to know when the Return for which he had moved upon Terminable Annuities would be presented.

MR. CHILDERS said, the Return was ready, and he would make inquiry why it had not been presented.

MR. WATKIN believed that the railway interest would not regard it as the smallest grievance if the Chancellor of the Exchequer took off the remaining farthing of duty from omnibuses. He regretted that the right hon. Gentleman had said nothing about the enormous charge for collecting the revenue, which was above £5,000,000 sterling, or very nearly 7½ per cent, on the whole amount levied on the people of this country. The Chancellor of the Exchequer had abolished several important Customs duties, and they had a right to expect that the staff employed in the collection of these duties would be proportionately reduced. He had hoped to hear of a reduction of £500,000 or £1,000,000 in the charge of collection. As the Chancellor of the Exchequer seemed disposed to put an end to impediments to locomotion, might he appeal to him in regard to international travelling between this country and the Continent, so that passengers between France and England might not be subject to the delay and inquisitorial examination of their baggage. A lady's luggage was now pulled about to discover whether she carried tea, tobacco, or spirits—the only three articles in which the Customs officers feared that smuggling would be much practised. The journey between Paris and London had been reduced to ten or ten hours and a half; but the moment the traveller arrived in London, his baggage was taken to be examined, and he lost one hour or 10 per cent of the whole time taken up in the journey. Some modification of the present system was more than ever important, now that we were approaching the time when the great French Exhibition would be opened, and he hoped that this period would be chosen for removing that relic of barbarism that still attached to the system of travelling between this country and the Continent, especially as the amount of revenue which would be lost by passengers smuggling could not possibly equal the amount of the salaries of the officers.

MR. NEVILLE-GRENVILLE reminded the Chancellor of the Exchequer of the immense amount of damage inflicted by untaxed dogs upon the agricultural communities. He wished to inquire whether the right hon. Gentleman was satisfied with the operation he had performed some years ago upon the shooting licences? He reduced the duty upon those licences in the hope that they would increase so much in number that the country would not loss by the reduction. Was the right hon. Gentleman satisfied with the change, or did he contemplate any alteration?

MR. WYLD said, that in some districts of the country a large portion of the labouring population made use of vans which were not allowed to travel more than four miles an hour. The right hon. Gentleman would be doing a great service to the lower classes if he would entirely abolish the duties on these vehicles.

MR. HUBBARD said, he desired to be informed whether there was any idea that the amount of deposits in the Post Office savings banks and the general savings banks would be a diminishing amount? The Chancellor of the Exchequer appeared to him to contemplate the possibility of a portion of those deposits being withdrawn. Another question had reference to the income tax. The right hon. Gentleman had remarked with perfect truth that Terminable Annuities were now quite unsaleable in the market; but he did not remark that the only reason was because the whole capital involved in the purchase of a terminable annuity was by the law of Income Tax subjected to confiscation. As the Chancellor of the Exchequer was proposing a very large operation, he wished to ask him, whether he intended to leave the Income Tax as it was, or to introduce any Reform in the incidence of the tax, or the process of its collection? On these two points would greatly depend the success of his operations. With regard to the Income Tax, he thought that the moment the Government made up their minds that the Income Tax should be a permanent tax, they ought to consider the mode in which it operated. There could be no doubt that it operated now in a way to cause much unnecessary inconvenience to the public and disadvantage to the State. The whole process pursued since 1842 had been of a rough, clumsy, and unartificial character, and unbecoming the continuance of a permanent tax. He wished also to remark that as the Re-distribution of Seats Bill was fixed for Monday, he saw no possibility of discussing both that and the question of Terminable Annuities on the same evening.

MR. SAMUDA thought that the proposed operation might be carried to a much greater extent if the duration of the Terminable Annuities was lengthened. It appeared to him (Mr. Samuda) that if the right hon. Gentleman were to substitute for the Permanent Annuities existing at that amount bearing an interest of 3½ per cent Terminable Annuities for 100 years, bearing an interest of 3¾ per cent, that £8,000,000 or £8,500,000 of such Annuities would wipe away at the end of that time £100,000,000 of the National Debt. And so on in proportion.

LORD STANLEY: I confess I do not quite understand how the right hon. Gentleman calculated the capitalized value of the Public Debt. The Chancellor of the Exchequer estimated that debt at £779,000,000 and some odd thousands. It is made up of three different items—namely, the Terminable Annuities, the unfunded debt, and the funded debt. With regard to the Terminable Annuities, as I understand it, the principle enunciated by the right hon. Gentleman is an exceedingly valuable one. With reference to the unfunded debt, the difference between the real and nominal value is imperceptible; but the difference between the real and nominable value of the Public Debt is very great. If the Chancellor of the Exchequer adds the real value of the Terminable Annuities and the real value of the funded debt to the nominal value of the Public Debt, I do not see how it gives us a good basis of calculation as to the amount of that debt. When he endeavours to tell us the real amount of the national obligations at the present time, it appears to me he ought to take the present value of the stock in the market as the basis of his valuation.

Mr. AYRTON said, that having pressed upon the Chancellor of the Exchequer the expediency of abolishing the mileage duty, he must express his satisfaction that the right hon. Gentleman now proposed a reduction of that impost. While the right hon. Gentleman still retained the last farthing of the duty, it appeared that he reserved to himself the right of re-considering the subject on a future occasion, with a view to a final adjustment. With regard to Terminable Annuities, he thought the hon Gentleman opposite (Mr. Hubbard) had fallen under some misapprehension when he spoke of them as unsaleable. If they had lately been so, the reason was that they had had so few years to run that nobody could deal with them for practical purposes. When Terminable Annuities had a long period to run they had just as good a sale as Consols, and were much sought after by a large class of investors who wished to have a better income than the Funds would yield, and were yet prepared to incur the risk of their income lapsing at a definite time. If granted for a sufficiently lengthened period to meet the requirements of a large part of the community, Terminable Annuities would not only be perfectly saleable but would be much desired. Their predecessors had acted not unwisely in fixing upon sixty years as the proper time for these Annuities; and if it was now seriously intended to reduce the National Debt, it was a question whether a considerable portion of Consols might not be converted into Terminable Annuities of fifty or sixty years' duration. He understood the Chancellor of the Exchequer to propose to pay off £24,000,000 of debt due to the savings banks by converting it into Terminable Annuities, and to state that by that process they could pay off £40,000,000. Now, if they converted £24,000,000, it followed that at the end of the period for which the Annuities ran they would only have paid off £24,000,000. Perhaps the right hon. Gentleman would explain how they were likely to be able to discharge more of the debt than the sum to which the Terminable Annuities would be equivalent.

Sir FITZROY KELLY expressed his great satisfaction at having heard the Chancellor of the Exchequer express his approval of the principle of taxing the manufactured article in preference to the raw material as shown by his proposition with regard to the timber duties. It was his (Sir FitzRoy Kelly's) intention upon a future evening to submit a question relating to this subject to the House, and he now asked his right hon. Friend to appoint a time that would be most convenient for such a discussion. Perhaps it would be more appropriate when the question of the malt duties would be under the consideration of the House. He should submit a Motion to the effect that it was expedient — if not at the present moment, at some other period more convenient — to substitute a duty upon beer instead of the duty upon malt.

Colonel BARTTELOT thought that if the hon. and learned Member who spoke last would move for a Committee to inquire into the pressure and operation of the malt tax, it would be of great advantage to the country. They would then see how that tax affected the working man, and also how it affected the agricultural interest. [Mr. Ayrton: Hear, hear!] The hon. Member for the Tower Hamlets understood most questions, but when he spoke the other night of meal *versus* malt it was clear he did not understand agricultural questions. If a Committee on the malt tax were moved for, it was to be hoped that the Chancellor of the Exchequer would grant it. His own impression was that if that tax must be retained, it would be better to place it upon beer rather than upon malt; but the information which the labours of a Select Committee would afford would enable them to judge more correctly upon that point. There was another impost which it was surprising the right hon. Gentleman had never mentioned in any of his Budgets—

namely, the land tax, which pressed most unequally upon different districts of the country. Local circumstances had greatly changed since the land tax was first settled—in some districts it was 10 and 15 per cent greater than in others—and a fairer adjustment of the burden was now required in the various parts of the kingdom.

MR. WHITE said, that whilst reserving for another occasion the expression of his dissent from much which had fallen from the Chancellor of the Exchequer he would avail himself of this opportunity of declaring his approval of the abolition of the duty on pepper. The more so as, according to the last Report of the Inland Revenue Commissioners, "no article of sale subject to revenue duties is more sophisticated than pepper." The proposed lowering of the mileage duty on stage carriages from 1*d.* to one farthing per mile and the reduction of the annual license for keeping one horse and one carriage for hire from £7 10*s.* to £5, with the other suggested alterations to rectify the inequality of this tax were praiseworthy, and encouraged him to put in a plea for a numerous and deserving class in the town he had the honour to represent—namely, the flymen, who complained, and justly complained, of the irksomeness and hardship of being compelled to pay, in addition to a very onerous annual license duty, the occasional carriage license tax of 3*s.* per day for plying for hire when reviews, races, or other public celebrations occur. It was notorious that the flyman's calling was the reverse of remunerative, and the maintenance of this "occasional license tax" was alone justifiable by the mileage duty exacted from the owners of stage carriages. As three-fourths of that duty were now to be taken off, he (Mr. White) trusted the Chancellor of the Exchequer would deem it not only expedient but just to abolish this occasional license tax, seeing that a fly owner of but one horse and one carriage would still have to pay the very heavy license duty of £5 per annum for the privilege of plying for hire.

THE CHANCELLOR OF THE EXCHEQUER said, in reply to the noble Lord the Member for King's Lynn, that he had taken the course which was invariably done in estimating the amount of the National Debt, by taking the current value of the funded debt. There were two considerations which it was required should be kept in view in order to arrive at any comparison, and one of them was, that if the Government bought in the market prices would rise. The greater portion of the present fund had been purchased at high prices from 1840 up to and during the Crimean War; but since then the prices had been more moderate. The condition upon which the public creditor lent his money was this:—In the case of the Three per Cent Stock the Government covenanted to pay him a perpetual annuity at the rate of 3 per cent, or else £100 for every hundred of the stock. He was much obliged to the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) for the observations he had made with reference to the mileage duty and the retention of the licences. He did not look upon them as desirable as permanent sources of revenue; but the fact was he never had money enough to deal with the whole subject. He thought the tax a bad one, and he should be glad one day that they should be able to repeal it. The observations of the hon. Member for Stockport (Mr. Watkin), and also those of the hon. Member for Brighton (Mr. White), relative to taxes on locomotives, showed the manner in which these different kinds of trades touched each other. The hon. Member for Brighton wished to abolish occasional licences, because he said a cabman was unable to compete with a stage carriage proprietor in consequence. It would be impossible to abolish the occasional licences, whilst the present system continued, for if they did every man would interpret the daily use of his carriage as its occasional use, and thereby evade the duty. He should not be able to deal with the whole question of taxation on locomotives until after the Government had received the Report of the Commission on Railways. With regard to the collection of the revenue, he would remind the Committee that it was a question hardly germane to the discussion of the Budget; but he had no doubt that the Secretary to the Treasury would be happy to give every attention to the subject. He could assure the hon. Member that the Government was desirous of reducing these charges to a minimum. There was no doubt that the charge of collection was very large, but to understand the nature of the change the Post Office must be divided from the Customs and the Inland Revenue. The two latter were economically collected, and from his experience in that House he would advise hon. Members not to inquire too much into it, as it generally tended to increase rather than diminish the cost of collection. It was a perfect fallacy to compare the expense of the collection of the revenue properly so called of the Inland and Customs revenue with the Post Office. The latter was a great trading establishment, and as its revenue or business extended so must it extend its expenditure in proportion. He was unable to give the hon. Member for Somersetshire (Colonel Barttelot) an answer about the game licences. His impression was that they were working satisfactorily; but as he had not looked into the matter lately, if the hon. Member would favour him with the particulars upon which he required information it should be furnished to him. The land tax was the most difficult of all taxes to deal with. Those who had redeemed the tax might consider they had a claim on the Government for the repayment of a large portion of it; and even if they were to abolish the tax altogether he was afraid some other would have to be imposed in lieu of it. He would advise the hon. Gentleman not to raise the question, as he did not think the land had made a bad bargain with reference to it. He would be much surprised if the right hon. Gentleman the Member for Oxfordshire (Mr. Henley) encouraged the hon. Gentleman to interfere with the land tax, because if they made a clean sweep of it he could forsee that when they wanted money there would be a proposal to lay a new tax on land, which might probably be a much more burdensome one than the present tax. It was an inheritable burden, and people had taken their land subject to it. With respect to malt, the Government would meet any proposition which the hon. and learned Gentleman the Member for Suffolk (Sir FitzRoy Kelly) might make it in the same spirit as on former occasions. It would be for the hon. and learned Gentleman to raise the question in the manner he thought best; but he (the Chancellor of the Exchequer) would suggest that it would be preferable to deal with it in the form of some general expression of the House, rather than on any stage of the measure to be proposed with reference to the Budget. He had now, he believed, replied to the questions which had been raised, but he wished to correct an error, and apologize for an omission he had made in his main statement. He had been reminded that he did not state correctly the amount of National Debt that would be cancelled in consequence of the operations which he had described. A more correct statement would be this. There would be two operations. Operation A was the conversion of a debt of £24,000,000 into an annuity expiring in 1885, or eighteen years and a half from the commencement of the annuity. Operation B was an arrangement under which it was proposed to take power to invest what he should call the spare dividends from operation A in the Terminable Annuities. But the omission which he made was this—he did not state that these annuities would last to 1905. He did not think it would be desirable to remove the matter from the view of Parliament for so long a period, nor indeed could that be done, and consequently he only proposed to take a power of making the investments up to 1885. Therefore at that period at least—though it might be much sooner—the whole question must come before Parliament, which then could review its position. The mistake he made was this—he assumed that half of the extra dividends over and above an amount specified would be capable of re-investment —that was a mere assumption, as he told the Committee — and his misstatement was, that the investment of half would extinguish the whole. The whole debt extinguished would be £39,000,000, and there would be another annuity to run for twenty years, beginning in 1885.

Mr. HUBBARD asked, whether the income tax was to be reproduced precisely as it was in point of incidence and of action?

The CHANCELLOR of the EXCHEQUER: Yes; for this year.

Mr. HENLEY concurred in the opinion that it would be better not to discuss the financial condition of the country until they had the matter more in detail before them; but he must say he thought the statement of the right hon. Gentleman with regard to the future was somewhat alarming. If—he would not say the prophecies of the right hon. Gentleman, for he based them on calculation—but his speculations were realized, things should go very differently from what they had gone for the last twenty years. We were now, as it were, only "picking ourselves up," and it would be necessary to do great things if what the Chancellor of the Exchequer contemplated should be done. But the impression left upon his mind was that it was better to have something than nothing.

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

EXCHEQUER AND AUDIT DEPARTMENTS BILL—[Bill 3.]

(*Mr. Chancellor of the Exchequer, Mr. Childers.*)

CONSIDERATION.

Bill, as amended, *considered.*

Sir COLMAN O'LOGHLEN moved that the clause regulating the salary and superannuation of the Auditor be omitted, this being the course it was necessary for him to pursue in order to secure its being amended. Should his Motion meet with the concurrence of the House, the Government would be able to bring up an amended clause on the third reading of the Bill. He objected to the clause, because by it the officer would be compelled to serve fifteen years before he would be entitled to superannuation allowance. Even should he through illness or any other reason become incapacitated for his office, after having held it for fourteen and a half years, he would not be able to get one shilling as compensation. The Auditor of the Exchequer held office during good behaviour—that was, till removed by the action of both Houses of Parliament, and he ought to be placed on a similar footing to that of Her Majesty's Judges. He did not believe his hon. Friend the Secretary to the Treasury would be able to produce a single instance of an officer holding office during good behaviour being subject to such a clause as the one in question. By it an inducement was offered to the officer to continue in office when unfit to discharge its duties, and this, he contended, ought to be avoided.

Amendment proposed, to leave out Clause 4.—(*Sir Colman O'Loghlen.*)

Mr. CHILDERS said, he was sorry that the hon. Baronet was not present when the House fully discussed the provisions of the Bill, and when all the points were held to be satisfactorily disposed of. It was perfectly true that the superannuation clause in question was not exactly the same as other superannuation clauses; but the Auditor did not hold the same position as other officers, seeing that he was subject to certain regulations in the matter of superannuation allowance, which provided for him in a measure the House on a previous occasion deemed sufficient. He, therefore, thought it would be inexpedient to increase the superannuation allowance beyond the sum named in the Bill.

Sir GEORGE BOWYER did not think the Secretary to the Treasury had met the argument of the hon. Baronet (Sir Colman O'Loghlen). Under the present clause there would be considerable difficulty in getting rid of an officer who had become incapacitated for his duties by no fault of his own. Parliament would hesitate to commit the cruelty that would be involved in exercising its power to remove from office a man who had served nearly fifteen years merely because sudden infirmity rendered him unable to discharge his duties. In the case of a man of small means such a removal would be sure to be followed by an appeal to the Government to do something for the man so removed. He hoped the Government would reconsider the case under discussion.

Mr. CRAWFORD appealed to the hon. Secretary to the Treasury to judge the case by his own, seeing that he would be entitled to a pension for five years' services, whether rendered consecutively or at interrupted periods.

Lord ROBERT MONTAGU said, they ought to consider how far an officer appointed under this Act differed from other officers. A Judge had to go through a laborious and an expensive training; he had to practise as a lawyer, and he was not appointed a Judge until he had attained a high position and was in receipt of a large income from his exertions. He gave up that income to receive a smaller one from the State; knowing that, if he were to resign the latter, he could never re-acquire his former practice. Under these circumstances, it was but fair that he should receive a superannuation allowance. A man also required a considerable training to superintend the financial operations of the country as Secretary of the Treasury; his duties were of a most onerous and burdensome description. In his case a pension was therefore justified. If a member of the Civil Service got appointed under this Act, he could claim a superannuation allowance under the Civil Service Act. The present Controller General was a Member of Parliament; but he had not to serve a Parliamentary apprenticeship in the auditing of accounts. He simply preferred his appointment to being in Parliament; he therefore had no claim to superannuation;

and when he could no longer discharge the duties of the office, he would, doubtless, resign it. He would be in the position of an Under Secretary of the Home Department, who went out of office with his Government; and if the one could not claim a superannuation allowance, he did not see why the other should. He was inclined to keep the clause as it stood, and to resist the Amendment proposed.

Question, "That Clause 4 stand part of the Bill," put, and *agreed to.*

Other Amendments made.

Bill to be read the third time upon *Monday* next.

CROWN LANDS BILL—[BILL 98.]

(*Mr. Chancellor of the Exchequer, Mr. Childers.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. AYRTON said, that before the Question was put, he was anxious to call the attention of the Secretary of the Treasury to the provision in this Bill by which it appeared that the estate of Claremont was to be granted to Her Majesty. He thought that if the attention of the House had been directed to this provision at an earlier period it would have seen considerable reasons for not proceding with the Bill unless the Government had consented to withdraw the clause; because it appeared to him that in this respect the Bill was a violation of some very important constitutional provisions which had been made by Parliament for preventing, he would not say extravagance, but, at all events, abuses from creeping into the administration of certain public affairs. A long time ago the House had to take into consideration the manner in which certain revenues which were placed at the disposal of the Sovereign had been administered. In the middle of the reign of King George III. Mr. Burke brought under the consideration of Parliament the subject of the Administration of the Civil List with a view to greater economy than had previously prevailed, and one of the enactments which he proposed, and which was ultimately adopted, was that the Crown should never grant any sum exceeding £1,200 a year except upon a Message which should be sent to the Parliament expressing the object and purposes of the grant. Well, that statute (22 *Geo.* III. c. 82) had since been regarded as the regulating Act with reference to the Civil List, and ever since the passing of that Act it had been the practice of the Sovereign, when the Crown desired to grant a pension to any one of more than £1,200, to send a Message to the House, and the House proceeded only upon the Message. He might add, however, that notwithstanding this provision a number of charges and pensions of one kind or another, but of smaller amount, were granted to persons who were supposed not to be deserving objects, and at the beginning of the reign of William IV. a Motion was made for investigating the matter. This had the effect of putting an end to the Government of the Duke of Wellington, and bringing the Liberal Party into power. At that time it was recorded as a great party principle that the Sovereign should not be importuned by undeserving persons for grants of public money. When the Liberal Party got into power they did not pay very much attention to the professions they had made of economy in this respect; and at length the subject was solemnly brought under the notice of the House, and on the 18th February, 1834, this Resolution was arrived at—

> "That it is the bounden duty of the responsible advisers of the Crown to recommend to His Majesty for grants of Pensions on the Civil List such persons only as have just claims on the Royal beneficence, or who, by their personal services to the Crown, by the performance of duties to the public, or by their useful discoveries in science and attainments in literature and the arts, have merited the gracious consideration of their Sovereign and the gratitude of their country."—[3 *Hansard*, xxi. 498.]

Well, on the accession of Her Majesty this Resolution was brought under the notice of the House, and it was thought so important to maintain its spirit and principle that it was embodied in the Act regulating the Civil List of Her Majesty; and in consequence, provision was made that Her Majesty should have the right of granting pensions to an amount not exceeding in the whole £1,200 in every year in that spirit:—so that, though there would be a considerable accumulation of the pension list, the country would still have the satisfaction of knowing that these pensions were granted to persons who had rendered some service to the country. For all pensions, therefore, above £1,200 a year Her

Majesty was bound to send a Message to the House; but Her Majesty was empowered to make smaller grants within certain limits for the objects mentioned in the Resolution to which he had referred. Now, without regard to any of these precautions, Her Majesty's Government had proposed to place at the disposal of Her Majesty property estimated to be worth £1,200 a year, and no communication had been made to the House as to the person to whom the property in question was to be granted. That seemed to him to be a great violation of the Act regulating the Civil List passed on Her Majesty's accession; and under the circumstances, he thought it was the duty of Her Majesty's Government to withdraw this clause from the Bill, unless they were prepared to advise Her Majesty to send to the House a Message stating for what purpose this money was to be applied. He wished, therefore, to ask the hon. Gentleman the Secretary for the Treasury, Whether he was prepared to give any explanation, and to inform the House whether this property was to be granted to the Queen for Her personal use and enjoyment, or for the purpose of being handed over to some one else?

Mr. CHILDERS said, he was afraid he could not give any better explanation than had been given the other evening by his right hon. Friend the Chancellor of the Exchequer when he introduced the Bill. That was regarded by a full House as a satisfactory explanation. The clause was absolutely necessary. The object of it was to give her Majesty a residence in addition to those which she at present possessed. His right hon. Friend had entered so fully into the question that he did not believe it would be proper in him (Mr. Childers) to add to or to take from that explanation.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 to 3 *agreed to.*

Clause 4 (Power to lease Sporting on Crown Lands in Two Forests).

Mr. BEACH inquired what arrangement would be made with regard to the sporting in the New Forest, power to lease which he observed was taken in the Bill. It had always been customary to treat with some consideration the claims of adjacent proprietors, and he thought that something like a priority on their part ought to be recognized. It might be a great hardship if the sporting were let to persons who were not on good terms with the owners of the surrounding property.

Mr. CHILDERS said, there would be an obvious inconvenience in giving a pledge that those gentlemen should have secured to them an absolute priority; but the Commissioners of Woods and Forests, with whom the matter would rest, were never in the habit of dealing harshly with residents in the neighbourhood of the property under their management.

Clause *agreed to.*

Clause 5 *agreed to.*

Clause 6 (Meaning of "Foreshore").

The ATTORNEY GENERAL said, his learned Friend the Lord Advocate having brought to his knowledge the fact that some apprehensions with regard to foreshores had been excited by the language of this clause, which was in reality an interpretation clause, to obviate any possible misunderstanding he proposed to omit it, and to introduce corresponding alterations into Clause 7.

Clause 6 *negatived.*

Clause 7 (Transfer of Management of Foreshore to Board of Trade).

In answer to Mr. Waldegrave-Leslie,

The ATTORNEY GENERAL said, any question which might be in dispute as to the titleto the Crown lands, or indeed any land, would have to be decided in the ordinary Courts of Law; they only took care in this Bill that they transferred from one Governmental Department to another for the public interest such rights and interests as the Crown actually possessed. Any dispute as to what those rights might be would have to be settled in another way. The rights of others would not be taken away or at all prejudicially affected by anything contained in this Bill.

Clause *agreed to.*

Clauses 8 to 25, inclusive, *agreed to.*

Clause 26.

Mr. AYRTON said, he had ascertained from the Secretary to the Treasury that he had not been present at both of the explanations given by the Chancellor of the Exchequer upon this subject. Under such circumstances, it would be unfair to press the hon. Gentleman for an answer in the absence of the Chancellor of the Exchequer; otherwise, it had been his intention to move, by way of Amendment, a proviso at the end of the clause that Her Majesty should not be entitled to grant the use of the estate to any person except under the provisions of the Act passed at her accession. He should, however, postpone moving the Amendment he proposed until after the Bill had been reported to the House, when he trusted that the Chancellor of the Exchequer would be present. It was impossible, after so solemn a settlement had been entered into as was contained in the Act passed at the time of Her Majesty's accession, that the House would permit it to be passed over by a side-wind.

Clause *agreed to.*

On Motion to report the Bill with the Amendments,

Mr. E. P. BOUVERIE wished to say that although this Bill had passed off very quietly a very great improvement would be effected by it. For years a violent controversy had been going on between certain persons and the Commissioners of Woods and Forests. The latter had always considered themselves as trustees of the Crown, and had always acted with the view of making money out of the foreshores, instead of putting them to the best use for the public advantage. The result had been that a vast amount of soreness and illwill had been created by this method of administering the Crown lands, and many persons had had just cause of complaint. He apprehended that the transfer of the administration of the foreshores to the Board of Trade would be not for the pecuniary advantage of the Crown but for the public advantage. The public were greatly indebted to Her Majesty's Government for taking the matter up.

Mr. CHILDERS was bound to explain, in justice to the Commissioners of Woods and Forests, that since the passing of the Act of 1851 they had had no option but to treat the property as a source of revenue. He believed that these gentlemen had discharged their duties faithfully.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

CONVICTS' PROPERTY BILL.—[Bill 105.]

(*Mr. Attorney General, Sir George Grey.*)

COMMITTEE.

Order for Committee read.

The ATTORNEY GENERAL, in moving that the House go into Committee upon the Bill, said, that a Bill had been introduced in a previous Session for the purpose of abolishing the existing laws under which the property of persons convicted of felony was forfeited. There were many reasons against simply abolishing those laws; but as the time had arrived when some alteration of the law was required, Government undertook to deal with the subject upon principles which appeared to them to be wise and proper. Accordingly, last year a Bill was introduced with that view; but as it imposed duties upon the Treasury which were inconsistent with its other duties, it was withdrawn, in order to give the Government an opportunity to recast their scheme, and the result was the introduction of the present Bill. The first object of the Bill was to abolish the old law of attainder or corruption of blood, and of forfeiture and escheat with respect to persons convicted of treason or felony: at the same time it declared vacant any military, naval, civil or ecclesiastical office or benefice any such person might hold at the time of his conviction, and determining any pension in which he might be in receipt, and incapacitated the convict thenceforth (except in the case of Her Majesty's free pardon) from holding any such office, or benefice, or pension; and from sitting and voting in Parliament, or exercising any right of suffrage or political franchise. The Bill then proceeded to direct that persons convicted of treason or felony might be condemned in costs. The rest of the Bill dealt with the management of the property of convicts. As the property of such persons would no longer be subject to forfeiture, the Bill made provision for its management and administration. In the first place, the operation of the Bill in this respect was restricted to the period of the sentence, or to the determination of his rights by the operation of law—as by bankruptcy; and the convict was disabled to sue for or to alienate property. The principles of the Bill in respect of the administration of the property was based upon the law of France. In the penal code of that country there was incident to the sentence of long terms of imprisonment what was termed "civil death," and in such cases the management of the property of the convicted person was committed to a kind of trustees, called the *conseil de famille*, to which we had nothing analogous in this country. But as it was plainly desirable that the management of the property of convicts sentenced to terms of imprisonment should be withdrawn from them, the Bill provided that the Crown might appoint an "Administrator"—either a general official or one appointed for any particular case—in whom the convict's property was to vest, and who was to have the administration of the property during the currency of the convict's sentence. He was to have all the powers generally vested in assignees of this description ; out of the property he was to pay the costs of prosecution and other expenses, to make compensation to persons who might have been defrauded by the criminal acts of the convict ; and to make allowances for the support of the convict's family. If there should be any surplus income derived from the property after these charges were defrayed, it was invested ; and at the expiring of the convict's sentence or his pardon, the property and accumulations were to revest in the convicted person ; or if his sentence should be determined by his death, then to his legal representatives. Power was given to the Governors of colonies to appoint a similar administration for cases which might occur within their respective jurisdictions. As there were a number of cases in which the property was small, provision was made that on application made *bonâ fide* with a view to the benefit of the convict or his family any Justice of the Peace having jurisdiction in the place where the convict had usually resided might appoint an interim "Curator" of his property, and this Curator might be any person whom the Justice mght deem competent to discharge the duties. The machinery of the Bill had been carefully considered, and it was intended to make the measure applicable to all parts of Her Majesty's dominions, though it might require some Amendments to render it suitable to Scotland.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Sir MICHAEL HICKS-BEACH said, they were indebted to the hon. and learned Gentleman for introducing the Bill. It was founded upon the right principle, and was in harmony with the practice in our prisons, which gave to the convict on his release the amount which he earned during his imprisonment.

Mr. Alderman SALOMONS thought that the Bill would effect a great improvement in the present system, for it often happened that the law of forfeiture operated most cruelly, but he would suggest a clearer definition of what was meant by the word "convict."

Mr. BARNETT said, he quite agreed with those who had spoken in approbation of the Bill ; but he thought that in restoring to convicts the property which had been committed to the care of the administrator or curator, all that was just and requisite was done, and he did not think it expedient that the convict should, as a matter of course, have the benefit of such accumulation as might have accrued during the management by the administrator or curator. Any improvement of that kind in the property ought to go towards the payment of the expense to which the country was put in consequence of the convict's crime.

Sir COLMAN O'LOGHLEN expressed his approval of the measure.

Motion *agreed to.*

Bill *considered* in Committee.

Bill *reported ;* as amended, to be considered upon *Monday* next.

NOTTINGHAM WRIT.

Mr. AYRTON said, he rose to move that Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of two Burgesses to serve in this present Parliament for the Town and County of the Town of Nottingham, in the room of Sir Robert Juckes Clifton, baronet, and Samuel Morley, Esq., whose elections have been determined to be void.

Motion made, and Question proposed,

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of two Burgesses to serve in this present Parliament for the Town and County of the Town of Nottingham, in the room of Sir Robert Juckes Clifton, baronet, and Samuel Morley, esquire, whose elections have been determined to be void."—(*Mr. Ayrton.*)

Mr. REMINGTON MILLS thought that the House before it issued the Writ should not overlook one or two important passages in the Report of the Committee on the Nottingham Election Petition. The Committee reported that violent and tumultuous proceedings took place at the last election for Nottingham, and that on the day of polling especially, bands of men armed with sticks committed various outrages on persons and property, and created alarm which was not without its influence on the result of the election. The fact was that for a fortnight before the election the town was in the possession of the mob, and so alarmed were the magistrates that the muniments of the town were taken from the office where they were kept, and sent into the country for security. On one occasion, when there was a meeting on behalf of Paget and Morley, the mob took possession of the hustings, smashed the windows of the hotel, and drove their supporters to another part of the building. And Mr. Mundella gave evidence that, although his own house was watched day by day by the county police, during their absence for half an hour, stones were thrown through the windows, and the inmates greatly alarmed. An election ought not only to be pure but also free, and that could not be the case where the voters were intimidated by a lawless mob. Some of the rioters were taken before the magistrates, but they were discharged the next day, and he thought that nothing could be more encouraging to a mob than such a mode of dealing with those who had been guilty of a serious riot. Many of the magistrates being owners of large mills, were afraid that if they took active measures against the rioters their property would be jeopardized. Something ought to be done to secure the peace of a large town with 80,000 inhabitants; and he thought that under these circumstances it was necessary that a stipendiary magistrate, who would not be likely to be influenced by local considerations, should be appointed. He should be sorry to interrupt the issue of a Writ, but he thought the House would not be doing justice to the inhabitants of Nottingham or to itself if it did not examine further into the matter.

Sir HARRY VERNEY believed that nothing was so injurious to the reputation of that House as the omission to notice violent and lawless acts committed at the election of its Members. He therefore begged to move that the proceedings and evidence taken before the Nottingham Election Committee should be printed and laid on the table, in order that the House might consider what measures should be adopted before the writ was issued.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the Minutes of the Evidence taken before the Nottingham Election Committee be laid before this House,"—(*Sir Harry Verney,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. Remington Mills

Mr. SCLATER-BOOTH said, that the late election at Nottingham was one of a very exceptional and peculiar character, and highly deserving the serious notice of that House. It was desirable that the writ for a new election should not be issued till hon. Members had had an opportunity of making up their minds as to the course which ought to be pursued under the special circumstances of the case; and they ought to have some intimation from the Government as to the steps which it thought it would be proper to take in the matter. If the Amendment were pressed to a division he should certainly give it his support.

Captain VIVIAN said, that as a Member of the Nottingham Election Committee, he had been requested, in the unavoidable absence of the Chairman, to express its views in regard to the issue of the Writ. The Committee sat for some twenty-nine days, and a mass of evidence was adduced before them to prove that there was a great deal of disturbance in the town; but they were of opinion that that disturbance did not amount to riot in the strict acceptation of the term. It was a disturbance created by a mob, headed by a class of persons who had lately become familiar to them all under the name of "lambs," and among whom they had no evidence that there was one single elector in the interest of one particular party. Certainly, that mob attempted to prevent the electors from exercising their franchise, and instances were brought before the Committee in which two electors were prevented from voting. These, beyond a doubt, were circumstances connected with an election which ought to be highly reprobated by the House; but they were not sufficient in themselves to induce the Committee to report that they formed, in its opinion, a ground for the appointment of a Royal Commission to inquire into the circumstances of the election. On the other hand, the election of one of the late sitting Members was declared void by the Committee on account of proceedings which the Committee thought extremely improper — namely, the employment of the inordinate number of 666 voters as paid canvassers, &c. That, the Committee thought, was simply a flimsy disguise for bribery. The House was aware that the employment of voters at an election was not a corrupt practice unless it was carried to an improper extent; and in that particular case the excuse was that, owing to the disturbed state of the town, it was necessary to employ a great number of persons on the unpopular side, because of the conduct of the mob. But the Committee looked upon that as a colourable pretext, which was not justified by the actual circumstances, and therefore on these grounds Mr. Morley lost his seat. He was also requested to state, on behalf of the Committee, that it was unanimously of opinion that although these disturbances (which had not previously occurred since the days of Feargus O'Connor) ought to be strongly condemned, yet they did not justify the Committee in going the length of recommending the suspension of the Writ.

Mr. AYRTON said, he had no interest in the politics of Nottingham, neither did it matter to him whether that town had a Member or not; but he wished to remind the House that the Report of the Election Committee was presented on the 20th of April last, and, therefore, the House had had twelve days to think over the Report, which appeared to him to be quite sufficient time to enable any hon. Gentleman to form an opinion on the subject. As far as the question, then, before them was concerned, the Committee had found two important facts—namely, that no such case of general riot had been proved as would make the last election for Nottingham altogether null and void on that account, and that, in the opinion of the Committee, corrupt practices had not extensively prevailed at that election. When the Committee had reported to that effect, it was strange that a Motion should have been made by the hon. Baronet in an entirely opposite sense. The hon. Baronet had quite time enough to consider the Report of the Committee, and if he thought that the Writ should be suspended he should have moved that the proceedings of the Committee be printed. As he had not taken that course, he hoped the hon. Baronet would not persevere with his Amendment.

Sir HARRY VERNEY thought that the statement which had been made by the hon. Gentleman (Captain Vivian) was enough of itself to make the House pause ere it issued the Writ.

Question put, and *agreed to.*

Main Question put, and *agreed to.*

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of two Burgesses to serve in this present Parliament for the Town and County of the Town of Nottingham, in the room of Sir Robert Juckes Clifton, baronet, and Samuel Morley, esquire, whose elections have been determined to be void.—(*Mr. Ayrton.*)

NEW WINDSOR WRIT.

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of two Burgesses to serve in this present Parliament for the Borough of New Windsor, in the room of Sir Henry Ainslie Hoare, baronet, and Henry Labouchere, esquire, whose elections have been determined to be void. —(*Mr. Brand.*)

NORTHALLERTON WRIT.

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Northallerton, in the room of Charles Henry Mills, esquire, whose election has been determined to be void.—(*Colonel Taylor.*)

REPRESENTATION OF THE PEOPLE BILL (HARDEN PETITION).

Select Committee on the Representation of the People Bill (Harden Petition) to consist of five Members, to be nominated by the General Committee of Elections, and that two other Members, to be named by the General Committee of Elections, be appointed to serve on the Select Committee to examine witnesses, but without the power of voting:—Power to send for persons, papers, and records; Five to be the quorum.—(*Mr. Ferrand.*)

RATEABLE PROPERTY (IRELAND) BILL.

On Motion of Mr. Childers, Bill to consolidate and amend the Laws relating to the Valuation of Rateable Property in Ireland, *ordered* to be brought in by Mr. Childers, Mr. Chichester Fortescue, and Mr. Attorney General for Ireland.

Bill *presented,* and read the first time. [Bill 135.]

CURRAGH OF KILDARE BILL.

On Motion of Mr. Childers, Bill to make better provision for the management and use of the Curragh of Kildare, *ordered* to be brought in by Mr. Childers, Mr. Chichester Fortescue, and Mr. Attorney General for Ireland.

Bill *presented,* and read the first time. [Bill 136.]

COMPANIES' ACT (1862) AMENDMENT BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend "The Companies' Act, 1862."

Resolution *reported:*—Bill *ordered* to be brought in by Mr. Milner Gibson, Mr. Monsell, and Mr. Brand.

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS.

Friday, May 4, 1866.

MINUTES.]—Select Committee—On Ecclesiastical Commission, *nominated.*

Public Bills—*Second Reading*—Drainage and Improvement of Lands (Ireland) * (90).

Committee—Exchequer Bills and Bonds * (58).

Report—Exchequer Bills and Bonds * (58).

Third Reading—Poor Persons' Burial (Ireland)* (94); Customs Duties (Isle of Man)* (82); Local Government Supplemental * (84), and *passed.*

ESTABLISHED CHURCH IN IRELAND.

MOTION FOR RETURNS.

The Archbishop of ARMAGH, in moving for Returns connected with the Established Church in Ireland, said, that he was induced to ask for this information because it had recently been stated that the number of parochial benefices belonging to the Established Church in Ireland in which there were clergymen without any Protestant parishioners was 191, whereas the fact was there was not a single parochial benefice which did not contain within it some inhabitants members of that Church.

Moved, That there be laid before this House,

Return of the Number of Benefices having Provision for Cure of Souls in Ireland, with the Population of the Established Church resident therein, according to the Census taken in the Year 1861: The Word "Benefice" to be understood to mean "The Parochial Benefice or Territorial Extent comprised within each particular Cure of Souls," in accordance with the Definition given by the Commissioners of Public Instruction in Page 3. of their Report, 1834:

Number of Benefices in which there is no Member of the Established Church:

Number in which there is 1 and not more than 20
„ 20 „ 50
„ 50 „ 100
„ 100 „ 200
„ 200 „ 500
„ 500 „ 1,000
„ 1,000 „ 2,000
„ 2,000 „ 5,000
„ 5,000 and upwards:—

(*The Archbishop of Armagh.*)

Motion (by Leave of the House) *withdrawn.*

ECCLESIASTICAL COMMISSION BILL. (No. 52.)

SELECT COMMITTEE NOMINATED.

The Lords following were named of the Committee: The Committee to meet on *Tuesday* next, at Two o'clock; and to appoint their own Chairman:

L. Abp. Canterbury
L. Abp. York
D. Somerset
D. Richmond
D. Marlborough
E. Derby
E. Hardwicke
E. Chichester
E. Powis
E. Harrowby
E. Russell
V. Eversley
Bp. Oxford
L. Stanley of Alderley

House adjourned at half past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, May 4, 1866.

IRELAND—CHOLERA—QUARANTINE.

QUESTION.

Mr. MAGUIRE said, he would beg to ask the Secretary of State for the Home Department, Whether the Government have taken, or ordered to be taken, any steps to establish a really practical and effective system of quarantine in Cork Harbour as a precaution against the introduction of Cholera in Emigrant or other vessels entering that port; whether it is intended to send to Cork Harbour an old Man of War or Hulk to be used, in case of necessity, as a floating Hospital, for the reception of patients, emigrants, or others afflicted with that disease; and whether it is not the opinion of the Government that whatever is to be done as a means of precaution should be done immediately, and without a day's delay?

Sir GEORGE GREY said, he quite agreed that what was done as a means of precaution against cholera should be done immediately, and the Government had acted in that spirit; for so long ago as July, 1865, when cholera was reported to be at Alexandria, they thought it right to address a circular to the municipal authorities of all the ports in Great Britain, calling their attention to the necessity of taking precautions against its introduction, and directing then, in anticipation of its appearance, that proper hospital accommodation should be provided for the reception of patients. He did not know what steps had been taken by the municipal authorities in consequence of those warnings, except that at Liverpool there is a hospital specially prepared for the reception of cholera patients. It was very doubtful whether a ship was the best kind of hospital for cholera patients, and whether it would not be much better that provision should be made for them on shore; but the hon. Gentleman was probably aware that for six years a vessel had been stationed in Queenstown Harbour, at an expense to the Emigration Commissioners of £300 a year, which had never been used except on one occasion for a few days. It was, therefore, thought desirable to discontinue it. At present it was impossible for the Admiralty to provide ships for cholera hospitals at all the different ports; but if there was any urgent necessity at Cork, the Admiralty would be prepared, if there was any difficulty in providing the necessary accommodation on shore, to place a ship at the disposal of the municipal authorities as a temporary expedient, those authorities undertaking the general charge and superintendence. In such a case the municipal authorities ought to apply to the Admiralty, stating the circumstances which induced them to think such an arrangement desirable. With regard to quarantine, he could only say that in consequence of information from Liverpool received by telegram, and since confirmed by letter, the Privy Council had met, and were considering the terms of an Order which would give municipal authorities additional powers to deal with ships that might arrive with cholera patients on board.

Mr. LIDDELL said, he wished to know whether the expense occasioned by the hospital accommodation provided at the various ports to meet the great danger of cholera would be borne by the municipal authorities, or by Government subsidies?

Sir GEORGE GREY said, he believed that under the present law that expense fell on the local funds administered by the municipal authorities.

Mr. MAGUIRE said, that the municipal authorities of Cork had no control over Queenstown harbour.

Sir GEORGE GREY said, he was not at all aware of that fact; but the municipal authorities should themselves make their own application to the Admiralty stating all the facts of the case.

SLAUGHTERED CATTLE.—QUESTION.

Lord ROBERT MONTAGU said, he would beg leave to ask the Secretary of State for the Home Department, Whether, since the Return No. 159, relating to the Cattle Plague has been laid upon the table of the House (namely, since April 10), Her Majesty's Government have been able to decide what compensation they will propose to give to Farmers whose Cattle have been slaughtered under the Orders of the Privy Council?

Sir GEORGE GREY, in reply, said, that the Paper referred to by the noble Lord did not give the necessary information. The Return was made on a Motion for the actual number of cattle slaughtered, but did not state the circumstances under which they were slaughtered, and whether the owners received any and what compensation, or how long the cattle had been in the possession of their owners. There were cases in which he was aware infected cattle were bought cheap—a safe speculation; for if they died there was no great loss, and if not their owners made a good bargain. He was not satisfied that in such cases any compensation should be awarded. Inquiries had been addressed by the Privy Council to the local authorities in England and Scotland to ascertain the circumstances under which the slaughter of cattle had taken place and their estimated value. He had inquired of the Privy Council what had been the result of that inquiry, and he was told that Returns had been received from 133 local authorities, none of whom had any cases of slaughter to report in which compensation was claimed, in twelve cases Returns had been received of the number slaughtered and the estimated value, and in 122 cases no answers had been returned. He was not, therefore, in a condition to give a reply to the noble Lord's Question.

CHURCH RATES.—QUESTION.

Lord JOHN MANNERS said, that observing that the Chancellor of the Exchequer had given notice of a Bill on the subject of Church Rates, he wished to know, Whether the hon. Member for Bury St. Edmunds intended to ask the House to go into Committee on his Bill on Wednesday next?

Mr. HARDCASTLE: No; it is not my intention to go into Committee on that day.

PERSONAL EXPLANATION.

Mr. O'REILLY said, he had to request the indulgence of the House for a few moments while he made a personal explanation. His attention had been called to a statement which he made during a debate which some time ago took place on the Administration of Justice in the county of Monaghan, and which he was given to understand had given pain to the relatives of a person whom he mentioned; and therefore he wished to set himself quite right on the subject. He was reported to have stated, and he believed accurately, that a person of the name of Samuel Gray, in the county of Monaghan, had been accused of killing or slaying eleven persons. He mentioned it as a matter of memory, referring to events long past. He understood the statement was considered to be inaccurate, and he had deemed it his duty to ascertain what the facts were. From the most accurate information he could obtain, it appeared that the person in question was first tried for the murder of a man named MacMahon, in the county of Monaghan, and was acquitted by a jury of that county. There were some other trials in which he was mixed up not connected with the sacrifice of human life. Subsequently he was tried for the murder of a man named Owen Murphy, and was again acquitted. He was afterwards tried for attempting the murder of another man, and found guilty and sentenced to death. Mr. Napier, however, his counsel, reserved some points, which were brought before the House of Lords, and the trial was quashed.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

THE NATIONAL DEBT.—QUESTION.

Sir FITZROY KELLY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he is willing to postpone the Resolution touching the Reduction of the National Debt from Monday next to a future day, in order to afford time to the House and the Country to bestow a reasonable consideration upon a question of so much importance and difficulty, and a scheme of so complicated a character? He also wished to ask, whether, before any discussion is taken on that Resolution, he is prepared to lay on the table of the House a statement of the exact mode in which the £24,000,000 is at present invested?

The CHANCELLOR of the EXCHEQUER said, that with respect to the latter question he could remove the misapprehension under which the hon. and learned Gentleman obviously laboured. There was no investment whatever of that £24,000,000. It was what was called a book debt; a mere acknowledgment of debt on the part of the public to the Commissioners for the Reduction of the National Debt. That £24,000,000 of book debt had been substituted for £24,000,000 of stock which was formerly held by the Commissioners, and which was cancelled upon the creation of that book debt. Consequently, it was simply a representative in another form of that old book debt, at the same rate of interest; but there were no securities to which it had any reference at all. With regard to the former part of the Question, his hon. and learned Friend had said that this was a subject of necessarily some complication, in which he quite agreed with him, though he should draw quite the opposite inference. The preliminary Resolution, which he had moved, was a Resolution according to the usual form, couched in very general terms, and giving very general powers; and it would be very difficult to engraft upon that Resolution a general discussion on the merits of the subject. He thought that if Gentlemen were disposed to say, "We object entirely to this principle of conversion of permanent debt into terminable annuities," that was a question which might conveniently be raised upon the Resolution; and, therefore, if there were any disposition to take a ground so broad as that, he should be the last person to ask the House of Commons to pass the Resolution without full opportunity of discussion. But if there was a disposition to entertain the principle of the measure at all, or under any circumstances, either as to this £24,000,000, or any part of it, or as to the further measure which was contemplated in the re-investment of dividends, and which, he thought, might require a fuller statement than he was able to give on the preceding evening, then he confessed it appeared to him that it would be greatly for the convenience of the House that any discussion that was to be taken should be taken upon the Bill, and when it was in the hands of Members, because it would describe with much more precision than the Resolution the nature of the operation, and would likewise give to Members the opportunity of raising the question in any form that they pleased. Therefore, if it was agreeable to the House, he should wish to take the Resolution on Monday, to report it on Tuesday, and to bring in the Bill immediately, and then to fix such a night for the discussion upon the Bill, taking it in the most convenient manner, as might be most agreeable to hon. Members. That was what he should ask, at the same time that he placed himself entirely in the hands of the House, and was most desirous to consult the general convenience.

SIR FITZROY KELLY thought that on a question of so much importance it was desirable not only that the principle, but also the details of the measure should be fully understood, and that could not be effected without discussion.

THE CHANCELLOR OF THE EXCHEQUER said, his intention was to intimate to the House that the Resolution would enable any Gentleman who was disposed to contest the principle to do so. He did not mean to say that by passing the Resolution the House would be bound by the principle. It was always understood that preliminary stages might be passed, if thought convenient, without any degree of assent being given either to the principle or details of the measure.

SIR FITZROY KELLY was expressing simply his individual views, and had no authority to speak on behalf of any other Member.

OYSTER FISHERIES (IRELAND.)

OBSERVATIONS.

LORD JOHN BROWNE said, he rose to call attention to the present state of the public Oyster Fisheries of Ireland, and to a trial at the last Spring Assizes in the county of Sligo, where the validity of the title of an Oyster Licence, granted by the Fishery Commissioners of Ireland, was, for the first time, called into question, and to ask Mr. Attorney General for Ireland, if it is the intention of the Government to introduce a Bill to carry out the "recommendations" of the Royal Commissioners on Sea Coast Fisheries by granting titles which shall be "final and conclusive." He might remark that whereas one of the principal causes of the present poverty of Ireland was the want of industrial employment for its people, its oyster fisheries, which were capable of vast extension, might furnish employment for large numbers of the population, create a hardy race of seamen for the public service, and supply the kingdom with an excellent article of food, the demand for which was increasing as rapidly as the supply were diminishing. The east coast of England was the best adapted for oyster culture in this country, but the temperature of the sea-water was too low, and the Herne Bay Oyster Company had been advised by Mr. F. Buckland to construct large banks on the shore and heat them by means of hot water pipes. Now, the south and west coasts of Ireland, having a higher temperature, were well adapted for oyster culture, but the public oyster beds through neglect, improvidence and over-dredging, were undergoing a rapid process of destruction, the great increase in the value of the article and the construction of railways to many of the ports having greatly aggravated the evil during the last few years. The Fishery Commissioners of Ireland had done what they could to enlarge the supply, but with few exceptions their efforts had been without success. In the Reports of the Fishery Commissioners for 1844, 1850, 1851, 1855, 1857, 1859, 1864, and others, they deplore the steady and continuous deterioration of the public oyster beds of Ireland. The public oyster beds in Ireland would have been more completely exhausted still but for the fact, that in the neighbourhood of most of them there were private beds in which a good supply of oysters had been kept up, and the young oysters floated from the private beds, and, settling down upon the public beds, kept up a supply there. The great demand for oysters of late years had led to many of the private beds being encroached upon; and when the owners took legal proceedings, it was found almost impossible to establish, without a licence from the Fishery Commissioners, a legal right to hold a portion of the bed of the sea. Under these circumstances, some very valuable private beds had been abandoned, and in a short time they were completely exhausted by being over-fished. He believed it probable that in a short time there would not be a dozen private oyster beds on the coast of Ireland, except those which were held under licence from the Fishery Commissioners. This state of things had been admitted in 1845, when by the 8 & 9 *Vict.* c. 108, power was given to the Fishery Commissioners to grant licences to private individuals to hold for oyster beds parts of the bed of the sea between high and low water mark. It appeared that in France ground so situated had been successfully applied to the purpose of oyster beds; but in Ireland such ground was unsuitable for the purpose, because oysters were very susceptible to the influence of frost, and a severe frost occurring when the tide was out, would destroy an oyster bed so placed. In 1850, therefore, a new Act was passed empowering the Fishery Commissioners to grant licences for ground lying beyond low water mark, and a considerable number of such licences were granted; but many persons who obtained them found that the task of cultivating oysters was more difficult and expensive than they had anticipated, and the work was therefore not carried out. The Commissioners thereupon consulted the Law Officers of the Crown, and under their advice licences were in future granted upon the condition that the ground should, within a time named, be planted with oysters to the satisfaction of the Commissioners. Licences so granted were until recently universally believed to give an indefeasible Parliamentary title to the ground, and in such belief, many persons had invested large sums of money in planting oyster beds on the coast of Ireland. However, in March last a decision was given which showed that such licences were not worth the paper on which they were written, and that the only course for persons who had expended money in planting the grounds to adopt was to dredge up their oysters and give up the undertaking. Sir Robert Gore Booth, a gentleman of property, having invested a large sum of money in planting oyster beds in Sligo Bay, prosecuted some men who had attempted to fish for the oysters. The men were tried at the Sligo Assizes before Mr. Justice O'Brien, who in his charge to the jury laid down the law distinctly, that if the ground in respect of which the Commissioners had granted the licence had at any time been public fishing-ground such licence was void; and, indeed, the Act contained the provision that the Commissioners should not license to private individuals any ground which had previously been a public bed. But any one who read the whole clause would see that it was intended that this question should be determined previously to granting the licence, and the Commissioners did, in fact, hold public inquiries before granting any licence, and determined whether or not the ground had been a public bed, and the determination of the Commissioners had always been considered final and conclusive. Now, however, it appeared that their decision might be disputed years afterwards, and after a very large sum of money had been spent upon the ground; and the case of Sligo had created the greatest dismay among those engaged in the cultivation of oysters on the coast of Ireland. One gentleman, who had expended £14,000 or £15,000 in this way in four years, wrote to him to say that, in consequence of the decision, he had given orders at once to contract all operations as much as possible with the view of giving up the speculation. Another gentleman, Captain Wray, who had obtained a licence of 400 or 500 acres in Crew Bay, and who had been getting dredges of a superior description for deep-sea fishing, expressed the greatest alarm at the present state of things. The Royal Commissioners appointed to inquire into the Sea Coast Fisheries not only on the coast of England, but also on that of Ireland, had made several recommendations which he thought ought to be adopted. Among their recommendations were the following:—

> "While we do not consider it expedient to impose any general restrictions upon the fishing of inshore oyster or mussel beds, we strongly recommend that every legislative assistance be given to individuals or corporations who may desire to form private beds for oyster or mussel culture. . . . We are disposed to think that the most convenient course would be to empower a public Board to grant leases of the sea bottom, after making proper inquiry into the circumstances of each case. Such power should only be exercised after proper notice to the public at the place proposed to be so dealt with, and with due consideration of the interests of the existing fishing population; and an appeal from the decision of the Board should be given to the Privy Council, whose decision should be final and conclusive as to any claim of the public to dredge or fish over the ground so granted."

What he desired was that the Government would give effect to the recommendations of the Commissioners; and he thought that as much money had been expended in the belief that the licences granted were good the provision should be of an *ex post facto* character, and all existing licences should be declared good and valid. The local inquiries should be made compulsory, and not left optional, as they were at present; and the decisions, when made, should be published in some manner or another, so that the public might learn what had been done. He believed that the Fishery Commissioners of Ireland would be able in a couple of days to frame such an Act as would remedy the defects in the present state of things. Such a measure as he had indicated would, he believed, meet with no opposition from Irish Members, and would occupy but little of the time of Parliament, while it would tend much to develop the industry and the natural resources of Ireland, affording at the same time a remunerative and continuous employment to the maritime portion of the population. He earnestly hoped that the Government would deal with the question during the present Session, for if not, he feared that there would be a regular raid upon the licensed oyster beds on the opening of the next season.

SUSPENSION OF THE HABEAS CORPUS ACT IN IRELAND.

RESOLUTION.

MR. BLAKE, in rising to

> "Call attention to the Returns presented relative to the treatment of prisoners confined in the gaol of Waterford under the Habeas Corpus Suspension Act, and the correspondence on the subject,"

said, he regretted he should again feel it his duty to occupy the attention of Parliament by bringing under its notice the illegal and unnecessary restrictions for some time imposed on the prisoners arrested in Waterford under the Lord Lieutenant's warrant on the suspension of the Habeas Corpus Act. Independent of other considerations, he felt it necessary to do so in vindication of the statement he had made relative to these men in the House of Commons on the 16th of March last, and the accuracy of which was denied in rather strong terms by the Attorney General for Ireland. He believed he was then in a position to show by the Returns he had obtained that every word he said was correct. As he stated on a former occasion, he did not oppose the suspension of the Habeas Corpus Act with a view of throwing obstacles in the way of the Government in suppressing the revolutionary movement in Ireland. Without at all entering into the question whether revolt was justifiable on any grounds in Ireland, one thing he felt quite certain of—that under present circumstances it was utterly hopeless; and every real friend of the people ought to wish that the abortive attempt at it should be put an end to, in order to save those who foolishly engaged in it from the consequences of their rashness. But he opposed the suspension of the constitution, because, in the first place, he believed the law as it stood was quite sufficient for all reasonable purposes, and in the next, he apprehended that when the powers of the Government came to be exercised under the suspension, that the over zeal or indiscretion of their subordinate officers and others might lead to much needless hardship being inflicted on the people. This anticipation was not long in being realized, and that, too, in the locality which he represented. Almost immediately on the suspension of the Act several arrests took place in Waterford, and by the middle of March fifteen prisoners were in custody on suspicion of complicity with the Fenian conspiracy. Nearly a fortnight after the first arrests very strong representations were made to him as to the severe restrictions imposed on these men by the gaol authorities, which were further corroborated by statements which appeared in the local newspapers. Having made inquiries, and fully satisfied himself that these accounts were true, he felt it his duty, in his place in Parliament, to call the attention of the Attorney General to the matter. He represented, on that occasion, that these prisoners did not get a sufficient amount of exercise; that they were prevented from seeing their families or legal advisers, and were precluded from sending or receiving written communications, and that it was alleged that orders were given to this effect by Government. To his great astonishment, and that of every one acquainted with the real facts of the case, the Attorney General contradicted every thing he said. The following were a portion of the right hon. Gentleman's observations taken from a morning paper:—

> "The Attorney General for Ireland said he entirely agreed with his hon. Friend the Member for Clonmel that these prisoners ought not to be subjected to any restrictions save those which were required for their safe custody; and he believed that the rule had been fully adopted in the gaol of Waterford. As soon as he saw the notice which the hon. Member had put upon the paper, he caused inquiries to be instituted upon the subject, and these inquiries led him to believe that the hon. Gentlemen had been entirely misinformed upon the case. He had been furnished with a report upon which it appeared that these prisoners were not subject to any severe restrictions, and in reply to the question of the hon. Gentleman whether the Government had given specific directions with respect to their treatment, he had to observe that the Government had

no power of issuing such directions, because by law the control over prisons in Ireland was vested, not in them, but in the Board of Superintendence. The treatment to which the prisoners arrested under the measure for the suspension of the Habeas Corpus Act were subjected, was no exception to that rule. It so happened that the local authorities applied to the Inspector General of Prisons to know how those persons were to be treated, and the answer of the Inspector General was, that they should be treated as untried prisoners; that they should be allowed to supply themselves if they pleased with food, and that they should not be compelled to wear the prison clothes. He (the Attorney General for Ireland) was further informed that these instructions had been complied with—that the prisoners received, through their friends, abundant supplies of good food, and that they were not obliged to wear prison clothing; so that all the statements made upon the subject by the hon. Gentleman had no foundation in fact, and he must have been entirely misled by his informants."

And the Chancellor of the Exchequer added that—

> "It was obviously right and desirable that no unnecessary hardship should be inflicted on those prisoners, and that the Government held firmly by the principle that unconvicted prisoners who were arrested under the Habeas Corpus Suspension Act, were to be treated in the same manner as all other untried prisoners."

Now, as the Attorney General had thought proper to state that his (Mr. Blake's) statement "had no foundation in fact," he had either to lie under the imputation of having made a misstatement to the House, or to prove that the Attorney General was not warranted by the facts of the case in denying his statement, and this, he thought, he was in a position to do. Now it happened that at the last Waterford assizes the grand jury, according to custom, appointed five of their number to inspect their gaol, and the following was an extract from their Report:—

> "The prisoners under the Habeas Corpus Act complained of not being allowed to attend chapel on Sunday; not being allowed to see legal advisers, and insufficient time for exercise."

He (Mr. Blake) immediately wrote to three of the five magistrates who signed this Report, called to their notice the statement he had made in the House, and asking how far what they had seen in the prison bore out his statement. These gentlemen were Mr. Fisher, a Protestant, and Conservative journalist; Mr. Ryan, an Alderman of the city; and Mr. Slattery, a highly-respectable merchant. The hon. Member proceeded to read the replies of these gentlemen; from these it appeared that the prisoners, while they admitted that the Governor allowed them every indulgence in his power, complained of their treatment—

> "1st. They alleged that they had not sufficient exercise.
>
> "2nd. They complained that they were not allowed to attend public worship.
>
> "3rd. They complained of not being allowed to see or communicate with their friends or legal advisers.
>
> "4th. We found sentinels in charge of the prisoners, and were told that they were not allowed even to go to the water closet except under guard of a turnkey and soldier, nor were they allowed to the lavatories. We were informed that the gas was kept lighting in their cells all night, and that they were inspected each change of sentries."

The substance of these complaints was admitted by the Governor to be well founded; but the authorities alleged that the treatment complained of arose either from ordinary regulations of the gaol, or from the deficiency of the accommodation for so large a number of prisoners, which rendered it impracticable to carry out the prison regulations, or finally from the orders of the executive Government, made specially applicable to the detention of these prisoners. To give the House an idea of what these prisoners were subjected to, he (Mr. Blake) would read an extract from the Report of the city of Waterford grand jury, at summer assizes of 1865—

> "The arrangements for untried prisoners appear to require alteration. These persons whom the law presumes to be innocent are placed in solitary confinement, and are, in our opinion, undergoing severer punishment than those who are convicted.—Signed by "T. W. Jacob.
> "P. A. Power.
> "July 26, 1865. "Joseph Fisher."

So that it was manifest that even if the political prisoners were treated according to law, they would still have to suffer enough; but when, as he would presently show, the law was most flagrantly violated with regard to them, it would be seen that they were subjected to great and needless hardships. He would now read extracts from Acts of Parliament in force relative to prisoners, as well as the bye-laws of the gaol at Waterford, in order to show what the prisoners were entitled to by law, and the grave error that the stipendiary magistrate and local inspector had committed, the first in giving orders as to the treatment of the prisoners contrary to law, and the other in carrying them into effect. The first he would read was from 7 *Geo.* IV. c. 74, s. 109—

> "Due provision shall be made for the admission at proper times and under proper instructions of persons with whom prisoners committed for trial may desire to communicate, and such rules and regulations shall be made by the Board of Superintendence for the admission of the friends of the prisoners as to such Board or grand jury may seem expedient; and the Board or grand jury shall also impose such restrictions as they may deem necessary."

Subsequent Acts gave Boards of Superintendence powers as to the making of bye-laws; those of the Waterford with respect to visitors and legal advisers were: That visitors should be permitted to visit prisoners every Friday from ten to two o'clock. That all legal advisers necessary to assist a prisoner to prepare his defence should be admitted any day from ten to five o'clock. With regard to the duty of the local inspector it was enacted in the Prisons' Act 19 & 20 *Vict.* c. 68, s. 4—

> "That it shall be the duty of the local inspector of every prison to see that the bye-laws and rules for the time being in force in such prison shall be observed and carried into effect; and no magistrate shall have authority to alter or add to same, or in any manner, save in this Act, provided to interfere with the description of the prison."

And in the bye-laws at Waterford respecting this officer it was enacted that he

> "Should see that all regulations made by competent authorities be carried into effect, and watch over the rules prescribed."

It was, therefore, manifest that no magistrate had any power to interfere with the discipline or management of the prison, or to give directions respecting the treatment of prisoners when once convicted; and that the local inspector was bound not to take any directions from him, but to carry out the rules prescribed by Act of Parliament and local regulations, and on all occasions of doubt or emergency to apply for instructions to the Board of Superintendence. He would now wish to call attention to a portion of the Returns in order to prove, according to the statement of the local inspector, how very illegally and indiscreetly both he and the Government magistrate had acted—

> "Verbal orders were given by the resident magistrate to the Governor after the committal of the political prisoners under the Habeas Corpus Suspension Act, that they were not to be seen by any person; and which were carried into effect until the 17th of March, on which day the Board of Superintendence met specially to consider what treatment should be pursued towards these men, when it was decided to admit their friends to visit them, which has been done since. The prisoners were prevented from seeing members of their families, or consulting legal advisers, owing to the directions given by the resident magistrate, both to the Governor and local inspector, who were in frequent communication with him on the subject."

In a letter to the Inspectors General of Prisons, 20th February, the local inspector, after mentioning the finding of a scrap of paper on which a prisoner had written something to his wife, the local inspector says—

> "The Governor and myself would feel much more easy if these prisoners were treated as convicted men, when such instances as quoted above could not take place."

To this he got a reply, in which it was stated—

> "In reply to your letter of the 20th instant, I am directed by the Inspectors General of Prisons to apprize you that they have communicated with the Law Adviser, who is of opinion that prisoners committed to your gaol by virtue of warrants under the Suspension of the Habeas Corpus Act are to be treated as untried prisoners."

Notwithstanding this, and in the teeth of Acts of Parliament and local regulations, the inspector proceeded to carry out the verbal orders of the Government official, and for over three weeks the unfortunate prisoners were subjected to, what practically amounted to, the horrors of solitary confinement. They were never allowed to see one of their friends or family, to receive or send written communications, or to consult with legal advisers. Their friends and themselves were anxious to prepare memorials to Government—some to prove their innocence of the charges imputed to them; but in obedience to the fiat of the Government magistrate they were not allowed the opportunity. Most of those men were taken suddenly away from their occupations and business, which, though humble, was all-important to them, and were denied permission to see any one belonging to them in order to give directions about their affairs or even to communicate in writing. Another great hardship was the curtailment of exercise. Owing to the order not to be allowed to see any one, the Governor had to exercise these men separately, so that there was often no time to give them the two hours' exercise prescribed, and they had to remain locked up in their cells frequently for more than twenty-two hours with nothing to enliven them but prayer books. The most extraordinary proceeding of the local inspector was, that a meeting of the Board of Superintendence, which took place on the 5th of March, nearly a fortnight after most of the prisoners were in custody, and subjected to this unusual severe and illegal treatment. Yet he never consulted them on the matter, merely remarking that he had got his orders from Government regarding those prisoners, and would carry them out; so that he completely set aside the Board, whose officer he was, to obey the verbal orders of the magistrate, who he ought to have known had no authority to give them. The Board of Superintendence were to blame to some extent, too, for not inquiring more particularly into the matter, but they depended altogether on the inspector. He admitted that every possible precaution against their escape should have been taken; but there could have been no fear that the prisoners would get away, seeing that a military guard had been stationed in the prison during the whole of their confinement. It had been alleged that such stringent regulations were necessary to guard against internal treachery; but if that were so, it was strange that they should have been withdrawn upon the very day when the local inspector said he was apprehensive that an attempt at rescue might be made. It had further been stated that the prisoners had expressed themselves as not only satisfied with their treatment, but thankful for the kindness which had been shown them. It was, however, very easy to understand why some of these unfortunate persons should make use of such expressions; by doing so they thought they would ingratiate themselves with the local inspector and the stipendiary magistrate. It was upon the *ipse dixit* of the magistrate that the inhabitants of Waterford were arrested, and it was only upon his report of good conduct that they anticipated release. Matters continued in the way he described until he placed a notice on the paper in March to call attention to the severe treatment of these prisoners. When the inspector called a meeting of the Board, and on the very day, 17th of March, when, according to the inspector, the greatest precautions were needed, the restrictions were directed by the Board to be relaxed, and since then the prisoners were treated like any other untried prisoners. He wished to deal as lightly as he could with both the inspector and stipendiary magistrate. He entertained every respect for them, and, with the exception of this case, he had never heard any complaint against either in their public or private capacity. He submitted, however, that in the instances he had been dealing with, they had both committed a very great mistake, and if a number of the unfortunate prisoners had not been the sufferers, he would not have taken notice of it. He also thought the Attorney General should, with that truth and fairness which was characteristic of him, admit that he had not been just to him in having denied the accuracy of the statement he had made respecting these prisoners, and which was just the same as he now made, both of which were borne out by the Returns. In conclusion, he hoped the Government would take measures to prevent a recurrence of what he complained of. If he got an assurance to that effect, he would not press his Resolution to a division. They could readily do so, if he might venture to offer a suggestion, by directing their stipendiary magistrates to keep within their line of duty, and not to attempt to interfere with the treatment of prisoners, once they passed out of their legal control; and with regard to local inspectors of prisons, the Lord Lieutenant had a power which he ought to exercise of adding to the local bye-laws, so as to completely prevent such officers from outstepping their duties. He sincerely hoped the remedial measures which the Government contemplated for Ireland would put an end to disaffection in that country, and that their prisons would not again be filled by men who, hopeless of having their grievances redressed by constitutional means, were in their despair driven into a rash revolt. He also hoped that the severe restrictions the Waterford prisoners were subjected to would weigh with the Government in shortly granting them their liberty. He had the greater confidence in making this appeal to an Administration who had for its leader in that House one who had shown so much creditable sympathy for the sufferings of untried prisoners at Naples. He hoped Government would exhibit an equally merciful spirit in favour of objects, just as deserving, nearer home. The acts done in the name of the Government at Waterford were calculated to bring them into great odium, and cause a feeling of resentment against them; but all this might be remedied by taking precautions against its recurrence, and releasing from further imprisonment those who had already suffered so much needless hardship. He would, therefore, beg to move the Resolution of which he had given notice.

MR. MAGUIRE seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is the opinion of this House, that it would be desirable that Government should take measures to prevent untried prisoners from being subjected to illegal and unnecessary restrictions, similar to those which appear to have been imposed on the political prisoners at Waterford, from the twenty-first day of February to the sixteenth day of March,"—(*Mr. Blake,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. SERJEANT ARMSTRONG said, he wished to say a few words with reference to the Motion of the noble Lord the Member for Mayo. He thought that the law with regard to oyster licences in Ireland was in a very unsatisfactory condition. It was perfectly plain to any one who would take the trouble to read the Act of Parliament, that if the Commissioners transgressed the limits assigned by the statute, the licence was *pro tanto*, or altogether, as the case might be, ineffectual for the purpose for which it was given. The object of the Legislature was to preserve and perpetuate the oyster fishery on the coast of Ireland, seeing that it was one of the not very numerous sources of the national wealth, giving employment to a large portion of the seaboard population. As the law at present stood, however, it could not be expected that private individuals would embark their capital in speculations of this character, if they were afterwards to incur the risk of having the validity of that licence called in question before a court of justice. If the legislation, which he held to be necessary, were to be adopted in order to induce private individuals to embark in such enterprizes, it should be preceded by a full, an open, and a public inquiry. The usage had been that one of the Commissioners should repair to the neighbourhood of the fisheries, and hold something in the nature of a court of inquiry, but it was not obligatory upon the Commissioners to do so. He, however, contended that they should be bound to do so, and be empowered to examine witnesses on oath. Where public fisheries were alleged to exist and public rights in respect to them had been claimed, power should not be delegated to the Commissioners to grant permanent licences, save after a full inquiry with a right of appeal, and he thought the question being one of fact a jury should be empannelled to ascertain the fact. As illustrative of the difficulties sometimes arising with respect to oyster beds under the existing state of the law, he (Mr. Serjeant Armstrong) mentioned an incident which had occurred in the harbour of Sligo, the Commissioners of which knew nothing of any licence having been granted till they saw posted up on their own walls a notice to that effect, and according to which the navigable channel of the river was granted as an oyster bed. He threw out the suggestion for the consideration of the Attorney General whether means ought not to be found of giving finality to the licence without prejudice to public rights; and also as to whether, in any inquiry held, the time at which a public fishery should be found to exist should count from the date of the inquiry, and not as was now the case from the date of the passing of the Act of Parliament.

THE ATTORNEY GENERAL FOR IRELAND (Mr. LAWSON) said, the noble Lord the Member for Mayo was entitled to their thanks for bringing under the notice of the House a very important subject. Since notice of the intention to do so had been given he had looked into the subject and found the state of the law to be as described. It would therefore, in his opinion, be right and convenient that after inquiry by the Commissioners their licence should conclude all questions as to the public right of fishing. The suggestion of his hon. and learned Friend the Member for Sligo that a public inquiry should always take place was very valuable ; and some form of appeal from the decision of the Commissioners ought to be given in future, probably to the next-going Judge of assize. Having heard these suggestions he certainly should be prepared to recommend Her Majesty's Government to introduce, without delay, a measure for the purpose of giving finality to the order of the Commissioners ; and if that were done there was every reason to hope that the unsatisfactory state of the law at present existing would be done away with, and additional inducements given to those persons described by the noble Lord as anxious to develop the resources of Ireland by establishing oyster fisheries. On that point it only remained for him to say that the subject would engage the earliest attention of Her Majesty's

Government. Now he turned to the notice placed on the paper by his hon. Friend the Member for Waterford with respect to the Fenian prisoners confined in gaol under the Habeas Corpus Suspension Act. When last the matter was before the House he stated that the Government had done all in their power by communicating, on the 21st of February, to the authorities at Waterford, that these persons should for the future be treated as untried prisoners, to be permitted to supply themselves with food, and not to be required to wear the prison clothing. In doing this the Government only discharged their duty, because the directions which they had uniformly given, were that those persons should be subjected to no inconveniences and placed under no restrictions, beyond those absolutely necessary for their safe custody and for the due maintenance of discipline within the prison; and if in any instance those orders were not carried out, he could assure the House that it was not the fault of the Government. He was quite willing to admit that from the Return moved for and obtained by his hon. Friend the Member for Waterford it did appear that strict orders were originally given by the resident magistrate preventing the access of any person to those prisoners. But it must be observed that the circumstances under which these orders were given were very peculiar, that grave apprehensions were at the time entertained from the excitement that prevailed of an escape or rescue being attempted. It appeared, also, that attempts were made from the outside to hold very improper communications with those prisoners, and it was under such circumstances that the resident magistrate, in the exercise of his discretion, felt it right to issue those orders. Looking back upon what had occurred, he was not prepared to say now that everything then done was altogether and absolutely correct; but in judging of the matter they must place themselves to some extent in the position of the magistrate who had a most responsible duty to discharge, and for whom every fair allowance should be made. As soon as the attention of the Government was called to the matter, the restrictions were removed, and he believed there was now no possible cause of complaint. Under these circumstances, and having the assurance of the Government that the prisoners should be treated with the utmost leniency consistent with their safe custody, he hoped his hon. Friend would not feel it necessary to press his Motion. He regretted very much that on the former occasion any conflict should have arisen between his hon. Friend and himself, as to the actual statement he then made. Both were speaking from the information which they then possessed; slight errors might possibly have been made on both sides; but they were both anxious only to state the truth, and therefore, he trusted, they need not discuss the matter further.

MR. BAGWELL impressed on the Government the necessity of their quickly and closely investigating the different cases of committal that had taken place in Ireland since the suspension of the Habeas Corpus Act. He had no hesitation in saying that it was necessary and just at the time to arm the Government with the extraordinary powers of arrest which had been conferred upon them in Ireland, but the Government ought without delay to investigate the case of every individual now in custody upon suspicion, and ascertain what grounds there might be for his detention. The number of persons in custody was very great, and many of them were of that class that one could hardly conceive it possible that they would be mixed in treasonable practices. They appeared to be of the humblest class, and persons who were almost incapable of forming an opinion upon political subjects. With the suspension of the Habeas Corpus Act it was but natural to suppose that a great number of officials, with a view to ultimate notoriety with the Government and thereby to assist themselves, would think it to be their duty to make a number of contemptible arrests. He believed there was every reason to believe that that had been done to a considerable extent, and therefore it was that he pressed on the Government that they could not too closely and too minutely examine into all these cases in order to clear their actions from all suspicion of unnecessary harshness. The resident magistrate to whom reference had been made he had often met in the course of duty, and entertained of him the highest opinion. If he had forgotten himself so far as to give orders which could not be defended, it must have been from over anxiety to do his duty, at a time, moreover, when matters were in a very unsettled state in Ireland. To show that complaints of treatment in gaols were not universal, he could state that an Irish American gentleman had been confined in

Clonmel Gaol for some time, when an order was received from the Lord Lieutenant authorizing his liberation, provided he would leave the country for America by a certain time. The Irish American gentleman said he had merely come to Ireland for the benefit of his health, and that, being much better in health from the treatment he received whilst in confinement, he had no objection to leave at the end of the month, and return to his own country. It was high time that some investigation should be made into the character of the offences which these persons were said to have committed, in order that those who were innocent might at once be liberated.

SIR HENRY WINSTON BARRON also pressed on the right hon. Gentleman the Secretary for Ireland the necessity of a speedy investigation into the case of each individual prisoner. A number of them had to his knowledge been confined—he would not say improperly, because no doubt Government had acted on information of their folly and imprudence in using language which was not justifiable—but he thought it would be found that a great many had been arrested who would be found incapable of doing mischief to the Government. If the Government found that nothing could be alleged against these prisoners but the use of incautious language, he thought it would not only be doing an act of kindness, but one of justice in letting such persons out of prison.

MR. MAGUIRE said, he would add his voice to the appeal made to the Government by his hon. Friend the Member for Clonmel (Mr. Bagwell), and he believed there were many persons now in gaol under the warrant of the Lord Lieutenant whom it would be a great mercy to release, and thus restore to their families. As to the treatment of prisoners in gaols, he would not refer to that part of the subject more than to say that his hon. Friend the Member for Waterford (Mr. Blake) had triumphantly vindicated the accuracy of his statements in reference to the mode of treatment adopted at Waterford, previous to the attention of the House and the Government having been brought to the matter on the 16th of March. The result of that Notice was most beneficial, as the Government at once interfered; for public opinion having been brought to bear upon the facts of the case, the consequence was an almost instantaneous change. He would, therefore, say that no cause of complaint —of reasonable complaint—existed at present in any instance of which he was aware throughout the country—certainly none existed in the county gaol of Cork to which he (Mr. Maguire) had drawn attention on a previous occasion. He, however, desired to refer to a subject of more serious and pressing importance, and one which, in his opinion, was worthy of the gravest attention of Government. That was the fearful impetus which arrests, and the apprehension of arrest, had given to emigration from Ireland to America. The rush from various ports of Ireland was, as compared to several years past, quite unexampled. By the 1st of June probably not less than 30,000 emigrants would have left one port alone—that of Queenstown—and there were several other ports from which the tide of Irish emigration was pouring across the Atlantic. He ventured to think there was not an Irish Gentleman in that House who desired to see the impulse of the people to leave their country stimulated by any cause whatever, as the ordinary emigration was reducing the population sufficiently of itself. Dread of arrest was, beyond doubt, one of the motives which impelled young men to fly from the country. There had been some foolish arrests, owing to the over zeal or officiousness of certain officials, who perhaps intended to display their activity, or who formed erroneous notions of the supposed criminality of individuals. He was willing to bear testimony to the admirable manner in which, as a general rule, the Irish constabulary had conducted themselves in reference to the Fenian movement. No body of men could have more nobly resisted the temptations which were of necessity thrown in their way; and having himself had knowledge of them, under peculiarly trying circumstances, he could also speak of their good temper and forbearance in moments of popular excitement. But still there were over zealous members of the force, and a few who, looking for promotion, instinctively displayed more haste than discretion in attributing blame to persons who really had nothing to do with the Fenian conspiracy. He might mention two cases that happened in his own city. A young man named John Reily was arrested in place of a cousin of the same name who had fled to America; and that young man was only recently liberated by order of the Lord Lieutenant. The other was the case of a painter named O'Keeffe, whose place of residence was searched, and in whose box were found portions of a Bible covered with the leaf of an old number of *The Irish People,* and a circular summoning him to a meeting of the society. Of course, it was imagined that this formidable document connected him with a treasonable confederacy, whereas it was nothing more than a circular from the Sick Poor Society of one of the parishes of Cork. Of course, the man was speedily liberated on memorial to the Lord Lieutenant. An information was very easily made, and was at best but an *ex parte* statement; and, in not a few instances, when the Government were asked to investigate a case, they found there was no real ground for the detention of the prisoner, and he was accordingly liberated. It was the apprehension that some malicious neighbour or some officious constable might procure their arrest, that caused such a panic among the young men of certain districts of the county Cork—to which he would exclusively confine his remarks—as had imparted so dangerous an impulse to emigration. He had received a letter from Mr. Leader, brother of the hon. Member for the county of Cork, and residing some ten miles from the city of Cork; and Mr. Leader stated that there was a perfect panic among the peasantry of his district, and that, if confidence was not restored, in a short time it would be denuded of its agricultural labourers. He mentioned that, within a few days, as many as thirty-six of his own labourers had gone off—and that it was of the utmost consequence something should be done to allay the apprehensions of the peasantry. He (Mr. Maguire) was speaking not long since to Sir Thomas Tobin, a magistrate of the county, who was well acquainted with a large agricultural district, and he said he was afraid the Government were going too far, and that arrests had excited an apprehension amongst the peasantry which he was sure had an injurious influence on emigration. More recently he (Mr. Maguire) had been speaking to a gentleman from the district of Kanturk, and that gentleman apprehended that the labour of the country was being diminished to a very damaging extent. Indeed, he went so far as to say that farmers were not planting as much ground as formerly, having a fear of the dearness and scarcity of labour in the harvest time. He had also seen a memorial addressed by a Protestant lady of the county to the Lord Lieutenant, praying for the release of a confidential labourer in her employment, and in which the difficulty of procuring labour was strongly dwelt upon. Now, surely, that was not the class of persons against whom the extraordinary powers intrusted by Parliament to the Government were to be exercised. It was never intended to strike at the mere rank and file, the ignorant labourer, or the mere cow-boy—the object was to enable the Executive to strike down the leaders, and capture the American emissaries who were disseminating treason through the land. It was to arrest dangerous leaders that the Constitution was suspended, and not to guard against the machinations of mere agricultural labourers, who had neither the means nor the knowledge that would enable them to spread sedition, were they disposed to sedition themselves. He would ask the special attention of the Government to the only letter which he would take the liberty of reading on this subject. It was from a Catholic clergyman of high rank and great intelligence, and who on a former occasion had the courage to brave unpopularity with the young men of his parish, by zealously grappling with an illegal confederacy in the district. The writer was the parish priest of Bantry, the Very Rev. G. Sheehan, who, dating his letter on the 24th ultimo, said—

"I have watched with attention, and noted with accuracy, the results of the arrests under warrant of the Lord Lieutenant, and they have produced very disastrous consequences. A widespread feeling of insecurity obtained at once among the young men of this parish. Their liberty was clearly at the mercy of every constable, or even of a malicious neighbour who might make a private statement to a magistrate or a sub-inspector of police. It cannot be wondered at, then, that a determination to fly in haste from the land where no young peasant felt safe should spring up among this class. This determination to fly has been put into execution in a wholesale manner. Within the last two months over 250 persons, principally young men, have left this town and neighbourhood for America, most of them against the wish, many of them without the knowledge, of their parents. I am perfectly certain that a very small proportion of those who fled away was tainted with Fenianism. The result of this withdrawal *en masse* of the workers can be easily arrived at. Labourers are not to be had, even at extravagant wages; all farming operations are in arrear, and many farmers have abandoned the idea of putting in crops. Another evil remains to be told, and it will bear bitter fruit for years to come. The poor children are put to work long before their young frames are capable of enduring hardship. I have seen children of six years old, and under that age, striving to labour at potato planting. They are, of course, withdrawn from school, and doomed to ignorance as well as to bodily hardship. Last summer there were on the rolls of the national schools in this parish—fifteen in number —1,580 children. I am certain there are not 600 at school now. The decay of the rural population of course brings ruin upon the towns, so that all interests suffer. A gloomy prospect, truly, this is; and I see no streak of light to lessen the gloom."

Now that was, in his mind, a very important communication—from one of the most intelligent men in the Catholic Church—a gentleman whose opinion was entitled to the respect of the Government. The advice given by his hon. Friend the Member for Clonmel was sound and judicious. The Government ought to send some thoroughly impartial and sensible man to every gaol in which political prisoners were confined, and institute a rigid inquiry into each case; and if there were no real grounds for their further detention, in the name of God let these unhappy men go back to their homes and their industry. It was in the interest of law and order—it was even in the interest of the Government itself—that he spoke. In conclusion, he would earnestly call on the right hon. Gentleman the Secretary for Ireland to take the present opportunity of publicly making such a consolatory assurance—such a declaration on the part of the Government—as would allay apprehension and restore confidence in Ireland. He would respectfully ask the Chief Secretary to declare that if young men thenceforward devoted themselves to their ordinary duties and avocations, abstained from dangerous associations, and took no further part in illegal confederacies, they would be unmolested by the police, and free from all danger of arrest. Of course, if in spite of the warning of the past, they persevered in their folly, they should in that case pay the penalty of their infatuation. He made that appeal to the Government, because he believed such an assurance in Parliament would have a most beneficial effect, especially in preventing the excessive emigration which was literally carrying away the strength and the very life of the country.

MR. CHICHESTER FORTESCUE entirely agreed with the hon. Member for Clonmel and the hon. Baronet the Member for Waterford that it was the duty of the Government to deal with these cases of arrest under the Habeas Corpus Act and the Lord Lieutenant's warrants with the utmost care, and that they should be dealt with not in a lump, but one by one, according to the individual circumstances of each. He ventured, however, to say that that care had been exercised by the Irish Government, both previously to the issue of the Lord Lieutenant's warrants and since the arrest of these misguided men. Although, of course, it was impossible to say that in no one instance had a mistake been committed, he might state that whenever a mistake had been made it had been rectified as soon as possible. The grave powers conferred by the Legislature on the Lord Lieutenant could not have been exercised with a greater amount of care and conscientiousness than they had been by him. The Lord Lieutenant had on no occasion trusted merely to the reports of officials, but had made use of every means in his power in order to ascertain the truth in every particular case, and had never issued his warrant without having personally examined the statements laid before him. More than that, after the bulk of these persons had been committed to prison under the Lord Lieutenant's warrants, applications for release poured in to the Irish Government, and still kept pouring in day after day. Indeed, the greater part of the time of the Law Officers of the Crown had been, and was still, occupied in the investigation of those applications, and in determining what advice should be given to the Lord Lieutenant in regard to them. The result had been that in many cases prisoners had been set at large, and it was quite true that some of those gentlemen who came to Ireland from America on account of their health—which was oddly enough invariably their motive—had been set free on condition that they should at once return to the land of their birth, or rather of their adoption. But the hon. Member for Cork had made a very serious appeal to the House and to himself with respect to the excessive emigration which the hon. Gentleman said was going on in certain districts, and which in the opinion of the hon. Gentleman was stimulated by a sort of panic caused by the indiscriminate arrests which had taken place among the peasantry of that district. Now, with respect to arrests under the Lord Lieutenant's warrant having been made among the humbler classes, the House ought to remember that many of those persons although, apparently, judging from their station in life very insignificant people, were within their respective neighbourhoods in connection with the Fenian Society men of great consequence; and the fact was that in many cases the arrest and detention of these persons for a certain time had had a very salutary effect upon the neighbourhoods within which their operations had been carried on. He could hardly understand that the excessive emigration spoken of by the hon. Gentleman could have been stimulated by the causes alleged by his hon. Friend, because the fact was that scarcely any fresh arrests had taken place for a long time back in any part of Ireland, and none at all he believed in the particular district referred to. In respect to the appeal of the hon. Gentleman, though he could not exactly repeat the eloquent formula which had been put into his mouth, he could on the part of the Irish Government assure the people and the peasantry of the districts to which the hon. Gentleman had referred that if they would only keep clear of this insane and wicked conspiracy, or if, having been led to mix themselves up with it, they would make up their minds to abandon it and to return to the pursuits of honest industry, they would be as safe from the power with which the Lord Lieutenant had been armed as any Gentleman sitting in that House. It would depend on themselves to retain their liberty; and he trusted that, if the present state of things had produced excessive emigration, that any anxiety on the subject would now totally cease.

Amendment, by leave, *withdrawn.*

Question again proposed, "That Mr. Speaker do now leave the Chair."

SHIPWRECKS IN TORBAY.

OBSERVATIONS.

Sir LAWRENCE PALK said, he rose to call the attention of the Government to the recent shipwrecks and loss of property in Torbay, and to the Petition of the Inhabitants of Brixham, Torquay, Paignton, Newton, and Teignmouth, praying for the erection of a Harbour of Refuge. Torbay was situated about midway between Portland and Plymouth, and was surrounded on two sides by a high hill. It was almost entirely protected from every wind but one—namely, the east or south-east. Frequently there were sheltered there sixty or seventy vessels at a time, and the place, therefore, was one of considerable importance. It had a large fishing trade, and it was computed that within the year between 2,000 and 3,000 vessels, varying from 50 to 1,500 tons burden, took refuge there, independently of vessels employed in the fishing trade. The number of trawlers using the harbour at Brixham was 150, employing 2,400 men; and the fish trade represented £1,000 a week. The Brixham men were noted for their knowledge of the Channel, and for the hardihood and excellence they displayed as sailors. On the 10th of January in the present year there was within the bay a fleet of about sixty-two sail. The evening was perfectly calm; there was not a ripple on the sea, and not a cloud was to be seen. Of all things a great gale appeared most unlikely, and especially from a quarter destructive to the bay. At ten o'clock, p.m., however, the wind rose, and suddenly changed to the east-south-east, and about midnight it came on to blow a perfect hurricane. It was impossible to describe the confusion that arose. Vessels were torn from their anchors, and were driven home against the pier at Brixham, and ground against each other, till the sea seemed to be covered with splinters, small enough to light fires with. Some of the vessels tried to make the harbour, but there was a fleet of trawlers in the roadstead outside. The consequence was that the ships were driven all among the trawlers, and the whole entangled mass of shipping were swept into the harbour together, where the most fearful damage and loss of life arose. In a few minutes fourteen vessels were wrecked, and seventy-two seamen lost their lives. Mr. Elrington, the incumbent of North Brixham, wrote a letter on the subject to *The Times*, and he would read to the House a short extract from it—

> "We find that there were certainly 62 sail in the bay when the gale came on, and of these there were riding in the bay after the storm, 10: in the harbour, 10; wrecked on the coast or foundered in the bay, 42; there were besides 8 trawl sloops sunk and wrecked; 73 seamen are supposed to have lost their lives, and 4 fishermen of Brixham. The estimated loss in ships and cargoes is from £150,000 to £200,000."

Nothing could exceed the good conduct of the inhabitants all round the shore. The women of Brixham—and he was glad to have an opportunity of making this public acknowledgment of their kindness—hurried up with their clothes and even their bed-clothes to the succour of the poor men who had been rescued from the wrecks, and all was done that kindness, courage, and hospitality could do to relieve the wants of the sufferers. Now, the disaster was caused, first, by the vessels lying in the roadstead being exposed to the whole fury of the wind from the east-south-east, and secondly, by there not being within the bay any place to which vessels could run for shelter. There was a small harbour at Paignton and another at Torquay. but neither of these was capable of giving shelter to vessels of large tonnage. The town of Brixham, he might remark, had a very large trade. Last year 297 vessels, with a tonnage of 23,681, had entered the harbour; while 291 vessels, with a tonnage of 23,510, had departed from it. There were at present insured in the Brixham Shipping Association 116 vessels, of the value of £250,000. The crews of those vessels numbered 1,000, and the shipping interest was rapidly increasing. He should probably be met with the answer that the Board of Trade had no means at their disposal, and that some years ago when a Committee of the House inquired into the subject of harbours of refuge they did not name Torbay as a suitable spot for such a harbour. With regard to that point he begged to read an extract from a letter from Admiral Sheringham, who was a good judge of the matter. He said—

> "That the Committee on Harbours of Refuge did not recommend the construction of a breakwater in Torbay was based principally on the opinion of the Hydrographer Admiral Washington, having more immediately in view the construction of large harbours of defence and aggression than national harbours of refuge; but that to my mind has been fully proved to have been an error in judgment, by the sad result of the gale of the 10th of January. Except Plymouth Sound no harbour of refuge for the passing trade does, in fact, practically exist to the westward of Portland, and there is a report current that Plymouth Sound is silting up, and it is even rumoured the *Royal Albert* some time ago actually grounded on her own anchors."

Now, the country was undoubtedly wise, and the House of Commons only fulfilled the wishes of the public when it first turned its attention to harbours of defence, and no one that had seen the splendid harbour of Portland could regret that the House of Commons had voted the expenditure on so magnificent a work. But it was also true that the commerce of this country was increasing to such an incredible degree that the Chancellor of the Exchequer was indulging in golden dreams of future prosperity. As our commerce increased, so must our shipping trade, and if the golden dreams of the right hon. Gentleman were to become a reality, the value of the cargoes intrusted to the vessels which sail the seas, though now to be estimated by millions, must become vastly greater. Here, then, was a simple matter of insurance against possible loss, and it seemed to him a question of the highest consideration whether an annual grant should not be made for the erection of harbours of refuge, not only upon one coast but upon all the coasts of the kingdom. We had already through the generous exertions of individuals, and especially of the Duke of Northumberland, lifeboats upon almost every portion of our shores. That was a feather in the cap of England. A shipwrecked foreigner who had been saved at Brixham having been asked how he knew it was the coast of England, said he knew it because a lifeboat had come out to save him. He should like to see this country take a step still further in advance, and that Parliament should vote the sums necessary to erect harbours of refuge wherever the natural facilities rendered it desirable. Perhaps there was no place which had a better title to consideration in that respect than Torbay. It was easy of access in all winds and tides, and to show that it was so, he would read a short statement made by Mr. Elrington of the value of the ships which took shelter there during the year—

> "Torbay contains often throughout the year large fleets of wind-bound vessels, many of these having on board hundreds of emigrants and most valuable cargoes. Some of the finest ships in the navy have anchored in the bay, and the Channel Fleet has lain there for days together. Brixham is one of the most important fishing stations on the coast, and now that the railway is being completed to the harbour will no doubt have considerable trade. The fleet of trawlers alone is worth £100,000. The schooners and other traders in the Brixham Club are worth £250,000. The vessels anchoring in the bay may be computed at 900,000 tons; worth, without counting vessels of war or cargoes, upwards of £7,000,000."

Now, when interests of such consequence were involved, was it asking too much of the Government to erect a harbour of refuge at Torbay? He was aware that it was often said that local wants should be supplied from local resources. But he wished to take that opportunity of calling the attention of the House to the great difficulties which stood in the way of a company or individual improving a harbour of refuge or dealing with a foreshore. First of all, it was necessary to obtain the assent of the Board of Trade, where the plans of projectors were all overhauled, private rights were carefully inquired into, every one who had, or imagined he had, a right was listened to, and when all that was done new difficulties had to be dealt with. It was necessary to purchase the foreshore from the Crown or the Duchy, to one of whom it was pretty sure to belong. Was it not a hardship that an individual or company, who was endeavouring to provide shelter for our ships, should be asked to pay for that which could never yield much money either to the Crown or the Duchy? If the Government would afford assistance in cases of this kind, there would be no lack of persons to do this great work of public utility and humanity. But there was another class who might be expected to asist, and that was the great merchants of England, whose goods were conveyed by sea. An appeal might be also made to that noble spirit of charity which was always manifested when the lives of our sailors were in peril, and was always to be readily relied upon in cases of distress. Those who had seen the terrible gale this year in Torbay would have read a lesson they could never forget. Vessels, before in perfect safety, in a few moments were hurried to destruction. He would only ask the House to reflect what would have been the loss of life and of treasure if at that moment the Channel Fleet had been riding at Torbay. He should possibly be told that as they always had their steam up, they might get out of the bay and escape, and that one or two steamers actually did so. But if the House would recollect the difficulty and danger of getting vessels of great size into motion in a hurricane they would see that if some did escape, many might have gone ashore. It was supposed that in consequence of the quantity of wrecks which had taken place in Torbay, the wreck of one ship might be lying over the wreck of another, and that the anchorage was very much fouled by anchors and obstructions of every description. He had been, therefore, requested to ask the President of the Board of Trade, whether any means had been taken by the Government to remove those obstacles, in order to afford vessels riding there a sound anchorage, and the same security as they possessed before the disaster of which he had spoken. He trusted that what he had said would induce the right hon. Gentleman the President of the Board of Trade to give some assurance that the subject should receive the attention of the Government, and that no considerations of economy would prevent as much care being taken of the lives of our sailors, as was taken of the lives of the community on shore.

Mr. MILNER GIBSON said, that if there were a wreck lying in the anchorage of Torbay, it would no doubt be injurious to it. In many places on the coast there were harbour authorities who had powers under local Acts to remove wrecks sunk in the harbour or their approaches at the expense of the owners of the ships sunk.

Sir LAWRENCE PALK said, that the wreck in question was without the limits of the harbour.

Mr. MILNER GIBSON was not aware that in such a case any authority had power to compel the owners of ships to remove wrecks. For some time the Government had entertained the opinion, shared by the Trinity Corporation, that some legislation might be necessary on this subject in order to give powers to compel shipowners to remove the wrecks of their ships from anchorage grounds, and if that were not possible, to insure their removal at the public expense. The subject had been under consideration, and it might well be dealt with in any future Amendment of the Merchant Shipping Act. With regard to the general proposition of the hon. Baronet, he scarcely knew how to reply to it. It was deplorable that there should have been such loss of lives and of shipping at Torbay during the tremendous gale of last winter, but it was obvious that the same loss might have occurred under any other headland on the same coast. When vessels availed themselves of a good anchorage to await a change of wind or favourable weather, if a sudden change of wind took place, and it blew violently towards land, the probability was that many sailing vessels would be driven ashore. That might happen under any headland where there was good anchorage; but would that justify in each case the erection of a breakwater at the public expense? Perhaps the case of Torbay was not that of an ordinary headland; but the Commissioners who were appointed to inquire into the best places for harbours of refuge and breakwaters, in case Parliament should decide upon making grants for their erection, did not recommend that anything should be done at Torbay; and if it were ever proposed to make grants, Parliament would probably be guided by the recommendations of the Commissioners. He could not hold out any hope that Government would propose to Parliament to make a grant of public money for the erection of a breakwater at Torbay. He did not see why the local authorities in these parts should not do something for themselves. Some years ago the Harbour Commissioners of Brixham obtained an Act which gave them powers to levy tolls and to construct a breakwater, which would have included a deep water anchorage; and which might have been very useful during the recent gale which caused the loss of so many ships; but the Commissioners had taken no steps under the powers they still possessed. No doubt they could raise money if they were so minded, and if they proposed to give the accommodation said to be needed. Knowing something of that coast, he should like to see a space of water where ships might anchor either at Brixham or Torbay, and he should like to see Torquay accessible to ships at all times of the tide. While feeling that these things were very desirable, he was still of opinion that it was not the duty of the House to move in the matter by making large grants of public money out of the taxation of the country for the erection of structures which would not be national in the true sense of the word. No doubt the works would confer great local advantages, but it was for the local authorities to come forward, and in this particular case it was for them to exercise the powers they had obtained for the execution of the works which the hon. Baronet proposed should be paid for by Parliament. He wished to see the suggested works executed from funds that might be properly devoted to such a purpose, for the more sheltered anchorages there were the better; but he did not know that a better case could be made out for Brixham on national grounds than could be made out for many other sheltered bays. The vessels to be benefited would be chiefly coasting and fishing craft, for large sea-going and steam ships would hardly use such a limited estuary. It was very well known that ships anchoring in open roadsteads did so at a certain risk, and that they were liable to be caught by a sudden gale of wind and blown on shore; and if such dangers were incurred to save a little knocking about in the Channel, that was no reason why either at Torbay or elsewhere the State should be called upon to incur a large expenditure for the erection of breakwaters. Under the circumstances, with every desire to see improvements made, he could not say that a case had been made out for the expenditure of public money on a breakwater at Brixham.

BOUNDARIES OF BOROUGHS.

QUESTION.

MR. GOLDNEY said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Government to bring forward any measure for the purpose of extending and settling the boundaries of the several Boroughs in England and Wales named in the second sections of the Schedules A and B of the Municipal Corporation Reform Act, in accordance with the Report of the Municipal Corporation Boundaries Commissioners, ordered by the House to be printed in the year 1837, or to take any other step with reference to extending and settling the boundaries of such Boroughs? At the time of the Municipal Reform Act there were 178 corporations, of which ninety-six had their boundaries made to correspond with their Parliamentary limits. With regard to the remaining eighty-two corporations a Royal Commission was appointed to examine and fix their boundaries. In the discussions which occurred in the Committee on the Bill, Sir Robert Peel thought it was too great a power to give to the Commissioners to settle such an important matter, and contended that the final settlement of the boundaries should be left to Parliament itself. Lord Russell, however, carried the question against Sir Robert Peel; but the House of Lords reversed this decision, and the noble Lord in considering the Amendments made in the House of Lords ultimately acquiesced in the proposal that the matter should be left to be dealt with by Parliament; remarking that the delay would only be for one year. In the meantime the Commissioners presented a Report; and a more elaborate or perfect Report he had seldom read. It gave the areas of the boroughs, showing the defects that existed, and that it would be impossible from their excessive extent in many cases to take the Parliamentary boundaries for municipal purposes. The Report was accompanied by plans and details, showing what would be the proper and most advantageous area for each borough; but from that time no steps whatever had been taken in the matter. In the case of the borough which he represented (Chippenham) one of the churches of the town, the principal police-office, the railway station, two or three large mills and two or three large factories, employing 1,300 or 1,400 hands, were all out of the borough, and the consequence was that questions of conflicting jurisdiction between the borough and county magistrates occasionally arose. Complaints were made, too, with respect to watching, lighting and police rates, to which the parties outside the borough contributed nothing at all. The Commissioners in their Report cited many similar cases in which the existing boundaries were quite useless for municipal arrangements. At Banbury only 4,000 out of 10,000 inhabitants lived within the municipal limits. Similar facts were reported at Calne, Falmouth, Launceston, Grantham, the City of York, and most of the other boroughs enumerated. He did not ask the Government to take up this question on any large scale, but some measure might, he thought, be passed vesting in the Queen in Council the power of enlarging the boundaries of any borough on the application of the inhabitants or of the municipal authority.

Sir GEORGE GREY said, the question raised by the hon. Member was certainly one well deserving the attention of the House. The Report of the Commission on Municipal Boundaries was made nearly thirty years ago, and the boroughs named in the second sections of the Schedules A and B were for the most part the smallest in the kingdom. He had been informed by Lord Eversley, who was the Chairman of the Commission, that the Report was not acted upon in consequence of the great local opposition which was raised to the adoption of its recommendation. It was impossible at the present time to adopt that Report as the basis of the new boundaries, because circumstances had since changed and the population of the suburbs of these boroughs had much increased. The objection that the population had outgrown the boundaries of many of these boroughs applied quite as much, if not more, to those boroughs whose limits were fixed by the Act as to the others. He quite agreed that some means ought to be provided for revising from time to time the limits of the municipal boroughs. The population had greatly increased in many of the boroughs, and the limits now fixed by law were not those which would be laid down by any tribunal to which such a duty would now be intrusted. If boroughs were not incorporated, they might petition for a charter of incorporation. The Privy Council then ordered an inquiry to be made. Opportunities were offered for any objections which could be urged against incorporation. Inquiries were instituted upon the spot into the circumstances, and the question of boundary was gone into by competent officers. They made their Report, and the Queen in Council then decided whether a charter of incorporation should be granted, and fixed the limits of the borough. If a charter of incorporation were granted the boundaries were then fixed by law, and there was no power of altering them without having recourse to Parliament for an Act. He thought that the course suggested by the hon. Member was that which it would be expedient to adopt, and that an Act should be passed containing a general provision that on the application of the inhabitants—or of the Town Council, as Parliament might determine—for the enlargement of the boundaries of the borough, an inquiry should be instituted similar to that which took place upon an application for a charter of incorporation, and then, without the necessity of coming to Parliament in each case, power should be given to the Queen in Council to enlarge the boundaries of the municipal boroughs. He trusted that it would be in the power of the Government before long to submit some such measure to Parliament.

POOR LAW (SCOTLAND)

OBSERVATIONS.

Mr. BAXTER said, he rose to call attention to the large sum out of the assessment for the relief of the poor in Scotland spent annually in litigation; and to ask whether the Government will undertake to provide a remedy for so crying an evil? He believed that a sum of between £9,000 and £10,000 was annually spent in this litigation—an amount equivalent to the maintenance of 1,700 paupers, and he suggested that the whole jurisdiction should be given to the board of supervisors, or that questions in dispute should be summarily settled by the Sheriff's Courts.

The LORD ADVOCATE said, that though no doubt a considerable amount of money was spent in Poor Law litigation in Scotland the amount was yet not so much as was spent in England, which was, indeed, about double in proportion. Still, that was no reason why the sum should not be diminished as much as possible. A great portion of the litigation related to matters of settlement. He had always thought that the importance of these questions of settlement was quite overrated; and if one parish got rid of a pauper in one year, it might have to maintain ten in the next year on the very principle which it had succeeded in establishing. He consequently conceived that a shorter and more economical mode of determining these questions should be adopted, and that questions arising in Scotch parishes, under the law of settlement, should be decided by the sheriff of the counties, but unfortunately it happened in most cases that the parish affected was beyond the jurisdiction of the sheriff. He had endeavoured to remedy the defect in the law by a clause inserted into the Sheriffs' Court Bill of 1853. It met, however, with so little encouragement at the hands of Scotch Members that it was withdrawn, but if a similar Bill would be more favourably received, he should not be unwilling to introduce one.

PRUSSIA, AUSTRIA, AND ITALY.

OBSERVATIONS.

MR. DARBY GRIFFITH said, he rose to call attention to the critical state of the existing relations between Prussia, Austria, and Italy. The subject had been referred to in the French Chamber, and a statement had been made there the confirmation of which in that House would answer the object he had in view. He did not desire to express any want of confidence in Lord Clarendon, and congratulated the country on the change which had taken place in the occupancy of that office. Matters seemed to be on the verge of explosion on the Continent of Europe. The forces called out by Austria and Italy were excessive, and the latter country appeared to have been drawn into the struggle in a most unfortunate way. At the time when a dissension was occurring between Austria and Prussia an Italian General had been sent to Prussia for the purpose of forming an offensive and defensive alliance between the two countries. The feeling of this country would, he thought, be against a junction of Italy with Prussia for effecting the conquest or slavery of Schleswig-Holstein, and he trusted that no actual alliance had taken place, because nothing could be more detrimental to Italian liberty. There was every preparation for war between Austria and Italy. One of the railway bridges had been destroyed by the military authorities, and it was well known that specie payments had just been suspended in Italy, and that the National Bank had supplied the Government with a loan of 250,000,000 lire, or about £10,000,000 English. These warlike preparations, and this excessive expenditure were naturally subjects of great anxiety. The statement made by M. Rouher in the French Chamber appeared to be highly satisfactory and judicious, inasmuch as it was calculated to discourage either Austria or Italy from commencing warlike operations. An honest neutrality and complete liberty of action constituted, according to the French Minister, the maxim by which the French Government would be guided. He should be happy to learn that the French and English Governments acted in concert together, and had a good understanding on this subject, as well as in respect to the Danubian Principalities, where it would be to the advantage of Europe that the policy of France should be supported. He thought the time had come when we should look with less distrust to the policy of France than we had done on former occasions, and that the two countries ought to go more hand in hand together.

[Notice taken that forty Members were not present; House counted, and forty Members being present,]

MR. WHITE thought this a subject of very great importance, and he hoped some satisfactory assurance would be given that the Government had used all proper means, in concert with our ally the Emperor of the French, to avert the calamity of war. At the same time, he could not help saying that the very critical state of Europe was entirely owing to the conduct of the late Government. He stood alone when, in the discussion which took place on the address in reply to the Lords Commissioners, at the opening of the Session of 1864, he said that the noble Lord who then had the conduct of Foreign Affairs had adopted a course which he held to be highly detrimental to the interests of the country in rejecting the proposition made by the Emperor of the French for a European Congress to settle the various questions then under dispute. He then strongly urged that the Schleswig-Holstein question and the occupation of Venetia by Austria had in them the seeds of inevitable war. The events of a few months later showed he was right with regard to Schleswig-Holstein, and he was afraid what he had said would also prove true in regard to Venetia. The armed state of Europe and the attitude of mutual menace which now existed, together with the enormous war expenditure, would, in all probability, be followed by hostilities. The propositions made by the Emperor of the French had been received by the British Government in a spirit which at the time he very much regretted. They all recollected that the noble Lord, whose epistolary correspondence was not remarkable for its amenities, had made a reply to the Emperor not of the most conciliatory character. He was not himself an admirer of the Emperor; but this at least could be said for him, that he had been our best friend among Continental Sovereigns. He therefore trusted they would have some assurance from the Government that the just umbrage of the Emperor of the French at the way in which he had been treated had been removed, and that he would join with us in all proper measures to avert the outbreak of hostilities.

THE RECIPROCITY TREATY.

OBSERVATIONS.

MR. WATKIN, who had a notice on the paper relating to the termination of the Reciprocity Treaty, and the conduct pursued by the Government in relation thereto, said, he had waited a few moments to see if the Under Secretary for Foreign Affairs was disposed to reply to the questions which had been already put, but perhaps he would answer both together. Notwithstanding the attempt which had just been made to count out the House, he must ask their attention to a most important subject. He had two years ago ventured to bring the subject under the notice of the Government, in the hope that it would attract a portion of the attention which was then directed to the affairs of Poland and Denmark. First of all, he wished to know who was responsible for the consideration of questions involving so largely the international relations between the British North American Provinces and the United States, and our relations with the latter through the former. Was it the Foreign Office, the Colonial Office, or the Board of Trade? They had recently been told in the public papers that an uneasy feeling existed about the fisheries on the North American coast; that a fleet was being prepared for the protection of the United States against British fishermen, and that gunboats as fast as they could be got ready sailed for their destination. It appeared that Americans demanded the right of fishing in British waters, just as before the Reciprocity Treaty, and were ready to bring on a war to enforce those claims. Now, he did not think it likely that sensible statesmen in America would plunge their own country and ours into a war for any fishery rights; but these were the fears of many well-informed people, and these fears of disturbed relations between this country and the United States produced very considerable commercial embarrassment. The Reciprocity Treaty divided itself into four essential parts—the first was the interchange without duty of the products of the soil, forests, mines, and waters of British North America on the one side and of the United States on the other: the second, the free navigation of the St. Lawrence for 1,200 miles: the third, the reciprocal advantage of communication with the shores of Lake Michigan; and the fourth, the settlement of what had been the cause of more disputes, differences, and dangers between us and our Transatlantic neighbours than any other — namely, these rights of fishery. There was also a subsidiary question as to the stipulations under which dutiable goods may pass a United States Custom House without liability to duty till they arrive at their destination. This Reciprocal Treaty was negotiated and passed in 1854. He found by reference to *Hansard* that on the 27th of June, 1854, Lord Clarendon stated, in reply to a question, with reference to the negotiations—

> "It appeared to Her Majesty's Government that the return of Lord Elgin to Canada afforded an opportunity, which ought not to be neglected, of endeavouring to settle those numerous questions which, for years past, have been so embarrassing to the two Governments. One of those questions, especially that relating to the fisheries, has given rise to annually increasing causes of contention, and has sometimes threatened collisions, which I believe have only been averted for the last two years by the firmness and moderation of Sir George Seymour and of the British and American naval commanders, and by that spirit of friendship and forbearance which has always characterized the officers of both navies. But, my Lords, your Lordships are also aware that there are other questions which have given rise to embarrassing discussions between the Governments of the two countries—questions which involve the commercial relations of our North American possessions with the United States, and that those questions, which involve very diver-

gent interests, have become so complicated as to render their solution a matter of extreme difficulty. . . I trust, therefore, that nothing will occur to mar the completion of this great work—namely, (the Reciprocity Treaty), which I firmly believe, more than any other event of recent times, will contribute to remove all differences between two countries whose similarity of language and affinity of race, whose enterprize and industry, ought to unite them in the bonds of cordial friendship, and to perpetuate feelings of mutual confidence and goodwill."—[3 *Hansard*, cxxxiv. 730.]

Notice taken that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Eight o'clock, till Monday next.

HOUSE OF LORDS,

Monday, May 7, 1866.

MINUTES.]—*Sat First in Parliament*—The Lord Hay, after the Death of his Father.
Took the Oath—The Lord Wodehouse.
PUBLIC BILLS — *Second Reading* — Prosecution Expenses (88); Dockyards Extensions Act Amendment * (56); Contagious Diseases * (95).
Committee—Drainage and Improvement of Lands (Ireland) * (90).
Report—Drainage and Improvement of Lands (Ireland) * (90).
Third Reading—Exchequer Bills and Bonds * (58), and *passed*.

PROSECUTION EXPENSES BILL.

(*The Lord Chelmsford.*)

(No. 88.) SECOND READING.

Moved, "That the Bill be now read 2ª."—(*Lord Chelmsford.*)

LORD CHELMSFORD, in moving the second reading of the Bill, said, as the law now stood, power was given to the examining magistrates to award expenses to any prosecutor or witness attending before him, but this power only extended to cases in which there was a commitment of the prisoner, and the witnesses are bound over in recognizances to appear to give evidence. The object of this present measure was to permit the payment of expenses incurred in attending before a magistrate in any *bonâ fide* charge of felony, and in certain cases of misdemeanor, although the parties may not be bound over by recognizance or subpœna to prosecute or give evidence, and although no committal for trial may take place.

THE EARL OF CARNARVON suggested the postponement of the Bill. The object of allowing expenses where they were at present allowed was no doubt to induce witnesses to give evidence; but it was guarded by the necessity which magistrates were placed under to see that a *primâ facie* case was made against the prisoner before expenses were allowed. He was afraid that the Bill would lead to frivolous and vexatious proceedings, and he hoped the noble Earl would consent to the postponement of the second reading. He must confess that he had never heard of any cases of hardships arising from the law as it at present stood.

LORD CHELMSFORD said, that the objection of the noble Earl assumed that magistrates would not properly discharge their duty, but would allow a certificate where a frivolous charge had been preferred.

LORD REDESDALE said, he was not disposed to regard the Bill with much favour. He did not think it at all desirable to encourage the number of those charges which were made, but not followed by the committal of the accused person; and, therefore, there was much weight in the observations of the noble Earl (the Earl of Carnarvon.)

THE EARL OF DERBY said, he should like to know whether the Bill had the sanction of the Government, as it was a measure which bore upon the administration of justice. He thought it only right that Her Majesty's Government should vouchsafe some expression of opinion on the subject. He understood that the Bill had come up from the other House with the approval of the Home Secretary.

LORD HOUGHTON thought the present instance furnished a signal example of the disadvantage of having no Member of the Government in their Lordships' House who was in a position to answer any question whatsoever connected with the Home Office.

After a few words from Lord BERNERS,

On Question, Motion *agreed to:* and Bill read 2ª accordingly.

SELLING AND HAWKING GOODS ON SUNDAY BILL—(*The Lord Chelmsford.*)

(NO 92.) COMMITTEE DEFERRED.

Order of the Day for the House to be put into a Committee on the said Bill read.

THE EARL OF SHAFTESBURY appealed to the noble and learned Lord who had charge of the measure (Lord Chelmsford) to consider whether its probable effect would not be to increase the very evil which he intended to abate. The Bill was so full of exceptions that if only a few more were added there would be hardly one commodity in the whole range of commerce the sale of which on Sunday it would prohibit.

LORD TEYNHAM said, that persons whose interests were affected by the Bill, complained that they had been taken by surprise by the manner in which the measure was pressed forward, and that, moreover, the existing law was sufficient for its purpose. He would urge upon the noble and learned Lord to postpone the Committee in order to give further time for the consideration of its provisions.

LORD CHELMSFORD said, it was idle to say that the present law was sufficient to prevent Sunday trading—it had been found utterly ineffectual, and that was the opinion which had been expressed by Committees of both Houses of Parliament. He was desirous of preventing Sunday trading in the interest of those tradesmen who were anxious to enjoy the Sabbath as a day of rest, instead of being compelled to keep their shops open on that day in self-defence. He was well aware that the subject was surrounded with difficulties. The measure had to encounter two classes of opponents. On the one hand there were those who thought that there should be no interference with the liberty of persons in the employment of their Sundays; and on the other the religious portion of the community were opposed to any sanction whatever being given to Sunday trading in any shape. Now, the reply he was prepared with to the former, was that the law at present prohibited Sunday trading. That law, however, had not proved efficacious, but had, in fact, proved a dead letter, in consequence of the smallness of the penalty and the difficulty of enforcing it. To the latter he said that his object was to extend a boon to thousands of the tradesmen who in self-defence were obliged to continue Sunday trading. He was prepared, in a matter of this importance, and in the hope of passing the measure, to give way in some degree to a portion of the community who required to have their necessities supplied at an early hour on the Sunday morning. If he could really see his way to securing to the tradesman the benefit of a day of rest without introducing into the measure any more exceptions than were contained in the Act of Charles II., he should be very glad to do so; but he implored those who were favourable to the object of the Bill not to frustrate its passing.

The Earl of SHAFTESBURY and Lord TEYNHAM again pressed the postponement of the Committee.

LORD CHELMSFORD said, he was not desirous of pressing the Bill on unduly, but he could not see the necessity for delay. The subject had been for several years in agitation, and that particular Bill was also notorious through the circulation of petitions in its favour from one end of the metropolis to the other.

EARL GRANVILLE said, that one noble Lord (the Earl of Shaftesbury) had objected to the measure that it would increase the evil it was intended to remedy, while another (Lord Teynham) had urged that the attention of those who were interested had not been sufficiently called to the details of the Bill. In reply to that the noble and learned Lord said that the subject was one which had been agitated a good many years, and also that the attention of the metropolis had been called to the matter in consequence of the petition prepared in its favour. Neither of those allegations, however, was a sufficient answer to the complaint that the details of the Bill were not so well known to the public as they might be. For himself, he should have thought that a Bill of that kind might with great advantage be referred to a Select Committee.

EARL RUSSELL said, his opinion was in favour of the principle of the Bill. Either the Act of Charles II. which forbad Sunday trading should be repealed, or its provisions should be made efficacious without inflicting too great an amount of severity, or enjoining too rigorous an observance. It certainly appeared to him that whether the noble and learned Lord had succeeded or not, or whether anybody could succeed in attaining that object, the object itself was a good one, and, therefore, he was in favour of the principle of the measure. There was, however, something in the objection that people had not had time to consider the Bill, and he was inclined to agree in the suggestion that more time should be given before their Lordships were asked to go into Committee. Exceptions would no doubt have to be made, because there were persons who might not have the money to purchase at a sufficiently early hour on Saturday night, and would be compelled to purchase on the Sunday mornings, or go without.

Lord CHELMSFORD said, he would consent to the postponement of this stage of the Bill till that day week.

Lord TEYNHAM gave notice that when the measure came on again he would move, as an Amendment, that the Bill be committed that day six months, and divide the House on the question.

Committee *put off* to *Monday* next.

House adjourned at a quarter before Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, May 7, 1866.

MINUTES.]—New Writ Issued—*For* Aberdeenshire, *v.* William Leslie, esquire, Chiltern Hundreds.

New Members Sworn—George John Shaw Lefevre, esquire, *for* Reading; John Campbell, esquire, *for* Helston.

Select Committee—On Mortality of Troops (China), Mr. Roebuck *discharged*, Mr. Frederick Stanley *added.*

Ways and Means—*considered* in Committee.

Public Bills—*Resolutions in Committee*—National Debt Acts.

Ordered—Re-distribution of Seats; Representation of the People (Scotland); Representation of the People (Ireland); Life Insurances (Ireland).*

First Reading—Re-distribution of Seats [138]; Companies' Act (1862) Amendment* [139]; Representation of the People (Scotland) [140]; Life Insurances (Ireland)* [141]; Representation of the People (Ireland) [142].

Second Reading — National Savings Banks* [114]; Landed Property Improvement (Ireland)* [118].

Committee—Waterworks* [61]; Land Drainage Supplemental* [125]; Inclosure* [126]; Drainage Maintenance (Ireland)* [95].

Report—Waterworks* [61]; Land Drainage Supplemental* [125]; Inclosure* [126]; Drainage Maintenance (Ireland)* [95].

Considered as amended—Public Companies* [35]; Grand Juries Presentment (Ireland)* [89].

Third Reading—Harbour Loans* [112].

HEREFORD CITY ELECTION.

House informed, that the Committee had determined,—

That Richard Baggallay, esquire, is duly elected a Citizen to serve in this present Parliament for the City of Hereford.

That George Clive, esquire, is duly elected a Citizen to serve in this present Parliament for the City of Hereford.

And the said Determinations were ordered to be entered in the Journals of this House.

House further informed, That it had been proved to the Committee—

1. That Thomas Hare was bribed with £9,

2. That William Birch, John Ede Derry, Charles Wainscoat, Edward Tyler, William Knowles, John Stephens, George Hedger, Thomas Killick, and William Shipp were bribed with £10 each,

3. That William Vickery was bribed with £5, to vote for the said Richard Baggallay, esquire.

That it was not proved that such bribery was committed with the knowledge or consent of the said Richard Baggallay, esquire, or his Agents.

That the Committee have no reason to believe that corrupt practices have extensively prevailed at the last Election for the City of Hereford.

Report to lie upon the Table.

CHELTENHAM ELECTION.

House informed, that the Committee had determined,—

That Charles Schreiber, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Cheltenham.

And the said Determination was ordered to be entered in the Journals of this House.

House further informed, That the Committee had agreed to the following Resolutions:—

That it appeared from the evidence of Edward Foxwell Barnfield, a voter for the Borough of Cheltenham, that, to serve his own purposes, he conspired with George Powell, another voter, to induce several voters, by corrupt means, to vote against the Honourable Francis William Fitzhardinge Berkeley, the other Candidate for the Borough; but that it was not proved that the sitting Member or his Agents had any knowledge of such conspiracy.

That, in the opinion of the Committee, corrupt practices have not extensively prevailed at the last Election for the Borough of Cheltenham.

Report to lie upon the Table.

DISFRANCHISEMENT OF DOCKYARD VOTERS.—QUESTION.

Mr. MONK said, he wished to ask the Secretary to the Admiralty, When the Return of Dockyard Workmen who claimed to vote at the last General Election, and who will be disqualified by Clause 16 of the Representation of the People Bill, will be laid before the House?

Mr. BARING: Sir, the Returns have been called for from the returning officers and town clerks of the boroughs in which there are dockyards by the Home Department. The answers have not as yet been all received; when received the information will be laid upon the table.

STATE OF CONTINENTAL AFFAIRS.

QUESTION.

Mr. Alderman SALOMONS said, he wished to ask the Under Secretary of State for Foreign Affairs, If he can give the House any information on the present untoward aspect of Continental affairs, and if Her Majesty's Government has either by itself or in accord with France made any friendly offers to the Governments of Italy and Austria, with a view of soothing existing differences and averting from Europe the threatened calamities of war?

Mr. LAYARD: I regret, Sir, to say I am not able to give my hon. Friend any satisfactory information or any satisfactory assurance with respect to the present untoward state of affairs on the Continent. The opinion of Her Majesty's Government on the causes and events which have led to that state of things is well known. It is equally well known to Austria, Prussia, and Italy, that Her Majesty's Government would, with the greatest pleasure, make use of their good offices, and do their utmost, for the purpose of preserving peace, if those good offices were applied for, and if there was any prospect of such good offices leading to any satisfactory result. The wish of Her Majesty's Government has been expressed to the French Government to act with them with a view to that object. It is quite evident that it would be unadvisable on the part of Her Majesty's Government to enter alone into any offer of good offices to any of those Powers which I now fear are on the verge of going to war. In the present critical state of affairs it would be unadvisable and improper to enter into any details on the subject.

Mr. HENRY BAILLIE said, he wished to know, whether any proposal has been made for a Congress?

Mr. LAYARD replied that no proposal had been made for a Congress, but the question had been under discussion.

COMMONS (METROPOLIS) BILL.

QUESTION.

Sir WILLIAM JOLLIFFE said, he would beg to ask the First Commissioner of Works, If it is the intention of the Government to refer the "Commons (Metropolis) Bill" to the consideration of a Select Committee?

Mr. COWPER said, in reply, that he thought the differences of opinion existing on the subject would be more satisfactorily adjusted by a Select Committee than by a Committee of the Whole House, and he should therefore be prepared, in the event of the Bill being read a second time, to adopt the suggestion of the right hon. Gentleman, and refer it to a Select Committee.

THE INDIAN ARMY.—QUESTION.

Major JERVIS said, he wished to ask the Under Secretary of State for India, When he will be prepared to make his statement respecting the Indian army?

Mr. STANSFELD, in reply, said, he would take the earliest opportunity of announcing when he should be able to make that statement, but he did not expect to be in a position to do so before the Whitsuntide recess.

IRELAND—THE CONSTABULARY.

QUESTION.

Colonel GREVILLE said, he wished to ask the Secretary to the Treasury, When the Report of the Commission on the Irish Constabulary will be laid upon the table of the House; and, whether the Government have decided upon making any change in the position of the Force, with a view to their increased efficiency?

Mr. CHILDERS: Sir, the delay in laying on the table the Report of the Treasury Commission on the Irish Constabulary has arisen from some questions of pensions not having been finally settled. These have been now decided, and a supplementary Estimate will be proposed in a few days. I shall also ask leave to bring in a Bill on the subject, and I will to-night move for a copy of the Report. The Commission only inquired into the financial arrangements of the force, and I am not aware that the Lord Lieutenant contemplates any changes in other respects.

THE WHITSUNTIDE RECESS.

QUESTION.

Mr. BOUVERIE said, he would beg to ask Mr. Chancellor of the Exchequer, When he intends to propose the adjournment of the House for the Whitsuntide recess?

The CHANCELLOR of the EXCHEQUER: Sir, the intention of the Government is to move that the House shall rise on Friday week and adjourn till the Thursday following.

ADMIRAL DUNCOMBE said, he wished to know if the Government intend to propose the adjournment of the House for the Derby Day?

THE CHANCELLOR OF THE EXCHEQUER: I do not think that is ever made the subject of a previous understanding. Matters take their natural course on that day.

THE NATIONAL DEBT PROPOSAL.

QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask, Whether it is the intention of the Government to move the Resolution in Committee on the National Debt that night; and when, if the discussion is to be taken on the Motion for the introduction of the Bill, that Bill will be introduced?

THE CHANCELLOR OF THE EXCHEQUER said, he could only repeat the statement he made on a former occasion. He was quite in the hands of the House; but he thought the most convenient course would be for the House to get the Resolution passed without prejudice and without being committed in any way to the plan, and then to have the Bill in the hands of Members before the discussion took place upon it. If this was agreeable to the House he would take the Resolution that night, report it to-morrow, and then fix some convenient time for the second reading.

MR. DISRAELI said, the hon. Member for Buckingham (Mr. Hubbard) had a Resolution on the Paper on the same subject, which was fixed for that night.

THE CHANCELLOR OF THE EXCHEQUER said, he thought that that Motion rather referred to the Committee of Ways and Means, and hoped if so that it would not be brought on, as it would be very inconvenient in regard to the course of trade to delay the passing of those Resolutions which related to Customs.

MR. DISRAELI said, he considered that unless they heard what the intentions of the hon. Member for Buckingham were, it would be inconvenient to follow the course indicated by the right hon. Gentleman.

MR. HUBBARD said it would doubtless be exceedingly inconvenient to go into the Motion as to the reduction of the Fire and Marine Insurance Duties, of which he had given notice, after the discussion on the Re-distribution of Seats Bill, and he would, therefore, postpone it if the Chancellor of the Exchequer would give him another opportunity of bringing the matter before the House.

THE CHANCELLOR OF THE EXCHEQUER said, he thought that it would be better if the hon. Gentleman were to bring the subject before the House on the second reading.

MR. STEPHEN CAVE asked the Vice President of the Board of Trade, whether the Merchant Shipping Act and the Railway Clauses Act would be brought on to-night, and if so at what hour?

MR. MONSELL said, he would not take them after eleven.

ORDERS OF THE DAY.

Ordered, That the Orders of the Day be postponed until after the Notices of Motions relative to the Re-distribution of Seats, and the amendment of the Representation of the People in Scotland, and Ireland.—(*Mr. Chancellor of the Exchequer.*)

RE-DISTRIBUTION OF SEATS BILL.

LEAVE. FIRST READING.

THE CHANCELLOR OF THE EXCHEQUER: I rise, Sir, to ask for leave to bring in a Bill for the Re-distribution of Seats. And though my duty will not, I hope, require me to detain the House for any great length of time, yet I must commence by pointing out that I shall have to advert to three several subjects—first, to the re-distribution of seats, properly so called; secondly, to certain questions as to the provisions which are most fitting and convenient to be made with regard to the boundaries of Parliamentary boroughs; and thirdly, I must deal with that question of the procedure upon these Bills upon which so much has been said, and with regard to which so much interest has been excited.

Now, Sir, as regards the re-distribution of seats. I will say a word at the commencement as to the principles upon which such a re-distribution should proceed. And I must say on behalf of my Colleagues and for myself that we have never seen any room for doubt or any reason to entertain any desire for innovation, or for departure from previous example, with regard to these principles. There are, indeed, in detail an almost boundless number of questions that may be, some plausibly, and some fairly, raised, if there be a disposition to raise them in disposing of the subject of re-distribution. And there may also be a fair difference of opinion as to the scale upon which those principles shall be applied. The process is a double one; first of all there is the process of disfranchisement, of the withdrawal or curtailment of the privilege of representation in Parliament; and secondly, there is the process of enfranchisement. I do not think that as to either the one or the other there has ever been, either in this House or among the various Governments that have dealt with the subject, any vital difference of opinion as to the principles upon which these two processes should be worked. In every case in which a Bill for the re-distribution of seats has been brought in, whether in 1854, in 1859, or in 1860, the seats which it was necessary to obtain have been obtained not by extinguishing, but by limiting the principle of the representation of small boroughs. To that method of proceeding I need scarcely say we shall adhere.

Now, Sir, with respect to the subject of small boroughs, it is well that we should give the House to understand with what view and in what sense we propose to deal with them. There is an impression that is too widely spread perhaps in the opinion, at least in the superficial opinion —if I may so speak—of the public, that by this sort of either extinction or restraint of the representation of the small boroughs, to be introduced into a Re-distribution of Seats Bill, we may serve an invaluable purpose by putting a stop to corruption in Parliamentary elections.

Now, Sir, no person so far as I am aware, who has ever been cognizant of this subject in a responsible capacity, has dreamt of carrying the process of re-distribution of seats, or of an extinction or restraint of small boroughs, to any point which would make it in any manner effectual for the purpose of putting a stop to Parliamentary corruption. And, indeed, in order to correspond in any degree with such an aim, we must attach to the name of a small borough a signification far wider than it has hitherto ordinarily borne. When we speak of small boroughs, while there is no precise definition of the term, perhaps we may be understood generally to mean towns that are under 8,000, 9,000, 10,000, or 12,000 inhabitants, according to the shades of meaning which people may attach to that term. But it is not the fact that corruption in this country is exclusively to be found in boroughs under, say, 10,000 in population. It is not even the fact that corruption—so far as I understand the matter—is especially to be found in those boroughs. I believe that as far as this subject is capable of being illustrated by Returns, it will be shown that if you take for your test boroughs which have been the subject of Parliamentary investigation on the score of allegations of bribery during a considerable number of years, not only nor perhaps mainly the boroughs from the very lowest figure up to 10,000 in population, but those from 10,000 to 20,000 in a very considerable degree, and then, again, those from 20,000 up to 40,000, or even higher, would be found—melancholy as it is to me to make the confession — to be tainted with this most disgraceful offence. Therefore, in proposing a limitation of the representation of small boroughs, which has, in point of fact, been the basis of every scheme suggested for the re-distribution of seats, we must not attempt to recommend such a scheme upon the supposition that it has of itself any effectual tendency to the extermination of the evil of corruption. No doubt it will have this effect—it may strike at certain boroughs, which, being small, are also corrupt, and perhaps we may carry our opinion with justice as far as to say that, where a small borough is corrupt, it is more difficult to cure the evil than in a large borough, because there is less of sound public opinion in the constituency to which you can appeal. And the seat so withdrawn is sure to be given to a constituency less likely to misuse its power. On the other hand, Sir, there has been in former times—at least, as far as I know, a widely spread opinion that, as the small boroughs were liable to the special demerit of corruption, so also they were entitled to claim the special merit of opening the door of this House to some classes of representatives who could not otherwise find their way here. I have already distinctly stated in this House my opinion that, in former times and circumstances, small boroughs did very extensively serve that purpose, especially in one particular mode. They introduced into this House a very important class of young men whose family connections were not of such a nature as effectually to recommend them to the confidence of large constituencies, as candidates who might in the first instance be taken upon trust. Now, however, the large constituencies, especially those of counties, much to their credit and to the advantage of the country, are usually willing to return as their representatives young men belonging to families which have traditionally enjoyed their respect, and to look to them with hopes for the future. Thus, an opening is found for the younger members of families of rank, birth, and opulence. But how do we stand as to youths of families who have not these advantages?

I am bound to say that, having particularly watched the working of our small boroughs, especially during the last two general elections, and having just striven to exempt them in some degree from especial censure, I do not think we can say, testing the matter by experience, that the small boroughs now possess that special advantage in the degree they did at one time, or indeed in any degree beyond other classes of constituencies. If we were to take the cases of gentlemen—it would be invidious, perhaps, to refer to names—but if we were to take the cases of gentlemen who in a Parliamentary sense might be called young —I suppose Parliamentary youth need not be held to expire before thirty—I say, then, taking the case of gentlemen not above thirty years of age elected within the last ten years or more, or to bring the matter more closely to a test, taking those only who now sit here, whether on the one side or the other, and who have not come into Parliament through the direct exercise of family influence, or through the credit and position of their families in the places which they represent, I think there is not more than one single instance in which an hon. Gentleman at the happy time of life, and of the class I have named can be said to hold his seat at the present moment. [An hon. MEMBER: There is not one.] Yes, there is one. I think there is one instance, and only one as far as my researches have gone, in which such a gentleman can be said to hold his seat for a small borough, understanding by a small borough one under 10,000 in population. All the rest sit for larger, chiefly for much larger places. One of them I may name; for it can only be named with honour, and moreover I draw it from the opposite side—it is that of the hon. Member who entered this House some four or five years ago as the representative of Canterbury, a place with a population, I think, of from 20,000, to 30,000. Singular though it may be, and contrary to all anticipations, it does not appear that the larger constituencies are, in the present state of things, more indisposed to entertain the claims of young men who have no traditional or family influence, and who have not yet had an opportunity of making a political character for themselves, than are very small boroughs. They are, on the contrary, it would seem rather more favourably inclined to this important class of our Members.

It is neither then, I think, upon the ground of any special utility, according to the working of our present system, that the general retention of small boroughs can be effectually defended: nor, on the other hand, is it on the ground of special corruption that their extinction can be recommended. I think we must be prepared to take our stand upon the following very clear and simple ground. There are large and important communities, many of them growing communities, both in counties and in towns, others of them stationary; but having the one feature in common that they are not represented within the walls of this House in any sort of proportion to what we may fairly call their just demands. If we are to search for the means of making the representation of those great communities more adequate, it is quite clear, I think, that we can most adequately obtain, and, in fact, can only obtain the means of meeting the fair demands of justice and of growing populations, by resorting to a curtailment of the still very abundant, and, indeed, superabundant system of representation of small boroughs, which still continues to prevail.

Having said this, Sir, I may now proceed to state that it has been a great object with the Government to consider in what way they can most conveniently and most equitably apply this principle to the small boroughs of the country. At the time of the Reform Bill, there were a great many boroughs which could not be dealt with except by way of extinction, and, indeed, which had become in the public view intolerable, as little better than a mockery of the representative system. Among those boroughs were not only Gatton and Old Sarum, but many others, which were not only small and insignificant, but were so entirely close that the mass of the population even within those insignificant boroughs themselves possessed no interest in their representatives. It would have been quite absurd to have sought any means of retaining such boroughs upon the list of those returning representatives to Parliament, whether by joining them with others or in any other way. A great change was introduced into this state of things by the Reform Act; and every borough, however small or however ill-constituted it may be, has, at all events, this to say in its own favour—the Member who sits for it does in some way or other represent the views, as well as the interests, of a local community. We therefore approach the question of restraining the representation of the small boroughs under somewhat different circumstances from those which the framers of the Reform Act had to confront in their treatment of the same subject. These local communities are, as we find, in possession of great Parliamentary privileges; but they are not, as we believe, extensively tainted with gross corruption. Those of them which are, or are proved upon adequate evidence to be so tainted will, I hope, be effectually and decisively dealt with by the House; and I may diverge from my path for one moment to express the hope that, even in the case of those larger boroughs where this corruption is proved to exist, the House will adopt measures entirely different from those which we pursued some Sessions back, so feeble and inefficient in their character—measures in some degree commensurate with the gravity of the offence, and such it is to be hoped may have a tendency to check both there and elsewhere the prevalence of the evil. I think, however, that the class of small boroughs ought, as a class, to be regarded as free from this taint, and as being in possession of Parliamentary privileges which are brought into question through no voluntary fault of their own. Whatever abridgment, then, is to be imposed upon those privileges, that abridgment ought to be effected in the mildest manner possible; and departing, therefore, from the principle which guided many of those sitting in the present Cabinet when they framed the Bill of 1854, we have come to the conclusions that the equity of the case will be fully met by a course somewhat less disagreeable.

We therefore propose that no borough shall be absolutely extinguished; and in lieu of extinction or enumeration of boroughs in what was called Schedule A, we purpose resorting to a method new or rather almost new to England, but one of which the principle has been already adopted in Scotland and Wales—that of what is called grouping boroughs together. And, Sir, there is another reason which has, I think, weighed with the Government in arriving at this conclusion. We have now had more than thirty years' experience of the Reform Act, and the whole of that experience, we are of opinion, goes to show that if any one class of boroughs, within moderate limits of population, is entitled to be selected from among the rest for the praise of at least comparative purity, it is the grouped boroughs. I doubt very much whether there have been since 1832 more than two or three petitions presented against any election for those boroughs in the Kingdom of Scotland. [An hon. MEMBER: Only one!] I am told there have been two; but it really matters little whether there have been two or one, for in either case with equal justice we can say that the annals of these boroughs are almost free from taint, so far as taint can be measured by transactions connected with election petitions, and that, after all, is the main if not the only source from which we can derive our information upon this subject.

The same thing may be said, I think, with regard to the Welsh boroughs generally. And there is no doubt, when we come to consider the morbid anatomy of corruption, and the actual machinery by which its measures are adjusted and applied at the last critical moment of a day of election, that a serious impediment to the indulgence in or the growth of those practices is offered by the fact that the business of the election has to be conducted at a plurality of places. We have therefore concluded that the grouping of these boroughs will constitute a real Reform, as far as this word expresses whatever tends to freedom from corruption.

Within what limits these principles should be applied appears to be more a question of policy than of rigid or at least of determinative considerations of equity and justice. As I have stated, in the year 1854 many Members of the present Cabinet were parties to the introduction of a Bill by which it was proposed to disfranchise 19 boroughs altogether, and to take one Member from between 30 and 40 others. We proposed, I think, to obtain 64 seats, or some such number, by this operation in 1854. In 1860, on the contrary, we proposed to obtain a total of only 25 seats by the mild operation of taking one Member from a certain number of boroughs that were in possession of the privilege of double representation. I think it is plain that, bearing in mind the actual state of things, and the magnitude which this subject has assumed, especially under recent circumstances, in the consideration of the public, that the last number is not one which would by its adoption suffice for the settlement of this question in that reasonable and substantial sense of the word settlement which we desire. On the other hand, by going to the extent advocated by Lord Aberdeen's Government, and by disturbing so many seats, we should, I am afraid, equally court the risk of failure. Those who, like ourselves, have looked upon the settlement of the franchise as the question first in importance and interest, will probably be guided to a great extent in their treatment of the other branches of the subject by considerations affecting the probability of arriving at that settlement. The number of seats we propose to obtain for the purpose of re-distribution by the Bill I shall ask leave to lay upon the table of the House is 49, and these are to be obtained by a double operation. We purpose taking one Member from every borough which at present returns two representatives, and which has a population of under 8,000. The second part of our proposal is to group as many of these boroughs having a population of less than 8,000 as can be joined together with geographical convenience. It appears to us that geographical convenience forms one of the most important considerations in dealing with this subject, although the term must of course be understood with a certain latitude, and other considerations must also have a place. The consequence will be that in some cases the group will consist of two boroughs, in others of three, and in others of four. The populations of these groups will of course differ, and according to the difference in the population we propose assigning to the group one or two Members, as the case may be. When the population amounts to less than 15,000 we propose to assign one representative, and when it exceeds that number we propose to give it two. I may add that the smallest population in any of these groups slightly exceeds 10,000, and the highest is about 20,000 or 21,000. The Return for which I have moved, however, will give the particulars of the plan, together with other matters affecting this subject, and these, I hope, will to-morrow morning be placed conveniently under the view of Members.

I have now, Sir, stated upon what principles these groups have been selected, and perhaps the House may desire next to learn their names. The first of the proposed groups comprises Woodstock, Wallingford, and Abingdon, and we propose that these towns unitedly shall return two Members. Bodmin, Liskeard, and Launceston will return two; Totnes, Dartmouth, and Ashburton, 1; Bridport, Honiton, and Lyme Regis, 1; Dorchester and Wareham, 1; Maldon and Harwich, 1; Cirencester, Tewkesbury, and Evesham, 2; Andover and Lymington, 1; Ludlow and Leominster, 1; Eye and Thetford, 1; Horsham, Midhurst, Petersfield, and Arundel, 2; Chippenham, Malmesbury, and Calne, 2; Westbury and Wells, 1; Devizes and Marlborough, 1; Ripon, Knaresborough, and Thirsk, 2; and Richmond and Northallerton, 1. In the case of eight among the towns containing populations of less than 8,000 we have not found it possible, having regard to various local reasons and to geographical convenience, to form any groups. These towns are Bridgnorth, Buckingham, Cockermouth, Hertford, Huntingdon, Lichfield, Marlow, and Newport.

We next, Sir, come to the question of enfranchisement; and here again I may say that we have already stated general rules which are sufficiently clear to leave us very little doubt as to the general course which should be pursued. A considerable portion of the seats liberated by disfranchisement have in all cases been assigned to divisions of counties, and there has been a tendency rather—and a just tendency, perhaps—to increase the number of seats so disposed of in proportion as the total number set free by disfranchisement has been large. But the claims of towns have also to be considered. And these may be divided under two heads. First, we have the claims of those large urban communities which have either reached such a point as to make it expedient to divide them, or at any rate to give them some addition to the number of their representatives; and secondly, we must consider the claims of those rising communities which, in a country like this, with a rapid and varied development of its industry and commerce, are continually coming into existence, and assuming great or appreciable shape and magnitude. Proceeding upon these principles, we propose to give twenty-six seats to counties in England. Dividing thus the southern division of the county of Lancaster, which has a population of 627,000 in the two districts, and which has three representatives at present, we proposed to give three representatives to each. That leaves us twenty-three seats out of our twenty-six. We then take, with a single exception, every county, or division of a county, not already possessed of three Members, and having a population above 150,000, and give to each of them an additional Member. This arrangement exhausts the twenty-six seats, which we propose to divide among the counties. I should not forget, however, to tell the House that we have taken the Census of 1861 as our guide with respect to population in regard both to the questions of disfranchisement and to those of enfranchisement; and that, when I speak of the population of counties, I exclude the population of existing Parliamentary boroughs, and also the probable population of those towns we propose to enfranchise.

I will now, Sir, read the divisions of counties to which we propose to give additional Members. The south-west division of Lancashire, comprising the hundred of West Derby, and the south-east division of Lancashire, comprising the hundred of Salford. To them we now propose to give three representatives each, and we also propose that the following should each have three Members:—The northern division of Chester, and the southern division of Chester; the western division of Cornwall; the northern division of Derby; the northern division of Devon, and the southern division of Devon; the northern division of Durham, and the southern division of Durham; the northern division of Essex, and the southern division of Essex; the western division of Kent, and the eastern division of Kent; the northern division of Lancaster; Lincolnshire; the western division of Norfolk; the eastern division of Somerset, and the western division of Somerset; the northern division of Stafford, and the southern division of Stafford; the eastern division of Surrey; the North Riding of York, the northern division of the West Riding of York, and the southern division of the West Riding of York. These among them take the twenty-six seats, and it will be observed that we have not included in this list the county of Middlesex.

We have foreborne to include it, because we think the county of Middlesex ought, for the purposes we have now in view, to be regarded rather with respect to the metropolitan representation than to the representation of the rest of the country. And in dealing with the representation of the metropolis, although we propose to make an increase of it to some extent, yet we do not propose to increase it on the same scale as that on which we propose to increase the representation of more distant places, because it is obvious that the representation of the metropolis, owing to its proximity to the seat of Government, and the closer relations of unity subsisting generally between its Members, is more efficient and possesses greater weight than a similar numerical quota of representation in other portions of the country. We do not propose, therefore, to give to the metropolis the extraordinarily large number of Members which it would be entitled to claim if it were dealt with in respect to its population alone.

Twenty-six seats, then, having been disposed of, we next propose to give a third Member to four boroughs having a population exceeding 200,000—namely, Liverpool, Manchester, Birmingham, and Leeds. That proposal raises our twenty-six to thirty. We then propose to give a second Member to Salford, which has but one at present, although it has a population exceeding 100,000. It is the only town in the whole country which stands in that predicament. Thus we have disposed of thirty-one. We next propose to divide the borough of the Tower Hamlets, which has the largest population of any represented district in the country, exceeding even South Lancashire by about 20,000. The population of the Tower Hamlets, according to the last census, is 647,000, and it is proposed to separate it into two divisions, and to represent each division by two Members. That proposal is tantamount to creating an additional metropolitan borough, without altering the general standard for the representation of the metropolitan boroughs. We also propose to take Chelsea and Kensington, which had in 1861 a population of 133,000, out of the county of Middlesex, and to make them a borough returning two Members. It will be borne in mind that Chelsea and Kensington embrace a district of considerable extent, with a very rapidly growing population, so that their present population must be much beyond that which I have stated. We also propose to give one Member to each of six unrepresented municipal boroughs having respectively either within its municipal or intended Parliamentary boundary a population of 18,000 persons, and upwards. This arrangement will dispose of six more seats. Those boroughs are Burnley, Stalybridge, Gravesend, Hartlepool, Middlesbrough, and Dewsbury.

All of these, except Hartlepool, would follow the existing municipal boundaries; and Hartlepool would, I believe, consist of the present municipal borough of Hartlepool with the parish of Staunton. Thus far I have turned to account forty-one seats out of the forty-nine; and the forty-second we propose to give to the constituency of the University of London, a learned body, at present very numerous, and one constantly and rapidly increasing.

We have further, Sir, to consider the very important, and, indeed, irrefragable, claim of Scotland to an increase in the number of Members by whom it is represented in this House. Either the basis of population, or the basis of population combined with property as decided by taxation, will prove that it is impossible to refuse or to overlook the claim of Scotland to an augmentation of representation. We do not, indeed, propose to give to Scotland the precise number of seats which Scotland might, perhaps, have been entitled to require, had we been engaged in a complete reconstruction of our Parliamentary system; but a moderate demand on behalf of Scotland we are certainly not prepared to resist.

We have, however, had to consider the question whether that demand should be satisfied by a transfer of seats from England or by an addition to the total number of the House. That question is, as far as I know, a matter purely of policy and convenience; and we have concluded upon the whole, after some consideration, that this House would be disinclined to add to the number of its Members, under the belief, whether well or ill-founded, that if the proposal to increase were once assented to, it would be difficult to resist the continual intrusion and continual concession of new demands. We, therefore, Sir, propose, although with some reluctance, that England, out of its abundance, shall minister somewhat to the poverty of Scotland; and that the remaining seven seats, the difference between the forty-two and forty-nine, which are supposed to be gained by our process of disfranchisement, shall be given to Scotland. The grounds of that disposal will, perhaps, be best stated by my learned Friend the Lord Advocate; but I may state briefly the places concerned. We propose to give an additional Member to each of the counties of Ayr, Lanark, and Aberdeen; a third Member to the borough of Glasgow, a third Member to the city of Edinburgh, a second Member to the town of Dundee, and one Member to the Scotch Universities. These eminent and learned bodies, as well as the University of London, are already possessed of a very large constituency, which, as I hope, will continue to increase from year to year.

That, I think, disposes of all I need say with respect to the re-distribution of seats, unless, indeed, I add a word on the subject of Ireland, which appears to us to stand entirely on its own ground. If we compare the present population of Ireland with the share which it has of the entire representation, it was quite clear that Ireland, with its 105 representatives, is hardly in a position to make any new claim, while, on the other hand, there is clearly no necessity to make any claim against it.

Neither do we think it necessary to make any proposition with respect to Wales. The general arrangement of the Welsh boroughs and the working of the arrangement are satisfactory, and the few marked inequalities that subsist there, have not appeared sufficient to warrant, or at least, to require any disturbance of the existing arrangements.

I now come to the question of boundaries; and, first of all, I will advert, not in terms of censure, but simply for the purpose of discussion, to the plan which was proposed in 1859. The question of boundaries is manifestly one capable of being extended to a vast importance. In point of fact, under the terms adopted in the Bill of 1859, it might have assumed the whole of that vast importance; for, in the 57th clause of that Bill, it was stated that wherever the population properly belonging to a Parliamentary borough extended beyond the Parliamentary limits thereof the boundaries of that borough should be so enlarged as to comprise every part of the population "properly," (I think I use the language of the Bill) or "substantially" forming part of such borough; and it was further enacted that the Inclosure Commissioners should appoint Assistant Commissioners who should visit every borough in England and Wales for the purpose of examining the boundaries, and who should report to the Secretary of State wherever any enlargement of boundaries was in their judgment necessary in order to include within the area thereof the population "properly" belonging to such boroughs respectively.

Now, the difficulty which occurs to us, and which appears almost, if not wholly, insurmountable, is this: that a general enactment of that kind, creating an authority to visit every borough in England and Wales, would have no adequate guide supplied by such words as I have cited, to enable it to perceive the purpose of Parliament to interpret the commission under which it was to act. Again, there is another point which cannot be excluded from consideration. In England we have a great many boroughs, Parliamentary boroughs, which have already been extended far beyond their natural limits. It must never be forgotten, in considering the apparent disparity between the representation of boroughs and counties with reference to their population, that quite apart from the important circumstance that many small boroughs are in point of fact merely head-quarters of the rural districts to which they belong, a large number of small boroughs are under a great, even a dominant, influence from purely agricultural and farming districts, which have at previous periods, and mainly at the great epoch of the Reform Act, been attached to them. If, then, we are to adopt this as a principle, that the limits of the Parliamentary borough are in all cases to be the limits of the town, and if, accordingly, we are to have a general re-consideration of the boundaries of boroughs on the principle of including everything that substantially belongs to them, how are we to reply to the argument that we ought to re-consider these boundaries with a view to abridgment, where by an artificial arrangement they now include, as they do in many, perhaps in scores of cases, rural districts of the kind I have described. We are not willing to set in motion any such universal disturbance of the boundaries as they exist at this present time. For if we are to have by our proposed legislation a consideration of the question of the boundaries of towns founded upon principles as broad as those which were included in the Bill of 1859, it seems impossible to avoid the conclusion that in equity a double process would be rendered necessary—a process of curtailing as well as of extending—and that upon such a process it is by no means desirable to enter.

But there is another great difficulty; how in the world would it be possible for any set of Commissioners to determine by their own wit what extent of area of population properly belongs, or substantially belongs, to these boroughs? If we look at the large towns of the country, we see them in a state of general and somewhat rapid extension; but that extension is varied in its forms. There is one kind of extension which is locally continuous, and which includes all the various descriptions of building usually composing a town —the extension of buildings for purposes of business; along with that, an extension of shops, and also an extension of dwellings for the labouring population. But there is yet another movement of enlargement, entirely distinct from such an enlargement as I have last mentioned, and such I may presume roughly to call a residential extension, effected by or for the wealthier inhabitants of the borough, who, availing themselves of the facilities of locomotion now commonly afforded, seek to enjoy the advantages of something like a semi-rural residence, and who are loosely scattering the suburbs of many boroughs far and wide through their vicinities. But, it would be, I think, very difficult indeed, and without much more precise direction, absolutely impossible, for any body of Commissioners to undertake to deal with extensions of that class. Where the extension is perfectly continuous I grant it might, perhaps, be done. Where, however, the extension is not continuous, I think, first of all, the task would be in itself immensely difficult; and in the second place I think it would probably be found to become impracticable, from the mixture of political motives and objects, which — though they might not bias the minds of the gentlemen Parliament might appoint for this purpose—would necessarily bias our minds, as the representatives of the counties and the towns, when we came to watch the re-adjustment of these boundaries and to scrutinize the local re-distribution of power in each of the portions of the country dealt with.

Therefore, Sir, we have sought for some other method of proceeding less extensive, but, as we think, more natural and spontaneous, and unquestionably much more safe. I will state in detail the whole of what we propose to the House. In the first place, we propose two enactments—one of a positive and limited character, and another of a prospective character. With regard to provisions of a positive character, although it is not possible to settle any such boundaries by means of a Bill of this nature, inasmuch as a consideration of them, if it were to be generally undertaken, would require too much time—together with information we do not at present sufficiently possess—yet such of the points as we can satisfactorily settle and dispose of, we propose to dispose of by positive enactment. These enactments would, however, only extend to a particular class of places. There are certain places, although we do not know that they are numerous, where the municipal boundaries appear to include certain districts not included in the Parliamentary bounds. Wherever that happens, that we think is a sufficient warrant for our assuming that the natural limits of the towns include something that is not included within the Parliamentary boundary; and therefore we propose a general provision to the effect that wherever the municipal boundary includes any area that is not now within the Parliamentary boundary, the Parliamentary boundary is to be so far enlarged as to include that area. The other positive enactment is of a similar and obvious character. It is that the Commissioners of Inclosures shall consider and arrange—subject to the approval of Parliament—the boundaries of all the newly-enfranchised towns; and also the proper boundary to be fixed between the two proposed sections of the Tower Hamlets. In the meantime, provisional boundaries are named in the Bill; following, I think, in that respect, the precedent of the Reform Act.

Now I come to the prospective and more comprehensive question; and the conclusion at which we have arrived is this. In order to avoid all feuds and differences from the mixture of considerations of practical convenience and considerations of political power, the best course will be to adopt a rule for the future which will tend to separate these conflicting motives. We propose that Parliamentary boundaries shall prospectively follow the local line—that is to say, the line which local considerations may cause, or devise, or recommend to be adopted. In the growth of our towns there is a progressive tendency to the enlargement of boundaries; and there is a law already by which in certain cases it is provided for. The question of municipal extensions has lately been before the House. My right hon. Friend the Secretary for the Home Department, in answer to an inquiry in this House a few nights ago, stated his intention to introduce a measure for the purpose of facilitating that process; and the principle of the measure I will state to the House.

I ought first, however, to remind the House that at present our Parliamentary boroughs are under three descriptions of governments. Most of them are municipal boroughs, with a regular municipality; some are boroughs which have been incorporated under the Local Government Act; and others are boroughs which have been incorporated under some special local Act of their own for the improvement of towns. I, however, draw no essential distinction between them. In all three classes of cases there is a local community, and there is a local authority. And where towns continuously extend themselves, it is commonly the interest of the inhabitants of the outlying portion for the purposes of police, and other purposes of self-government, to seek to be included in the municipal borough, or town community, however defined. The principle of the Bill of my right hon. Friend will be this: wherever the inhabitants forming the local community shall address Her Majesty, or address the Secretary of State, proposing that certain districts shall be added to the town, and the inhabitants of those districts so to be added shall at the same time express their willingness to be joined to the town, there shall be a power vested in Her Majesty in Council to sanction the union, subject, however, to the approval of Parliament; and the provision which we shall introduce into this Bill is that, wherever any such enlargements shall take place, the Parliamentary borough shall follow the enlargement made for local purposes. In this way we think we shall avoid the mixture of political controversy with a question which is properly a local one. A local community, whatever it is, should be represented; and we think the best and safest definition of a local community will be obtained by giving facilities to the inhabitants for fixing its limits from time to time as considerations of their own practical convenience may dictate and require. That, Sir, briefly described is the plan which we propose to adopt with reference to boundaries, and which will be found to be provided for in clauses contained in the Bill. I now ask to lay on the table a Bill which I hope will by to-morrow be in the hands of Members.

I next, and lastly, come to the question of procedure with reference to these Bills, on which I propose to say a very few words. I assume that leave will be given for the introduction of this Bill, and also of the two Bills—leave for the introduction of which will be asked this evening by my hon. and learned Friend the Lord-Advocate, and by the right hon. Gentleman the Chief Secretary for Ireland. We shall then have, in fact, on the table of Parliament four Bills relating to the representation of the people; but the question of procedure, on which so much interest has been felt, is a question which mainly relates to the two which affect respectively the franchise and the re-distribution of seats, and what I have to say will be confined entirely to these two Bills. Now, looking back to the terms of the Amendment which we recently debated during a period so protracted, I find that those terms have been at this period literally complied with. The wish expressed in it was that the whole scheme of the Government, which was interpreted by common consent to signify the measures dealing with the re-distribution of seats and the boundaries of boroughs, together with the provisions relating to the franchise, should be laid before Parliament at the time when it was asked to proceed with the Franchise Bill. But although this was all which was asked by the Amendment, more, undoubtedly, was asked in the debate. And I cannot, perhaps, explain myself more correctly than by referring to the terms used by the noble Lord the Member for King's Lynn. The noble Lord used the word "guarantee," and he said something like this—that he wanted some guarantee that the two subjects of the franchise and the re-distribution of seats should be in the hands of one and the same Parliament. That is the end which the House appears to have in view, and I may add that it has been an end invariably in our contemplation. We have never felt the same degree of jealousy or the same amount of apprehension of inconvenience with regard to the possible or casual separation of the two objects—even if that separation should in the extremest case chance to be attended with an intervening dissolution — which was expressed by the noble Lord and by others; but we have always thought and said that it was convenient, advantageous, and desirable that these two questions should be dealt with by the same Parliament.

The modes of attaining that end have been variously suggested. My right hon. Friend the Member for Gateshead suggested the addition of something in the nature of a suspending clause to the Franchise Bill; and my hon. Friend the Member for Wick suggested that these two Bills—the Franchise and the Seats Bills, should proceed *pari passu*, meaning, I presume, that the corresponding stages of each Bill should be taken in succession, one at a time. But then, if our minds are worked up to a certain high pitch of jealousy, even that arrangement does not meet the case, inasmuch as we cannot read two Bills a third time at one and the same moment. The Speaker must put the Question, on that as on every other stage, with regard to one of them before it is put for the other; and hence there is, at any rate, an abstract possibility of the separation of these two measures which it is desired to treat as Siamese twins. Another proposal—I do not remember that it was made in the late debate, but it has been suggested at various times—is the incorporation of the two Bills into one and the same measure. That, no doubt, would perfectly secure the simultaneous treatment of the two subjects, and there is but one point of view in which we must continue to feel difficulty or hesitation as to their combination. However, that point of view is under the actual circumstances one of much importance. When this measure was introduced, we did not feel ourselves in a condition to say to the House of Commons, "We now ask you to amend the representation of the people, and to make whatever sacrifices of time or personal convenience may be necessary for any extraordinary prolongation of the Session with a view to the complete treatment of the measure." But, at a subsequent stage of our discussion, I did state to the House that we had no objection whatever to go on contemporaneously or successively with these subjects, provided it was understood that they were not to be dropped on the score of mere want of time, but that we were to persevere and keep at the oar until they were disposed of. That was the correct meaning of the statement in which I adverted to an autumn sitting. An autumn sitting does not necessarily mean an autumn Session; because, as the House is aware, there is another method of proceeding which has on rare occasions been adopted, and which might be adopted again, so as to prevent the dropping for the year of a weighty measure under consideration—namely, a lengthened adjournment of the House in July or August, until the month of September or October, when the remainder of the work might be performed. [*Laughter and cries of* "Oh, oh!"] It is quite evident from the way that observation has been received that some hon. Gentlemen are not exceedingly anxious about the combination of the two Bills. What, however, I wish to do is to describe simply, frankly, and clearly to the House the position of the Government. What the Government object to is the loss of the year. We are not willing to be parties to the loss of the year by the postponement of the subject. We may have been right or we may have been wrong in thinking it wise to bring forward this subject in the present year. We believe that we were right. But I think it must be obvious that, having proposed it, we ought not to recede from it. Our intention is to persevere with what we have proposed. If it be the desire, the general desire, of the House to adopt any method—and other methods may be suggested besides those that I have named—of attaining the object which the noble Lord has in view—namely, guaranteeing that these questions shall not be separated, we are perfectly ready to consider of and adopt that method, subject only to the condition that we shall go forward, and not throw over the subject, not for consideration, not even for recommencement, but for the chance of recommencement, in another year.

Looking to what had happened at the period of the Reform Act, and taking our measures of time from that period, I did state on a former night that we had come to the conclusion that it would be impossible to dispose in a satisfactory manner of the subject of re-distribution of seats within the limits of the Session. But the House must be aware of the difficulties under which any computation of that kind is formed; and if there be a disposition to agree upon the re-distribution of seats, there is no intrinsic difficulty in the matter, for there is nothing in the question itself of a nature absolutely to require prolonged discussion. [*Laughter.*] I do not know what excites the humour of my hon. Friends. I think that a true and a very plain statement. On the other hand, if there is a disposition to treat the re-distribution of seats as matter of controversy and to stickle upon every topic as it arises, the points that may be urged, the varieties of arrangements that may be suggested, are so numerous as might create a very large demand indeed upon the time of Parliament. And it was in the expectation that there probably would be such a large demand upon the time of Parliament that I said we had come to the conclusion that we should not be able to dispose of the whole subject during the Session. But on that matter we place ourselves in the hands of the House. We shall be very glad if it be the pleasure of the House to proceed with greater despatch than we are sanguine enough to anticipate; it would be in our opinion all the better for us and all the better for the country. Now let us consider what is required by the objectors and by us respectively. The point urged on us is that the subjects should not be separated, but that one should securely and certainly follow in the train of the other. The point we have to urge is that the year should not be lost. And therefore if it be proposed to combine the subjects, whether by consolidation of the two Bills into one, or by any other method less stringent but still satisfactory to the House, we shall give a willing consideration to the proposal, if only it be understood that we adhere to our original proposition, and that we have no intention to advise the prorogation of Parliament until the whole subject—meaning by the whole subject nothing less than the question of the franchise and the question of the re-distribution of seats —shall have been disposed of by the judgment of the House.

What I have said I think and hope will convey clearly the position generally which the Government desire it to be understood that they occupy. At the present moment I will add nothing specific with respect to any form of the procedure upon this Bill for the re-distribution of seats. Our impression is that Members of this House have been waiting until to-day to learn the character and substance of this Bill, and that on being apprised of its character and substance that they will naturally and reasonably proceed to form a final judgment as to the question of procedure. Our desire is not to quarrel with any portion of the House which is really agreed with us as to the end in view, about any question of mere procedure. If we have had debates involving matter of warmth and deep political interest, the whole of those debates I put out of view and memory for the present purpose; and I assume that we are met now with a view to the prosecution of this Bill, and of the subject, with all the despatch compatible with its due consideration. There is no element, as I hope the House will see, of reproach or controversy in the declaration that I now make. We are ready frankly to enter into such arrangements as will give the House the best security for retaining in its own hands the power of dealing with the whole subject; our only and I think legitimate desire being, that we may not lose the time and labour that have been already spent, and that we may not be forced to trust the matter to chance, to the unopened future, to the accidents of another Session, or of the interval before it arrives. I have only to add that in saying Her Majesty's Government would not advise a prorogation until the whole matter has been disposed of, if it be the desire of the House to combine the two Bills into one, of course I must be understood as reserving with respect to prorogation all causes of public policy or exigency arising *aliunde* for any exercise of any Royal Prerogative. I mean that in the absence of such causes in the usual course of business prorogation would not be advised, until this subject has been disposed of. In some manner or other, I cannot but entertain the hope that some method of proceeding with this question in a manner enabling us to arrive at a definite issue will be attained. I am sure it will be eminently satisfactory to the country that, having addressed ourselves to a settlement of a question of such vast importance, we should treat it with that earnestness of purpose which on every account it demands at our hands.

Sir, I move for leave to introduce a Bill to make provision for the Re-distribution of Seats.

Mr. DISRAELI: I mean to touch only on one of the three subjects that the Chancellor of the Exchequer has brought under our consideration; and when the right hon. Gentleman rose, I did not contemplate that it would be necessary for me to trouble the House upon any of those points. I shall, however, confine myself entirely to the matter of procedure. I must say I have listened to the speech of the Chancellor of the Exchequer upon that topic with a feeling akin to astonishment. It is generally considered the duty of a private Member of the House, when he brings forward a Bill or proposes a measure for our consideration, that he should at least indicate the mode in which he intends to invite the opinion of the House, and the time at which he thinks it may be convenient to ask for that opinion. But, as I could collect from the right hon. Gentleman's observations, he has not supplied any means to the House by which we can arrive at a conclusion as to the course which the Government proposes that the House should adopt. Irrespective of being a Member of this House, the right hon. Gentleman who brings forward this measure is also the leader of the House of Commons, and it is his duty to regulate the general course of business. Now, here is a measure which relates to the most important business now before the House—business which has already engaged its attention during a great portion of the Session, and which, as contemplated by the Chancellor of the Exchequer, is likely to engage its time and attention during the rest of the year. But, as far as I am able to gather, the Chancellor of the Exchequer abandons the duties of his position. I am at this moment really at a loss to know on what day or in what manner the opinion of the House is to be elicited on this important subject, introduced by Her Majesty's Government. I must, therefore, put it to the Chancellor of the Exchequer not to shrink from that which is one of his principal duties; and I hope that after some conference on the Treasury Bench, we may be informed on what day and in what manner the opinion of the House is to be taken on this important proposition.

Mr. BOUVERIE: The time for fixing the second reading of a Bill is after the Bill introduced has been read a first time. But though in appearance this may be a question of procedure, I think it is a very much deeper one in reality. It is a question of whether we shall go on with these measures or not. Sir, there are three parties, as far as I can make out, in this House. There is one party which, acting indirectly, is opposed to proceeding at all, either with the Franchise Bill or this Re-distribution Bill—headed on this side of the House, perhaps, by my right hon. Friend who sits beside me (Mr. Lowe), and on the other side by the right hon. and gallant Gentleman the Member for Huntingdon (General Peel). I think there is also a party in this House composed of those who are inclined to proceed with the Franchise Bill alone. Now, these parties, although influential in point of numbers, and influential in weight by the Members of which they are composed, do not, as I think, represent the feelings and opinions of this House, and do not, as I am convinced, represent the feelings and opinions of this country. The third party is, I believe, composed of a majority of this House, and consists of those who desire to deal with this matter in a substantial manner, and to endeavour to arrive at a satisfactory and conclusive arrangement. We cannot afford—especially in such times as seem to be approaching in Europe—to be continually fighting this question. I am satisfied we shall be acting in accordance with the feelings of the country if we take advantage of the choice now offered us by the Government of the mode of proceeding with these measures; while we should not be acting in unison with public opinion if we now sought to escape from proceeding at all. The question about the re-distribution of seats I believe to be the real pinch of the problem—it is the difficulty—the *crux* in the problem—and I, for one, have always been desirous, and I believe the majority at both sides of the House have always been desirous, that in dealing with the subject of Parliamentary Reform this question should be brought before the House in conjunction with the other one of the franchise, in order that honestly and faithfully we might endeavour to come to a satisfactory conclusion on the whole matter. There is no difficulty about a proposition to lower the franchise. Anyone can propose to substitute another figure for £10 in boroughs, and another figure for £50 in counties. No conjuror is required for such a proposition as that. The real difficulty lies in this re-distribution of seats; for within this is involved the problem how to enlarge the numbers of the constituency without affecting the influence of property; how to add to the poorer classes of the constituency without increasing the means of corruption; how to improve the general representation of the people by getting rid of small boroughs. This is the real pinch of the problem, and it calls for the statesmanship of the Government and the energy and wisdom of the House. We cannot settle this matter in a short time and in a perfunctory way; and if we mean to treat it with a view to a settlement, we must deal with the question of these small boroughs. The Chancellor of the Exchequer has very handsomely abandoned his argument in favour of small boroughs which he advanced with so much eloquence on a former occasion, when he upheld them as schools for sucking statesmen. On looking into this matter, we find that almost the whole of the boys sent into this House represent large and important constituencies; so that argument for the small boroughs is got rid of. We know that formerly there existed a great objection to these boroughs on the ground of their being nomination boroughs. Many of them used to be in the hands of great Peers or of other landed proprietors, and the owners sold them to persons ambitious of a seat in this House. That practice, with perhaps some very few exceptions, has disappeared. But what has been substituted for the system which prevailed at Gatton or at Old Sarum? Now, it is an attorney who in one of those small boroughs, by the power he possesses over the voters in those wretched places, is able to sell the borough. Therefore I, for one, am desirous to see as large a sweep made of those miserable places as can be made consistently with the prospect we have of being able to carry the Bill. By the opetion of the Reform Act some of those nomination boroughs were turned into a sort of electoral district. In old law books we find that boroughs are defined as ancient towns; but many of those boroughs are towns no longer—they are decrepit and decayed villages in the centre of an extended electoral district, and with respect to many of them the power of returning the Member is in the hands of one or two persons having large property in the district. Now, if we can deal with that state of things, I submit to the House we ought to do so. I, for one, quite approve the proposal of Her Majesty's Government. I think that grouping those boroughs is the only mode by which you can secure the absence of nomination and the comparative absence of corruption in future. As the right hon. Gentleman the Chancellor of the Exchequer has said, we have the system of grouping in Scotland, and it works satisfactorily and well. Mere local interest and local parties are neutralized by this grouping. Therefore, though I wish the Government proposal for grouping had gone still further, I think, as far as it goes, the attempt is one to carry out the system honestly and faithfully. I also approve generally the principle of giving the largest proportion of those seats to populous counties. Though some of them will go to Cornwall and Devon, it is in such counties as Lancashire, Derbyshire, Yorkshire, and Durham the greater number of those new seats will be created, and those are the counties in which the centre of gravity of political power ought to be placed, as it is in them that the greatest wealth, industry, activity of mind and body, and intelligence are to be found. On these grounds, I think, as far as regards the substance of this proposal of the Government, it will be acceptable to the country, and acceptable to the large body of Members of this House who were inclined to suspend their judgment on the Franchise Bill till they knew what was proposed in the re-distribution of seats. Now, one word about the question of procedure as referred to by the right hon. Gentleman the Member for Buckinghamshire. It is quite true that we generally look to the Government, and especially to the leader of the Government, to indicate what course they are willing to propose to take with regard to any important measure before the House. But the House must recollect that in respect of this subject the Government did that, and that a very large and powerful minority—amounting almost to one-half of this House — agreed to a Resolution implying disapproval of the course which the Government proposed to take. Therefore, what more natural than that the Government should say, "We thought such a course right in the first instance; but, though supported by a majority of the House, we found a large and influential minority, including very many of our own supporters, express their disapprobation of that course, and, consequently, we are now anxious to consult the wishes of the House?" I have no doubt myself as to what the proper course ought to be, and I think it is a course which will be satisfactory to the great bulk of this House—that is, to those who are really desirous to see a measure pass which will substantially put the question at rest during the remainder of our lifetime. I think the Bills ought to be put together, and the second reading of this Bill taken before the Committee on the Franchise Bill. This Bill can then be submitted under a Standing Order of the House to the same Committee as the Franchise Bill, and that Committee, according to the ancient practice of the House, can be instructed to make them into one Bill. Then we shall have before us substantially the whole of this great measure — for it is now, I may tell the House, a very great measure. We shall then be able to discuss it as a whole in all its bearings, and we shall be able to amend it if we think it requires amendment, or to reject it as a whole if we think it ought to be rejected. We shall be able to pass it whether it be amended or not, and with a perfect guarantee that the matter shall be dealt with in its entirety. This was professed to be the great object of the Amendment which was moved by the noble Lord the Member for Chester (Earl Grosvenor). I believe it was for this object that a great many Members of this House voted for the Amendment, being honestly desirous of seeing the scheme on this branch of the subject, and of having the two questions dealt with substantially as one. Therefore, if the course which I suggest be taken, the object they had in view, and which, I believe, all the House had in view, will be attained, and whether we pass or reject the measure we shall come to a clear deliverance on the question, and the House indoors and the country out of doors will be able to decide upon the opinion we may form.

SIR HUGH CAIRNS: The observations of the right hon. Gentleman who has just sat down are no doubt extremely interesting, and I dare say they have produced the effect which was intended, and have given to Her Majesty's Government an opportunity of considering the answer which they presently will give to the very distinct question that was put to them. The right hon. Gentleman is quite right in saying that the ordinary time for fixing the further progress of a measure which you have introduced is after the Bill has been read a first time. But the right hon. Gentleman entirely forgets that the Chancellor of the Exchequer informed us that he had to address his observations to three different questions—the question of the re-distribution of seats, the question of the extension and rectification of the borough franchise, and thirdly, to another question which he said was, perhaps, the most interesting one of all—namely, the procedure with the measures which were before the House. And the astonishment which was felt by some, certainly, on this side of the House was caused by the right hon. Gentleman, after having spoken some time with reference to the procedure, sitting down without having given us the slightest intimation as to what the procedure was to be. Now, are we unreasonable in asking the Chancellor of the Exchequer and Her Majesty's Government for some explanation upon this point?

Let me remind the House for a moment of the various modes of procedure which we have been told at different times by the Government would be resorted to. We were told that the Government, although they were prepared to admit in the abstract that re-distribution of seats formed a portion of Parliamentary Reform, yet that was the utmost admission they would make; and not only that, but, to use the words of the Chancellor of the Exchequer, the Government, considering it an unwise thing to make pledges as to future Sessions, would do no more than say this—that if at some future period it should be the duty of the Government to propose a measure for the re-distribution of seats, the Government thought perhaps this Parliament might consider that question. That was the first opinion of the Government as to procedure. What was the next? The next stage was when it was resolved by the Government to announce to the House that they would lay upon the table measures for the re-distribution of seats; and the Chancellor of the Exchequer said, as reported in *The Times*—

> "At the same time I cannot state too distinctly to the House, as we are desirous above all things not to be misunderstood, that our intention in laying the Bills on the table is confined at the present time to the object I have named—of giving information to the House, and that we propose to proceed with the Bill relating to the Franchise in England and Wales in the manner we announced, and with that Bill exclusively until its fate is determined."

Now, what is the explanation we have to-night? The right hon. Gentleman, who has just sat down must remember what happened. There was a great House and a great division, and the Government had a small and almost imperceptible majority, composed, I believe, of those Scotch Members to whose country seats are to be added. But as regards England and Ireland the majority was against the Government. By the division so arrived at the right hon. Gentleman the Chancellor of the Exchequer said the House had plainly intimated to the Government that they disapproved the form of procedure which the Government had up to that time adopted. That being so—the House having in substance told the Government that it disapproved the Government procedure up to that moment—it was very natural, according to the right hon. Gentleman (Mr. Bouverie), that the Government should come to the House and tell them that it was for them to tell the Government, and not for the Government to tell the House, what form of procedure should be adopted; that the Government having been reproved and condemned by a minority of the House, which would have been a majority but for Scotch Members and Cabinet Ministers, on account of their form of procedure, it was now for the Government to come to the House and say, "It is for the House to dictate to us what our procedure should be, and not for the Government to tell you what it is to be." That is a doctrine which may be the doctrine of the right hon. Gentleman (Mr. Bouverie), but we ought to know whether it is the doctrine of the Government. It is, I agree, very like what the Chancellor of the Exchequer stated to us; but if that is the doctrine which the Government is prepared to maintain, I think the House ought to know it, and to be made aware in language as to which there can be no doubt that the Government abdicates its functions, and that we are to resolve ourselves into a Committee to consider how the Government of the country should carry on its business.

GENERAL PEEL: I am not in the habit of making use of indirect means. The right hon. Gentleman (Mr. Bouverie) tells us that there is one party in this House who wish to defeat this measure by indirect means, and he has coupled my name with them. Now, I can assure the right hon. Gentleman that my opposition to it will be direct and open. I am anxious to see this question settled; for I have no wish to see the Reform Bill buried and dug up again whenever it pleases the right hon. Gentlemen opposite to do so. I am anxious, as I said before, to see the right of voting conferred on many people who do not now possess it; but I shall take the opportunity of opposing this Bill whenever an opportunity presents itself.

THE CHANCELLOR OF THE EXCHEQUER: I cannot accept, on the part of the Government, any portion of the rebuke which the right hon. Gentleman the Member for Buckinghamshire administered to me; nor does it appear to me that we, who were so largely charged a fortnight ago with domineering over the House and with dictating to it, and who then thought we were quite innocent of the charge, are a bit more chargeable with the abdication of duty now imputed to us. Our course has been this. We originally stated to the House our ideas of the form of procedure best calculated to attain the object we had in view, that object being the settlement of the entire question; but I am not aware that the Government is precluded from accepting suggestions and amendments, even affecting the substance of its measure, if there be sufficient ground for doing so, and especially having some regard to the quarter from which they proceed. Much less is it to be precluded from paying that consideration which courtesy and deference, and principle as well as policy dictate as to its order of proceeding. We wished to ascertain the opinion of Gentlemen like my right hon. Friend the Member for Kilmarnock, whom we believe to be perfectly serious in his desire to attain the common object, and yet differ from our method of procedure, we not having kept back our own opinion on the subject. I have expressed a great willingness on the part of the Government—and I express it again—to learn the views of others with respect to the question of procedure, in order that we may have an opportunity of judging whether any modification which they may desire is a modification compatible with the attainment of the end which we propose to ourselves to reach. That appears to me to be a method of procedure which is practised every day in this House with regard to questions of all kinds, and I hope the time will never come when it will not be practised. What I gather from the speech of my right hon. Friend (Mr. Bouverie) is this—that the real and principal question with regard to the order and manner of proceeding on these Bills will be determined between the second reading of the Bill and the Committee, and that that will be the time when we shall be in the best position to judge what course we may finally adopt with a view to the attainment of our general object: and I think, bearing that in mind, I can hardly go wrong in saying that I will to-night, after the first reading, propose to read the Bill for the Re-distribution of Seats a second time on Monday next. I will postpone the Committee on the Franchise Bill till that day. And I must say I shall have felt not only justified in the course I took, but that I even could not, with propriety or decency, have taken any other course, knowing as I did, and as all my colleagues did, that hon. Gentlemen were wishing to learn the nature of our proposals with regard to re-distribution, before forming their opinion as to the mode of proceeding. I could not possibly form my own judgment as to the course they desired us to pursue with regard to procedure, and I could not at the present time ask them to give a final indication of what they desired respecting that part of the question. If, however, the right hon. Gentleman thinks that because I intimated that desire of learning the wishes of hon. Gentlemen, and showed deference to the House in respect to this question, it may be inferred that the Government has altered its mind and abated something of its determination in regard to the main issues involved in the measure, I hope a very short time will be sufficient to undeceive him.

Mr. ROBERTSON rose to express his great astonishment at the accusation the hon. and learned Member for Belfast (Sir Hugh Cairns) had brought against the ScotchMembers of Parliament, and said he would repel the accusation in the strongest language that would be Parliamentary. He gave the House his word, as a Scotch Member, that until he heard the speech of the Chancellor of the Exchequer he had not the remotest idea how Scotland would be dealt with. He might even go further. They had heard extraordinary statements, and a very extraordinary one that night, about bribery at elections. As regarded Scotland, both the constituents and those whom they sent to Parliament were incapable of being bribed. He regretted that the hon. and learned Member for Belfast had unadvisedly made the accusation he had, and he repelled it with scorn.

Sir RAINALD KNIGHTLEY: We lately heard a good deal about standing or falling by the Franchise Bill. When I heard the Chancellor of the Exchequer make that statement it occurred to me whether it would be possible for him to strike out a third course and do neither one nor the other, and I must confess the right hon. Gentleman has accomplished that difficult task. The position the Chancellor of the Exchequer at present occupies reminds me of what we sometimes see when we return home late at night, and come across an unfortunate gentleman who has been "dining, not wisely, but too well," who is clinging convulsively to a lamp post, afraid to advance and unable to stand upright, but who is determined, if possible, not to fall:—so the Chancellor of the Exchequer now wants the House of Commons to bring him a stretcher to take him home.

Motion *agreed to.*

Bill for the Re-distribution of Seats, *ordered* to be brought in by Mr. CHANCELLOR of the EXCHEQUER, Sir GEORGE GREY, and Mr. VILLIERS.

Bill *presented*, and read the first time. [Bill 138.]

REPRESENTATION OF THE PEOPLE (SCOTLAND) BILL.

LEAVE. FIRST READING.

THE LORD ADVOCATE rose to move for leave to introduce a Bill to amend the Representation of the People of Scotland. The right hon. Gentleman, who was indistinctly heard in the confusion arising from Members leaving the House, said, that the Bill proposed to deal with three matters—namely, the franchise in Scotland, the additional seats that were to be given to constituencies in Scotland, and the registration of voters in Scotland. In moving for leave to bring in a Bill to effect these objects, he might be allowed for a moment to refer to the state of the representation of Scotland before and since the passing of the Reform Act of 1832. Prior to that date Scotland had not even the shadow of representation. A very limited constituency elected the county Members, and the Members for the boroughs were chosen by corporations who elected themselves. Undoubtedly this state of things did not savour much of democracy, and he was sorry to say that there was not then an entire absence of that corruption from which Scotland was now supposed to be free. With the passing of the Reform Act Scotland for the first time obtained a popular franchise, and the constituencies called into existence by that Act were through it introduced to duties which were entirely new to them, and to which they were utterly unaccustomed. It was not claiming much for the constituencies to say that the privilege then bestowed on them for the first time they had not abused. It could not be said, in language that had been used that night, that there were venality and corruption in the lower grades of the constituency, and neither could it be said that in the higher grades there had been found the disposition to hold out temptations to corruption. There had been but one petition presented against a Return for Scotland on the ground of bribery since the passing of the Reform Act. He did not mention this to extol the superior morality of Scotland; he mentioned it for the double purpose of showing, first, that there was no necessary connection between a popular constituency and electoral corruption—no necessary affinity between a £10 franchise and venality; and second, and perhaps of more importance, that probably the only cure for electoral corruption was to be found in a sound and healthy state of public opinion, not merely in the lower, but also in the higher ranks, and not in a higher or a lower franchise. Corruption was a crime which it required two to commit; if there was no one to offer bribes, there would be none to accept them. How was it, then, that the constituencies of Scotland had been comparatively free from the base motives that had influenced other constituencies? He believed it was mainly owing to the fact that they were new constituencies, and that the traditions of corruption did not descend to them. The past history of the franchise in Scotland, and the fact that there was nothing to regret in the way in which the extended franchise had been exercised, inspired considerable confidence now that it was proposed to make a further extension. Now, as regarded the burgh franchise in Scotland, the Government proposed to adopt precisely the same figure that they had chosen for England, and to reduce the burgh occupation franchise to £7. A very few observations would satisfy the House that it need not look with any great apprehension to this extension of the franchise. At present the constituency of the burghs was about 55,515, and of these, as appeared from the statistics presented to the House, 10,174 belonged to the working or artizan class. Their proportion to the whole varied in different places, being 20 per cent in Edinburgh, 12 per cent in Glasgow, and 50 per cent in the Elgin burghs. The reduction of the franchise to £7 would increase the whole constituency by 26,223 voters, which number, added to the existing constituency of 55,515, would give a total of 81,738. Of the 26,223 new voters 17,670 would belong to the working class, their proportion being nearly two-thirds of the new constituency; and adding the 10,174 of the working class now enfranchised to the 17,670 to be enfranchised, would give a total of 27,844 or about one-third of the whole constituency of Scotland, that would belong to the working classes. That was undoubtedly a substantial gain for the working classes. It was adding to their power and influence, undoubtedly; but it was a total misapprehension to suppose that it would have the effect of transferring political power in Scotland from one class to another. There was an entire fallacy in supposing that the Bill would have any such effect, as the working classes who would be enfranchised by the Bill belonged for the most part to the skilled and intelligent portion of them. Moreover, of the 17,000 working men to be added, the majority, as might be expected, were to be absorbed by the great centres of industry. Edinburgh, Glasgow, and Greenock would have 14,000; and the general result was, that while in six burghs the proportionate voting power of working men would be increased, in the fifteen burghs that remained out of the total of twenty-one the voting power of the working men would be diminished. The explanation was, that the majority of those to be admitted to the franchise by the reduction from £10 to £7 were not working men, but were either masters or shopkeepers. For instance, in Aberdeen 657 not working men would be added to the constituency, against 229 of that class. Ayr would have an addition of 288, but of these only fifty-six would be artizans. Falkirk would have 262 masters alone, as against 118 working men added to the constituency. In point of fact, the working men admitted under this franchise would be largely outnumbered by the other classes who would be admitted with them. They had heard a great deal about democracy; but, taking the Returns presented to the House as accurate, there was little reason to apprehend anything on that score. He did not see the noble Lord the Member for Haddingtonshire (Lord Elcho) in his place, but he would find that the artizans added to the electoral list in the Haddington burghs would be only 38, as against 698; in the Inverness burghs, 33, as against 1,022; in Montrose, 26, as against, 1,806; in Wick, 57, as against 793; and in Wigton, 15, as against 518. Now, he neither rejoiced nor regretted at that result, which appeared on the whole satisfactory. It appeared to him to be very desirable that in the great centres of industry, where the artizan was best educated and most prosperous, he should have a considerable voice in the elections. On the other hand, nothing could more clearly exhibit than these Returns how utterly fallacious it was to take the total number of artizans that were to be enrolled and say that we were about to transfer political power to them. On the contrary, it was perfectly clear that while we were—he would not say giving a boon, but carrying out the principles of the Constitution by enfranchising these men—we were not in the slightest appreciable degree making a transfer of political power from any one class to any other. Political power did not consist in the mere voting for Members of Parliament, nor in the numbers of those who had votes. As the franchise stood, the occupiers between £25 and £10 probably outnumbered those above them by twenty to one; but was there a doubt that the political power of the country rested with the latter. The truth was, that the whole of this idea of transference of political power from one class to another proceeded upon the error of supposing that political power consisted merely in the possession of the franchise; whereas it consisted in far greater degree in the power of influencing public opinion. The franchise was merely the mechanism by which the power of influencing opinion was carried out. With regard to the burghs, therefore, he should not have the slightest fear in extending the franchise as proposed in this Bill. There was a property franchise qualification in the burghs of Scotland by which a person who lived within seven miles of the burgh, and was possessed of a house worth £10 without occupation, was entitled to the vote. With that privilege it was not intended to interfere. So much, then, with regard to the burgh franchise. With respect to the counties, it was proposed to deal with them in the same manner as in England—namely, to reduce the occupation franchise from £50 to £14. He was, he was sorry to say, not able to state with the same amount of accuracy as he had done with respect to the burghs what the result of that change would be; but he rather thought it would nearly double the electors. The number of voters under the present occupation franchise was 23,794; the £14 occupancy franchise would probably add 22,000, making a total of 45,794 electors. Then, as regards the property qualification, the House was aware that the 40*s*. freehold franchise existed only in England. It had been considered whether that qualification could not be extended to Scotland; but there were circumstances peculiar to Scotland which induced the Government to come to the conclusion that it would be undesirable to extend the 40*s*. freehold franchise to that country. They proposed, however, to reduce the £10 property franchise to £5, introducing the additional element of residence where the property was under £10. This is what was proposed for the counties. His right hon. Friend the Chancellor of the Exchequer had already told the House that it was proposed to give additional seats to Scotland; and he also informed the House how these additional seats were to be distributed. The seats at their disposal were few, and there might be some difference of opinion as to their distribution. But he thought that Glasgow, with its population of more than 400,000, was fairly entitled to one of these seats; he thought it would also be admitted that Edinburgh, as the metropolis of Scotland, ought to have one additional Member; and Dundee, with its population of 90,000, might fairly claim an additional Member. The other seats were distributed between the counties of Ayr, Aberdeen, and Lanark; and the four Universities of Scotland were to be represented by one Member. These formed the two main portions of the Bill. He would not trouble the House by going into the subject of registration further than to say that it was the intention of the Government to consolidate in one Act the provisions on the subject, and although the clauses which related to that matter would make the Bill more voluminous, there was in reality no novelty in them. With regard to the seats for the Universities, that, no doubt, was an experiment, but, like the other points relating to Scotland, he trusted it would turn out a success. He had now concluded all that it was necessary for him to say on the subject of the Bill. It was the third time that he had discharged a like duty, but he trusted that on this occasion the Bill would pass and would prove satisfactory. There was undoubtedly a strong feeling in the country that the proposal of the Government was reasonable; but, however that might be, he was perfectly satisfied that it was not creditable to the character of Parliament, and that it was disparaging to the character of public men, that this question should be bandied about and hustled and jostled from one party to another. He begged to move for leave to bring in the Bill.

SIR JAMES FERGUSSON said, notwithstanding the encouraging words of the right hon. and learned Gentleman, he feared the Scotch Reform Bill, at least, was likely to be some time under debate. He need not take up the time of the House by going into the proposed reduction of the franchise for Scotland, because, as they had been told that the Government would leave the House to fill up the blanks in the Reform Bill with any figures they might think proper, it was unnecessary to discuss the effect on the existing constituencies. For his own part, he did not view with any apprehension the admission of working men, who would be placed on the registry by the Bill. In his opinion the working classes in Scotland were as well prepared for the exercise of the franchise as in any part of Her Majesty's dominions. He would go further, and say, at the risk of being charged with unduly praising his own countrymen, that the working classes in Scotland, from the general prevalence of education and habits of thought among the people, were better fitted for the extension of the franchise than those in any other part of the country. But that was not the question. It was this, whether the representative system was to be so settled that the various classes and interests in the country were to be virtually represented, or whether the proposal of the Government would give too great a preponderance to a particular class — for, though the British Constitution took no heed of classes, it should be borne in mind that if the various classes were not represented the system of representation could not be right. The Lord Advocate had pointed to the satisfactory results of the Reform Bill in Scotland. Now, there could be no doubt that the Reform Act of 1832 had been very successful in Scotland, so far as the Whig party were concerned. A large majority of the representatives of Scotland were returned in that interest, and he believed the measure was so designed. The minds of English Members were at that time too much occupied otherwise to give their attention to the framing of a good Bill for Scotland, and great skill had been exercised in arranging the Scotch constituencies so that they should be true to the party that gave them political existence. He supposed the system thus created would be defended on the ground that it worked well, and that many excellent Members had been returned by Scotland to that House. The working classes were not enfranchised by the Reform Act to any great extent, nor did they exist in the constituency before, and if a considerable number of them were brought into the constituency by the present measure it would only be supplementing the Act of 1832. But a great anomaly and a great injustice existed in Scotland. It was notorious that in many counties the urban element predominated to so great an extent that the country interest was altogether swamped. In all the counties, for instance, on which Glasgow bordered the urban constituency exercised a predominating influence. He had no reason himself to complain of the result; but he did not think it satisfactory that the county representation should be decided not by the rural, but by the suburban, and virtually by urban influences. There was another peculiarity. A village in Scotland was not like a village in England. The villages there were like small towns in their characteristics; and the effect of the proposed franchise would be to give them a large influence in the counties; and he was confident that in a large number of the counties of Scotland the Members would be virtually returned by the urban influence. Unless the statistics, which were not yet in the hands of Members—he at least had not had the advantage of seeing them—included some calculation of the comparative number of voters that would be influenced by the low property and feuing qualification, they would be absolutely legislating in the dark. If some compensating element could not be found, the rural influence in counties would be altogether destroyed. The grouping system had been attended with great advantage in keeping pure the burgh constituencies. That system might with propriety be very much extended, only care should be taken that the districts so grouped were homogeneous in character, and if possible in the same county; instead of one town in Ayrshire being associated with those in Renfrewshire, and another, only ten miles distant, with Argyllshire. He thought, in some instances, it would be well if the burghs now united were divorced and united to more congenial partners. A good deal had been said about a Scotch Bill being passed during the present Session. He hoped the measure would go on *pari passu* with the Bill for England, for unless it was advanced in company with the English Bill, they could not hope that it would obtain the fair measure of consideration which so important a measure demanded. If the measure for Scotland was one which did not remedy, but would increase, the anomalies existing in the country, it would not be an improvement on their representative system.

SIR EDWARD COLEBROOKE said, he would take the earliest opportunity of tendering his thanks to the Government on behalf of his constituents, to whom it was proposed to give an increased share in the representation; though he must suspend his judgment as to the mode by which the plan was to be carried out, until he saw the exact effect of the Government proposition. He understood the Chancellor of the Exchequer to indicate that the boundaries of the burghs were to be determined by the population of the surrounding districts. That he thought fair and just; but he thought that those who were to be severed from their former constituencies ought to have a voice in determining their new relation. He must also tender his thanks to the Government for the liberality they had shown to Scotland generally. The scheme of distribution would, he believed, approve itself to the people of Scotland. There was only one part on which he had any misgiving. It was proposed to give an additional Member to Edinburgh, as the capital of Scotland. He thought it would be better to give that Member to the University, rather than a third Member to the burgh constituency. In conclusion, he would express his satisfaction at the indication given by the Chancellor of the Exchequer, that the Government were willing to re-consider their manner of procedure, and to give the House an opportunity of discussing the franchise and the re-distribution of seats as part of one comprehensive measure. It would be a great advantage to prevent a mere question of procedure from again dividing that side of the House, and he thought the Government might make the concession without any loss of dignity, and without being justly open to the taunts of the right hon. Gentleman opposite.

SIR WILLIAM STIRLING-MAXWELL hoped the hon. and learned Gentleman (the Lord Advocate) would explain one part of his Bill, respecting which some misunderstanding existed, at least on that (the Opposition) side of the House—namely, whether he intended that residence was in all cases to be attached to a county qualification, or whether the qualification was to remain as at present. While trespassing on the indulgence of the House, he might venture to say that, although considerable satisfaction would be felt that the Government had not altogether overlooked the claims of the Scotch Universities, there would be some disappointment at only one

Member being assigned them. When, a few years ago, on the occasion of additional seats being given to Lancashire and Yorkshire, the claims of those Universities were brought into competition with those of the London University, it was shown that the constituency of the Scotch Universities exceeded by nearly three to one that of the London University. He believed that the constituency created by this Bill would number considerably over 4,000, and he was not aware that the relative proportions of the London University had changed. He was justified, therefore, in saying that the allowance of one Member was too small; and, among the many Amendments which would no doubt be proposed, he should venture to move that another Member be given. The additional representative to Glasgow he regarded as quite unnecessary, for that city was gradually monopolizing the representation of the greater part of the West of Scotland, and it could not be better left than in the hands of the two hon. Members who now represented it.

Mr. M'LAREN said, he would not have risen but for the impression sought to be created by hon. Gentlemen opposite, that Scotland was being unduly favoured. This he entirely denied, for whether they took population alone, or taxation alone, or the two combined, Scotland was clearly entitled to twenty more Members. Such was proved to be the case by the Return presented in 1859; and he had no doubt that when the continuation of that Return, for which he moved three weeks ago, was produced, the claim of Scotland would be found even larger. Looking, however, at the difficulties with which the Government were beset in doing Scotland full justice, he was grateful to them for the concessions they had made; but he maintained that the people of Scotland were justly entitled to much more. In some other respects he thought Scotland was rather unfairly dealt with. He could not understand, for example, why the 40*s*. freehold franchise should not be extended to it;—for though the Lord Advocate said there were legal difficulties in the way, he had never heard anybody but a lawyer say so, and he did not think they would get a hundred men in Scotland to entertain that opinion. He quite approved of means being taken to check the creation of fictitious votes, which had been extensively resorted to, and by which men who did not possess an inch of soil had obtained electoral influence. As to the burgh franchise, he thought the people of Scotland had some reason to complain that by the Bill the franchise was to be the same as in England, because it must be remembered that rents were much lower in Scotland than in England, and, consequently, a man with the same income lived in a lower rented house in the former country than in the latter. While, therefore, a £7 franchise might add considerably to the electoral body in England, the Returns just presented showed that in Scotland the addition would be only 26,223, and of these 22,740 would be added in six burghs, leaving only 3,483 for the remaining seventy burghs, or an average of about fifty each. He contended that regard should have been had to the different circumstances of the two countries, and that a £6 rental should have been adopted, because it would have given a greater influx of the working classes, or other classes, into the constituencies. With reference also to the remark that Scotland had been unduly favoured, he would ask why the rule laid down by the Chancellor of the Exchequer that counties with 150,000 population should have three Members, should not be applied to Scotland, for Ayr and Lanark were in this position. Why should not these counties have three Members as the counties in England of the same population had? The Scotch burghs had been complimented on their freedom from bribery; but too much of the credit had, he thought, been given to the system of grouping; for thirty-nine Members were returned by counties and by burghs not grouped, and only fourteen from grouped burghs; and although it had been stated that but one petition had been presented from Scotland on the ground of bribery, it would be seen by reference to the Parliamentary Returns that four petitions were presented, two of them being from counties and two from grouped burghs. Again, it was laid down that a population of 15,000 in the English grouped boroughs was to have a second Member, and why should not this be applied to Leith, Montrose, Stirling, and other Scotch groups of burghs, and why should not the large towns in each group have a Member to themselves? He would only add that the population of Scotland had increased during the last fifty years from 1,800,000 to upwards of 3,000,000, and its wealth in a much greater ratio, and though it might have had its fair complement of Members at that time it was entitled to much more now, and it received but a scant measure of justice by this Bill.

Mr. HENRY BAILLIE agreed with the hon. Member for Edinburgh (Mr. M'Laren) that Scotland was entitled to more representatives, and thought there were many towns which might very fairly be grouped, thus relieving the rural constituencies of a preponderating urban element. He wished to ask the Chancellor of the Exchequer why he had not dealt with Scotland in the same manner as he had dealt with England as regarded the small constituencies? Wherever he had found a small constituency in England, he had grouped it with other small constituencies. Why was not the same system pursued with regard to Scotland? The Reform Bill for Scotland of 1832 dealt in this manner with the small Scotch counties. All counties too small to return representatives were grouped together, Nairnshire being coupled with Elginshire, and Cromarty with Ross. The same course should have been taken with the county of Sutherland, which should have been joined with Caithnessshire. That such was not the case was the result of a cool Whig job, by which the county was saved for a Whig nobleman. If they were to have Reform, let them have justice to one side as well as to the other.

Colonel SYKES said, he had no desire to prolong the discussion; but he desired to call to the Lord Advocate's attention the fact that Aberdeen, the northern capital of Scotland, the seat of a University, containing 75,000 inhabitants, of whom 3,996 were electors, was omitted from the list of burghs which were to receive additional representation. Some of the county constituencies required grouping: thus, the county of Bute, with a population of 16,331, had 510 electors while that of Caithnessshire, with a population of 33,636, had only 508 electors; and Sutherlandshire, with a population of 24,599, had 181 electors. This was ample proof of the necessity for grouping the county as well as the borough constituencies.

Sir DAVID DUNDAS thanked the hon. Member opposite for Inverness-shire (Mr. Henry Baillie) for the particular interest he took in the county of Sutherland. The hon. Member had just been elected by 336 electors, and therefore it was but right that he should come forward as a great reforming authority, and should endeavour to put down the county of Sutherland. The hon. Gentleman had been voting against the enlargement of the franchise in England; perhaps he would do the same with regard to Scotland. He (Sir David Dundas) had voted for the enlargement of the English constituencies, and he would do the same with regard to the constituencies in Scotland. The hon. Gentleman had said that the whole of the constituency of Sutherland was under the hand of the Duke of Sutherland. That was a most unhandsome observation, and the hon. Gentleman could know very little of the noble Duke or of himself (Sir David Dundas), or he would know that both of them were incapable of such low electoral failings. He believed that at this moment he (Sir David Dundas) was the most independent Member of the House of Commons, and if the hon. Gentleman said he was not he would quote the lines of the poet—

> " And if they say I am not peer
> To any man in England here;
> Highland or lowland—far or near—"

He would leave the hon. Gentleman to finish the verse for himself.

Mr. LAING said, that a Re-distribution Bill was much more necessary for Scotland than one for the reduction of the franchise, which would not materially affect the representation in that country. He looked upon the present measure as a very scant measure of justice, whether they looked to the point of population or property. Under the Bill Scotland would obtain seven additional Members, for which he heartily thanked Her Majesty's Government; but still he could only look upon it as an instalment. The Lord Advocate had said that he (Mr. Laing) might be startled from his propriety by the influx of fifteen working men into his borough, whereas, in point of fact, there would be a much greater number admitted under the Bill, as already the working men possessed 30 per cent of the constituency. So far from being afraid of the Bill going too far, he was only sorry that it was not more extensive in its operations, and he wished to ask the Lord Advocate whether the franchise could not be still further reduced. The 40*s.* freeholders were found to act very well in England, and he should like to see them possessed of a vote in Scotland.

Motion *agreed to.*

Bill further to amend the Laws relating to the Representation in Parliament of the People of Scotland, *ordered* to be brought in by The LORD ADVOCATE, Mr. CHANCELLOR of the EXCHEQUER, Sir GEORGE GREY, and Mr. SOLICITOR GENERAL for SCOTLAND.

Bill *presented*, and read the first time. [Bill 139.]

REPRESENTATION OF THE PEOPLE (IRELAND) BILL.

LEAVE. FIRST READING.

MR. CHICHESTER FORTESCUE: Sir, I have to make some explanation, which need not be very long, to the House concerning the Bill which I have now to introduce on the part of Her Majesty's Government, for the amendment of the representation of the people in Ireland. The House will not be surprised when I say that, in the opinion of Her Majesty's Government, the condition of the representation of the people in Ireland is such as not to call for any very large or very extensive change. The fact is, as is well known to hon. Members, that in the year 1850 a most important and extensive Bill for the amendment and extension of the franchise, totally unconnected with any measure for the re-distribution of seats, was introduced by Lord Russell and by my then predecessor, Sir William Somerville. That Bill effected a very great alteration in the Irish franchise; and, as is well known, it placed the county franchise upon the footing of a £12 rating occupation, and the borough franchise upon the footing of an £8 rating occupation, coupled with a most important provision which formed what I may call a self-acting system of registration. In very few words I will tell the House the circumstances and the effect of that measure. I will first take the counties into consideration. Just before the Reform Act of 1832 was passed, and in consequence of the abolition of the 40*s*. freehold franchise in Ireland, the Irish county constituency had been reduced to the number of 35,000 electors. The effect of the Reform Act creating a new constituency, consisting mainly of £10 householders, was that, in the next few years, the number of voters increased very considerably. Then, however, came a time of great suffering and calamity to Ireland — the years of the famine and the depression caused by those calamitous years. The consequence was that the absence of claims on the part of voters to have their names placed upon the register, combined with the expiration of leases, and the unwillingness of landlords to grant new ones, had so great an effect upon the franchise as to reduce the number of county electors in Ireland in the year 1849 to the small and preposterous number of 27,000 electors. Under those circumstances the Bill of 1850 was produced. The immediate effect of the measure was to raise the number of county electors from 27,000 to 135,000, and the number has gone on steadily increasing from that time to the present until it now exceeds 172,000. But the best way to give the House some idea of the extensive changes made by the Act of 1850, is to take the case of one or two counties. I find, for instance, that in the year 1850, immediately before the Act of Lord Russell, the population of the county of Kilkenny was 183,000, and the number of voters 481. At the present time the population has fallen to 124,000, while the number of voters has increased to upwards of 5,000. I find the same thing in the county of Waterford, where the population in 1850 was 172,000, and the number of voters 306; while the present population of the county is 134,000, and the number of voters 3,500. One more instance—I find in the Queen's county where the population in 1850 was 153,000, and there were 456 voters, at the present time, I grieve to say the population has fallen to 90,000, but the number of voters has risen to 3,438. Under these circumstances, considering that the Act of 1850 has been entirely successful, and that it has created so largely and so satisfactorily the county constituency in Ireland, Her Majesty's Government do not propose any addition to the measure so far as the counties are concerned. I now come to the boroughs, and here I must say that the calculations made at the time of passing the Act of 1850, and which were so fully realized in the case of the counties, has been by no means borne out in the case of the boroughs in Ireland. The fact is that the present borough constituencies of Ireland are smaller than they were before the Act of 1850, which is undoubtedly a remarkable circumstance. Before the Act was passed the borough constituencies of Ireland numbered about 33,000 electors, and the present number is only 30,758. Under these circumstances the Government propose to reduce the rating occupation franchise in boroughs from £8 to £6. The effect of that will not, after all, be very considerable. I find that the number of tenants living in houses rated above £6 and under

£8 amounts to 7,741; but after making allowance for unoccupied tenements and for tenements occupied by women, for double entries and so on, there is no reason to believe that the addition to the borough constituencies by the alteration we propose will be much more than about 5,500 electors. There are some other clauses affecting the borough constituencies which will be found in the Bill I have the honour to introduce. These clauses follow the example of the English Bill, in creating a lodger franchise and a savings bank franchise for Ireland. The Bill will also follow the example of the Bill for this country with respect to the way in which it deals with the ratepaying conditions which now exist in Ireland; but I find upon inquiry that the alteration on this point will not produce the effect in Ireland which you will find, in all probability, produced in this country. On the contrary, the addition made to the Irish borough constituencies by the repeal of these conditions will be but small. It appears that last year the number of voters excluded from the register on account of non-payment of rates was, in the Irish counties, only 1,278, and in the Irish boroughs, only 1,053. This, no doubt, arises from the fact that the poor rates are collected in Ireland with very great care and completeness under the orders of the Poor Law Commissioners. The only exception to this rule is found in the city of Dublin, where the collection is not under the control of the Poor Law Board, and consequently, out of the 1,053 voters excluded, 876 are excluded from Dublin alone. Following the example of the English Bill, however, we propose to make these ratepaying conditions no longer a part of the law in Ireland. I now come to the question as to what can be done towards removing or mitigating that which is undoubtedly a great fault in the Irish system of representation — namely, the small size and importance, both with respect to population and electors, of many of our boroughs. About that fact there is, of course, no doubt; but in one respect our borough system compares favourably with that of this country. We have no boroughs in Ireland with very small populations sending their two Members to this House. The two smallest towns in Ireland which possess a double representation are Waterford and Galway, each of which has a population of considerably over 25,000 inhabitants, and contains over 1,000 electors—a very different state of things from the small English boroughs having two Members, as has been shown by my right hon. Friend the Chancellor of the Exchequer. With regard to the small boroughs spoken of to-night by the Chancellor of the Exchequer, we shall have nothing to do; but, on the other hand, our very small boroughs are much more numerous in proportion to the whole number of boroughs than is the case in England; and the number of electors produced by the same amount of population is inferior to that which is to be found in England. Upon a contrast between the two countries, there appear to be very few places in Ireland which have such large and decided claims for increased representation to be taken into account to preserve the balance between urban and rural constituencies, as to justify Her Majesty's Government in proposing any extensive transfer of seats to other places; the transfer being only possible by the withdrawal of seats from boroughs already represented, which would make such a revolution in the Irish representation as Her Majesty's Government think would not be justified by the facts, and such as, they think, it would not be their duty to propose to Parliament. After careful consideration, Her Majesty's Government are of opinion that there are only three cases in Ireland which require, and which are so exceptional as to justify, a transfer of seats. Those cases are Dublin city, Cork county, and the Queen's University. The case of Dublin city is a very simple one, which commends itself at once to men's minds. The population of Dublin within the Parliamentary boundaries amounts to 263,000, and it has been thought reasonable to give them a third representative. Cork county, again, is *facile princeps*, in extent of population, among the counties of Ireland, and has, I think, a strong and indefeasible claim for increased representation. With respect to the Queen's University, the House knows from what has passed here in former debates, and from a document placed on the table by Her Majesty's Government, that we propose to throw open the University to all students applying there for degrees, irrespective of their place of education. By so doing we shall be fulfilling a pledge which we are bound to the utmost of our power to fulfil, and which was given by Her Majesty's Government last year to my hon. Friend the Member for Tralee (The O'Donoghue); we shall be removing what is felt as a great grievance; and we shall, I apprehend, be incalculably increasing the usefulness and importance of the Queen's University in Ireland. For this propose it will be necessary to pass a supplemental charter which will go some way towards meeting the object; and also to propose legislation to this House to supply deficiencies which, under the present charter of the University, the Crown alone is not able to remedy. Her Majesty's Government intend, with the sanction of Parliament, and which they confidently hope and believe they shall obtain, to put the Queen's University in Ireland upon a similar footing to that of the London University, and they therefore propose to Parliament that a similar privilege to that which they propose to give to the London University should be conferred upon the Queen's University—namely, the privilege of returning a Member to this House. We propose to obtain these three seats in the following manner:—We propose, in the first instance, to combine together six of the small boroughs of Ireland, taking those which will admit most easily of combination from their situation and facility of communication. We propose to join Bandon and Kinsale, Portarlington and Athlone, and Dungannon and Enniskillen. Dungannon is one of the smallest boroughs in Ireland. After that operation is performed there will remain seven other boroughs below the line of 8,000 population, and those boroughs we propose to deal with as follows: — We propose to augment them, so as to produce a considerable population and good constituencies, following to a great extent the plan of the Bill of 1852, proposed by Lord Russell. These seven boroughs are:—New Ross, to which we propose to add Enniscorthy; Ennis, adding Kilrush and Ennistimon; Youghal, adding Queenstown; Coleraine, adding Ballymena; Cashel, adding Thurles and Tipperary; Mallow, adding Fermoy and Charleville; and Downpatrick, adding Newtownards. The effect of this arrangement will be to create a certain number of district boroughs similar to those which exist in Scotland and Wales, and producing in every respect important constituencies. It would be easy to carry that principle further; but we have limited ourselves to the population selected in the case of England. We believe that we shall thus succeed in removing the worst evils which could be laid to the charge of the Irish system, and in raising to a sufficient amount the number of voters in the smaller boroughs of Ireland. These are the proposals with respect to the Reform of the representation in Ireland which I have to lay before the House; and my belief is that if they be adopted by this House they will improve to a very considerable extent the representative system which has hitherto existed in that country.

MR. WHITESIDE said, he wished to know what the right hon. Gentleman proposed to do with respect to the question of boundaries in Ireland?

MR. CHICHESTER FORTESCUE said, he was not aware that the boundary question arose in Ireland to any considerable extent. In all those cases in which it was proposed that additions should be made to boroughs—with the single exception of Kilrush—the boundaries were already settled for municipal purposes.

SIR HUGH CAIRNS said, he did not think it advisable to enter at that moment into a discussion upon this extraordinary measure; but he would observe that the right hon. Gentleman did not seem to be aware that the Parliamentary boundaries of Belfast did not include more than half of the municipal boundaries.

MR. WHITESIDE: The right hon. Gentleman the Chancellor of the Exchequer has, by his surprising eloquence, involved this question in a state of confusion which the right hon. Gentleman who has just sat down (Mr. Chichester Fortescue) has not succeeded in dispelling. The proposals of the Government, as far as I understand them, present themselves in this remarkable light—that England loses, Scotland gains, and Ireland gets nothing. The Scottish Members have declared that the grievances of their country are intolerable, and the Lord Advocate complained that by the present change they had only seven seats at their disposal. But I would remind the hon. and learned Gentleman that they have not yet those seven seats at their disposal; although he has, like a gallant Scot, taken it for granted that they have already passed into the possession of his countrymen. The hon. Gentleman the Member for Edinburgh (Mr. M'Laren) says that Scotland ought to have twenty more Members; and he (Mr. Whiteside) had little doubt that the representatives of his country had only to follow up the policy which they had hitherto so perseveringly adopted of always supporting the Ministry to have a good chance of obtaining those twenty additional Members. But we shall have another very serious question to consider—namely, what are the relations between England and Scotland and between England and Ireland under their respective Acts of Union. May I be allowed further to ask the right hon. Gentleman who are the persons connected with Ireland that asked for such a Bill as this? That is a question which the right hon. Gentleman would, I believe, find it very difficult to answer. I should be greatly astonished to learn that there was a single Irishman possessed of reason who wishes for such a measure; and I believe I may confidently state that no petition in its favour has been presented from Ireland. The people of Ireland, indeed, are now occupied with other matters than the reform of their representation, and I can only set down the Bill as the invention of the right hon. Gentleman himself. It seems as if Scotland was desirous of inflicting on England and Ireland its own system of grouping. Some years ago Sir John Young proposed a scheme for carrying out this principle of grouping boroughs; but that proposal met with little favour from the House, and it was very soon abandoned. What is the meaning of the proposal? It is that you should add one melancholy little place to another melancholy little place, and then their union is still more melancholy than the existence of either of them separately. I quite understand a man saying, as O'Connell said, that the seven largest Irish counties ought to get seven additional representatives; and I assume that he meant those seven seats should be taken from the smaller boroughs. We have had Parliamentary representation in Ireland, in one way or another, for about 500 years; and I believe the people of that country never asked for a change of this description. I find that among the towns to be thus grouped is one called Ennistimon. I have travelled in the county of Clare in which this place is supposed to be situated, but I never heard of it. But might not Newtownards, in the North of Ireland, which has 10,000 inhabitants, be allowed to have a representative of its own? Perhaps hon. Members could guess "the reason why." Then I will remind the right hon. Gentleman that Portadown and Lurgan are larger places than Ballymena. I must observe, too, that I think Cashel might have been finally disposed of. It has lived its time, and it has done its work, and produced many eminent men no doubt; but I believe that unless something has been done to it since I last saw it, there is great danger of its speedily tumbling down altogether. The Irish representatives will, of course, have to consider whether they would wish to have this grouping system. I very much doubt whether an extension of the number of districts can tend to decrease the number of agents to be employed, or the amount of expenses to be incurred, and whether it will contribute to check corruption. I am not going to complain of the small boroughs in Ireland, because the Solicitor General and the Attorney General are returned by small boroughs. On the contrary, I think that in those cases we have an example of the service which small boroughs occasionally render Parliament; but I could not help remarking that some of the representatives of those small boroughs are prepared to vote for their own political extinction, and are ready, like Curtius, to leap into the gulph. I read a speech addressed to the electors of Portarlington by the Attorney General for Ireland, in which he told them that if they did not elect him they would certainly be disfranchised; and I should be glad to know what the hon. and learned Gentleman now proposes to do for his constituents. I understand we are to have an additional Member for Dublin, and one for the West Riding of the county of Cork. [Mr. CHICHESTER FORTESCUE: An additional Member for the whole county of Cork.] I think there ought to be one for the West Riding of Cork. You have divided that great county which is nearly 100 miles long and contains 500,000 inhabitants for fiscal and judicial purposes; and I do not see why you should not also divide it for Parliamentary purposes as you have divided Yorkshire in England. I think, too, that something might be done for the county of Down and the county of Antrim, and for that great and busy population, amounting to not less than 160,000 persons, around Belfast. The right hon. Gentleman referred to the number of £6 voters in the Irish boroughs, and I wish to ask him whether any figures will be presented to the House on the subject? [Mr. CHICHESTER FORTESCUE said, That Returns upon the subject will be produced.] We have, of late, had Special Commissions for the trial of offenders in Ireland; the gaols are now full, the Habeas Corpus Act has been suspended, and I understand that many more arrests are at present being effected. Under these circumstances it may be desirable that we should have a Bill introduced for the amendment of the representation of the people; but the first condition of such a measure is that it should be intelligible.

Mr. CHICHESTER FORTESCUE said, he must apologize for an accidental omission from his statement. There was a clause in the Bill which would make the Parliamentary boroughs in Ireland coterminous with municipal boroughs; and that provision would meet the case of Belfast, to which the hon. and learned Gentleman (Sir Hugh Cairns) had alluded.

Sir COLMAN O'LOGHLEN suggested that the Government, if they had not finally settled the details of their plan, should so far alter it as to give a Member to the Queen's University in Ireland by grouping it with the University of Dublin.

Mr. PEEL DAWSON expressed his surprise that the thriving province of Ulster—which at present returned twenty-nine Members, twenty-seven of whom sat on the Opposition side of the House—had not its claims to increased representation more fairly dealt with in the Bill.

General DUNNE was of opinion that in the transfer of seats Scotland had been much better treated than Ireland, especially when they considered the growth of taxation in Ireland. The measure before the House was ill-advised and badly considered—in fact, it was a mere dodge with a view to secure to the Government as much political influence as possible. He did not at all see why the county of Cork should not be divided, and Members given to each as in similar cases in England. Whether the boroughs of Ireland which had Members could be grouped would be a question in reference to the Act of Union to be considered. He thought there was a great injustice in giving additional Members to Scotland, while none were given to Ireland—this would work injustice to the latter country, for in his opinion the radicals of Scotland were more opposed to Ireland than the radicals of any other country.

Mr. COGAN regretted that in this moderate measure of Reform for Ireland there had not been introduced a clause for the disfranchisement of the freemen of that country. No measure could be complete that did not do that. In Dublin the freemen were exceedingly corrupt and quite neutralized the popular votes. He would also suggest that instead of giving to Dublin three Members the Government should erect Rathmines and Kingstown into a borough with one Member, and it would comprise a constituency which for intelligence and respectability would be second to none in Ireland. The present county franchise in Ireland worked well, and should not be reduced, if it were made lower it might introduce persons who would be subservient to the landlords.

Major STUART KNOX said, he had heard no good reason assigned for the proposal to disfranchise the borough which he represented by adding it to Enniskillen. He could only suppose that the boroughs in the group were to be disfranchised because they returned Conservative Members. It was a fact that nearly the whole grouped boroughs were represented by Conservatives. They proposed to disfranchise the town which he represented, though the county of Sutherland, which had about the same number of electors, was to be let alone. The county of Tyrone, of which Dungannon was the chief town, had a population of 302,000. He had understood the Chancellor of the Exchequer to say that in counties in England there ought to be a representative to every 150,000 inhabitants. Ireland, therefore, had not had justice done to her, though Scotland had been fairly treated. He should give his strenuous opposition to these Bills, and should enrol himself under the banner of the right hon. Gentleman the Member for Huntingdon (General Peel).

The O'CONOR DON was pleased to find that the Government did not intend to lower the county franchise in Ireland. He must add that while he was not at that moment prepared to enter fully into the merits of the Bill, some of its provisions in reference to the re-distribution of seats seemed to him rather strange. He thought, for instance, that Athlone and Portarlington, even when united, would form but an extremely small constituency, and that it would be well if some of the neighbouring towns were grouped with them in order to bring them up to the proper electoral strength. As to Dungannon, with its 185 electors and its population of 3,800, he saw no good reason why it should not be added to the town of Enniskillen; and he would remind the hon. and gallant Gentleman who had just sat down (Major Stuart Knox) that its case was entirely different from that of Sutherlandshire, which was a county, and which contained 25,000 inhabitants.

Lord CLAUD HAMILTON contended that the Government had acted with respect to Dungannon on a different principle from that they had laid down for England. In England the boroughs were to be grouped geographically; but they paid no regard to this principle in Ireland, for they proposed to take from the county Tyrone the representative it now had. The county of Tyrone had a population of 300,000, and the barony of Dungannon had upwards of 80,000 inhabitants. The Government having proceeded with respect to Ireland on a totally different principle from that which they had adopted for England, he was entitled to protest against a measure so exceptional and capricious in character. Scotland had been highly favoured, but he might be allowed to remind the right hon. Gentleman that a vast number of the people of Ulster were of Scotch origin. If they did not obtain additional Members they ought not to be deprived of those they had.

Mr. BRADY said, that so long as the elections were not by ballot no change in the constituencies would be of any avail. He agreed with the hon. Member for Kildare (Mr. Cogan) the question of the freemen required to be dealt with, and that the conduct of the freemen of Dublin would bring disgrace on any constituency. In fact, the representation of that city was in a most unsatisfactory state. In Ireland a £6 rating was equivalent to a £9 rental, and if that were established there would be no equality with England when the £7 rental was established. If they wished to reform the borough franchise in Ireland they ought to reduce the franchise to a £6 or £5 rating, but no system of election would work well till vote by ballot was established.

Mr. PIM inquired of the Secretary for Ireland whether he intended to make any alteration as regarded the boundaries of boroughs? Ho approved the suggestion of grouping small boroughs or districts in Ireland, and asked whether it would not be well to join Rathmines and Kingstown together and make them into a new borough?

Mr. CORRY thought it unjust that Tyrone, which in population, wealth, and size, was entitled to have three Members, should lose half a Member owing to the union of Portadown and Enniskillen. Those boroughs were not in the same county. It was not fair that Ulster, which was prospering in wealth, and steady in its loyalty, should lose a Member for the gratification of Cork county, Dublin city, or even the Queen's University. He felt confident that the House would not entertain the proposal to deprive the province of Ulster of a Member.

Sir HENRY WINSTON BARRON said, he understood his hon. and gallant Friend the Member for Dungannon (Major Stuart Knox) to infer that the Conservative boroughs of Ireland were to be deprived of their Members for party purposes. [Major Stuart Knox: That is what I meant.] He would then remind his hon. Friend that Portarlington was represented by a right hon. Gentleman who was certainly not a Conservative; Kinsale, too, could assuredly not be called a Conservative borough; it had always returned a Whig, and was now represented by a most consistent Whig. That made two cases. Bandon was to be grouped with Kinsale. A third Whig borough—Mallow, was to be grouped. That could not be called going out of the way to disfranchise Conservative boroughs. Again, instead of disfranchising Dungannon by the arrangement that was proposed, there would merely be the putting of two Conservative boroughs together. He did not quarrel with hon. Members for standing up for their boroughs; but when they came fairly to argue the matter it was totally impossible to defend the existing representation of Dungannon, Portarlington, or Kinsale on principle. Whether they were Whigs, Tories, or Radicals, people in Ireland would say that it was impossible to touch the question of Reform at all without changing the position of those places. Under ordinary circumstances those boroughs would have been disfranchised; but a new principle had been started, and there was no desire to deprive any constituency, however small, of a share in the representation. If the principle of grouping had worked well in Scotland and in Wales, Ireland could not stand out against its adoption. With regard to the freemen, they could not deal with them on a different principle in Ireland from that on which they had been dealt with in England. They had not disfranchised the freemen in England. The freemen in Ireland were dying out by degrees; and, therefore, without holding them up as model electors, he would say, "Let time continue to do its work upon them, as it was now doing it." He was exceedingly grateful to the Government for not touching the Irish county franchise, which was quite low enough. A reduction of the borough franchise was a necessity, and he thought the proposal on that subject would work very well. A £6 householder in Ireland was about equal to the £9 or £10 occupier in England. The Government had, therefore, not gone too low, but had taken a judicious step, and it would be received with gratitude by the people of Ireland.

Mr. KENNEDY agreed with the hon. Member for Leitrim (Mr. Brady) in thinking it signified little what representation was given to the people if the electors had not the power of exercising their privileges in a free and constitutional manner. The law relating to bribery and intimidation was the same for England and Ireland, but the position of the electors in the two countries was quite different. The elector in England was a free man; but in Ireland he was a serf, liable to be turned out at six months' notice after voting for the man of his choice, and liable to be distrained, as often happened, within a few weeks after he had recorded his vote. Protection to the county voter in the exercise of his franchise was the primary requisite, and no Reform Bill which omitted to grant it could be regarded as a substantial measure in Ireland.

Mr. REARDEN said, he should certainly oppose the grouping together of Athlone and Portarlington, towns which were at least twenty miles apart; and he maintained that no extension of the franchise in Ireland would be satisfactory, unless it were accompanied by the protection of the ballot.

Mr. ESMONDE said, he regarded the present representation of the city of Dublin as a perfect farce, because the owners and occupiers of property were overridden by the freemen, the "ruck" of whom were about the most disreputable of any class of voters. It was really a serious question whether, if the freemen were to remain in their present position, it would not be very improper to give another Member, as now proposed, to the city of Dublin. He would also suggest whether it might not be expedient to require some qualification even for freemen. A £4 franchise would, he believed, exclude one-half of the present freemen. These men came out in a body just towards the close of an election like a swarm of flies in summer, and carried all before them, and great corruption and abuse existed among them. It had been said that all the rising towns of Ireland were in Ulster. He was glad to hear that, for it would give some justification to the present proportion which the representation of Ulster bore to that of the rest of Ireland. While all Ireland had only 105 Members, including two for the University, Ulster alone had twenty-nine, whereas the proper share due to that province was only 26 1·5.

Mr. S. B. MILLER would only say that Ulster contained about one-third of the entire population of Ireland, and one-half of its wealth. If, therefore, wealth and population constituted a claim to representation, Ulster had as much reason to complain of the withdrawment of a Member as any other division of the country. His chief object in rising was to ask the right hon. Gentleman the Chief Secretary for Ireland the amount of the lodger franchise, which he understood was to be introduced in the Bill?

Mr. CHICHESTER FORTESCUE: I thought I stated that it was proposed that the lodger franchise should be the same as that to be provided for England.

Motion *agreed to*.

Bill to amend the Representation of the People in Ireland, *ordered* to be brought in by Mr. Chichester Fortescue, Mr. Chancellor of the Exchequer, Mr. Attorney General for Ireland, and Mr. Solicitor General for Ireland.

Bill *presented*, and read the first time. [Bill 140.]

WAYS AND MEANS.—COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. HUBBARD said, that in order to meet the views of the Government and not to delay the passing of the Resolutions, which were of importance to the business of the country, he had agreed to postpone the Resolution of which he had given notice with respect to Fire and Marine Insurances. But having done, so he wished to say a few words on the first Resolution that was to be submitted to the House. The financial scheme of his right hon. Friend the Chancellor of the Exchequer consisted of three distinct parts. The first section related to what might be called domestic arrangements, the second had regard to politics and finance, and the third was a prospective view of the future state of the country and the possible collapse of her greatness and prosperity. He (Mr. Hubbard) wished to make a few remarks upon the first portion of the scheme. He might remark, in the first place, that there was not one of the remissions which the right hon. Gentleman proposed that would not be received with hearty good-will. The proposal with regard to wine was a necessary consequence of the Austrian Treaty, and the change would tend to simplify and equalize the levying of the duties. The changes in the duties on locomotion were due to those who provided the humbler classes with those means of locomotion which the rich could provide for themselves; and he could only expresss his hope that the change would not stop with leaving the farthing duty upon those vehicles—he trusted they would be abolished altogether. As to pepper, he had drawn the Chancellor of the Exchequer's attention to the duties on spice, and he rejoiced, therefore, that his right hon. Friend had taken this step in removing them. He hoped the day was not far distant when the poor man would not only have his Irish stew with untaxed pepper, but also his dumplings with untaxed currants and plums. The duties on timber, which produced £300,000 a year, were very properly taken off, for nothing was of more importance to the dwellings of the poor, about which, at present, so much interest was taken, than a cheap and plentiful supply of timber ; but he alluded to it now, because at a future stage of the discussion he intended to refer to the magnitude of the tax that was levied on this article in another shape. He might state here that in the Resolution he intended to propose, he did not intend to ask the House entirely to abrogate the duties on fire insurances, but to reduce the duty on marine insurances to 3*d.* per £100, and to levy a tax of 1*d.* on all other insurances as a registration fee, which would indicate the growth in the value of fixed property. As he had withdrawn the Motion of which he had given notice, he must ask the right hon. Gentleman the Chancellor of the Exchequer if he would introduce his Bill so as to allow him an opportunity of fairly discussing the remissions he proposed.

Mr. LAING said, that every facility ought to be given to enable the Government to proceed at once with the Resolutions to be submitted to the Committee. The Resolution respecting the reduction of the National Debt involved principles of very great novelty and importance. It was, in fact, a question of committing Parliament to a prospective scheme of finance for many years to come. He did

not know that it would become him to express an opinion upon the subject at present, as the scheme for the reduction of the Debt was only introduced into the House on Thursday last, and it could not be disposed of without a great deal of consideration on the part of hon. Members, and consultation with financial authorities out of doors. He was sure that nothing would be further from the wish of his right hon. Friend than to press the Committee to a premature decision; and, in the ordinary course of things, that Resolution should stand over. If, however, inconvenience would result from not passing the Resolution that evening, and the Chancellor of the Exchequer would give an assurance that hon. Members would not be precluded from moving any Amendments further consideration might suggest in reference to its principle, he would at the present stage offer no opposition.

Sir FITZROY KELLY said, he concurred with every word that had fallen from his hon. Friend the Member for Buckingham (Mr. Hubbard). He understood that his hon. Friend did not intend to stand in the way of the Chancellor of the Exchequer with regard to his financial arrangements respecting the taxation of the country. But it was very different in regard to the Resolutions on the National Debt, and he fully joined in all that had fallen from the hon. Member for Wick (Mr. Laing) on that subject. It really was the most important subject—scarcely less so than the successive schemes of Reform they had so lately been discussing — that would be brought under the consideration of Parliament. He would venture to suggest that if it would interfere with the convenience of Government in its other measures, to postpone this Resolution, then it would be better to let the Resolution pass, reserving to themselves the right at a future period to consider the principle of being committed for a period of twenty or possibly of forty years to pay a large sum of money whatever the condition of the country might be, and after all paying off a comparatively small portion of the debt. Before sitting down he must add that he agreed in the proposals of his right hon. Friend with regard to the duties on timber and on wine in bottle, which he thought an excellent measure independently of the treaty with Austria; and with respect to that treaty he would say that he hoped events would not occur in Europe to interfere with its operation. But with regard to the remainder of the surplus —exceeding £500,000—he must say it appeared to him a most extraordinary period to apply it to the extinction of the Debt. It was known that this was the smallest surplus at the command of the Chancellor of the Exchequer for several years past; and when money was at the rate of 7 or 8 per cent in the market it did not appear to him that this was exactly the proper period for the right hon. Gentleman to make his first experiment towards paying off the £800,000,000 of the National Debt. However, he would reserve all that for a future period. But he hoped his right hon. Friend would give some information on one or two points in order to render his scheme intelligible to the House. First, with regard to the sum of £1,005,000 that was to be paid in discharge of the annuities; he wished to know whether it was to be paid yearly, half-yearly, or quarterly. Second, if it was to be paid half-yearly, when would the first payment be made, and when would the last payment be made — in 1885, and again in 1905—because the moment they obtained that information they would know exactly what was the aggregate sum they would have to pay in this series of years, except as varied by the current prices of stock. He also wished to understand whether this annual payment of £1,005,000 would be increased or diminished by the increase or diminution in the payments that might be made from year to year by the trustees of the savings banks.

The CHANCELLOR of the EXCHEQUER said, it was obvious that the adoption of Resolutions merely of preliminary character could not bind hon. Members to any details, and that the most convenient time to discuss the provisions of the Bill founded upon them was when that Bill was in their hands. The Resolutions were necessarily couched in vague and general terms, because their scope must be sufficient to cover everything in the Bill. Ample time should be afforded for the discussion of the important subjects which they embraced, and in fixing the time for the second reading he hoped to consult the convenience of hon. Members. In answer to the question of the hon. and learned Member for Suffolk (Sir FitzRoy Kelly) as to the period at which payments of the annuity would be made, those periods would be fixed to meet the convenience both of the Commissioners of National Debt and the public. It was not desirable that the Commissioners should receive the whole income on quarter days, and the first payment would accordingly be made on the 21st of November next. £1,005,000 was the maximum which could by possibility be applied to the purpose in view; but what proportion of that amount would be applicable depended on the calls of the trustees of the savings banks, who had the first claim upon the fund. Any further information that might be desired he should be happy to give, and, if it was thought desirable, in the shape of Returns.

Ways and Means *considered* in Committee.

(In the Committee.)

1. Question again proposed.

That the Duties of Customs chargeable upon the goods hereinafter mentioned, upon their importation into Great Britain and Ireland, shall cease and determine : viz.

Wood and Timber, Foreign and Colonial, as denominated in the Tariff;

and that power be granted to the Commissioners of Her Majesty's Treasury to remit the duty on all such Wood and Timber as shall have been landed, under Bond for security of Duty, on and after the 26th day of March 1866.

Question put, and *agreed to.*

2. *Resolved*, That the Drawback of Customs Duties now paid and allowed on the exportation of Foreign or Colonial Wood and Timber from Great Britain and Ireland shall cease to be paid and allowed on Wood and Timber exported on and after the ninth day of May 1866.

3. *Resolved*, That the Duty of Customs chargeable upon the goods hereinafter mentioned shall cease and determine : viz.

Ships, with their Tackle, Apparel, and Furniture : viz.

Foreign, built of Wood, and Ships built of Wood in any of Her Majesty's Possessions Abroad, on the Registration thereof as British Ships at any Port or place for the Registry of British Ships in Great Britain and Ireland, for every ton of the gross registered Tonnage, without any deduction in respect of Engine Room or otherwise.

4. *Resolved*, That, in lieu of the Duties of Customs now charged on Wine, the following Duties of Customs shall be charged thereon, on Importation into Great Britain and Ireland : viz.

		Containing less than the following Rates of Proof Spirit, verified by Sykes' Hydrometer, viz.	
		26 Degrees.	42 Degrees.
		s. d.	s. d.
Red Wine	the gal.	1 0	2 6
White Wine	"	1 0	2 6
Lees of such Wine	"	1 0	2 6

and for every degree of strength beyond the highest above specified, an additional Duty of 3*d.* per gallon.

Ten per Cent. of Proof Spirit may be used in the fortifying of any Wine in Bond, provided that the Wine so fortified be not raised to a greater degree of strength than 40 per Cent. of such Proof Spirit, if for Home Consumption.

5. *Resolved,* That the Duties of Customs chargeable upon the goods hereinafter mentioned, upon their importation into Great Britain and Ireland, shall cease and determine: viz.

Pepper, of all sorts.

6. *Resolved,* That, towards raising the Supply granted to Her Majesty, the Duty of Customs now charged on Tea shall continue to be levied and charged on and after the 1st day of August 1866 until the 1st day of August 1867 on the importation thereof into Great Britain and Ireland: viz.

		£	*s.*	*d.*
Tea	the lb.	0	0	6

Resolution 7.

That, towards raising the Supply granted to Her Majesty, there shall be charged and paid on and after the 2nd day of July 1866, the following reduced Duty on Stage Carriages in Great Britain in lieu of the Mileage Duty now payable thereon (that is to say):

For and in respect of every Mile which any Stage Carriage shall be licensed to travel, the Excise Duty of One Farthing.

Mr. Alderman LAWRENCE expressed his regret that the Chancellor of the Exchequer had not considered the whole subject of carriage duties and placed them upon a different footing from that which they now occupied. The mileage duty was excessive, no doubt, and one proper to be considered; but advantage might have been taken of the occasion when it was dealt with to relieve horses and carriages now subject to the payment of Excise duty from that impost, levying whatever taxes were deemed equitable in the uniform shape of assessed taxes. It had been said that this tax was necessary, because where omnibuses ran in competition with railways it would not be right that the latter should be taxed and the former not. But he (Mr. Alderman Lawrence) was sure that the railway interest would be glad to see the mileage duty taken off altogether, because the public carriages were the best feeders of the railways. The omnibuses of the London district were now liable to a mileage duty of 1*d.* per mile, and on an average each omnibus paid £66 duty per annum. That sum would now be reduced to one farthing a mile, or about £16 10*s.* The cabs paid 1*s.* a day duty, and cabs which plied six days a week would still have to pay £15 13*s.* each cab for duty. So that while the omnibuses, which employed on an average nine horses, would only be charged £16 5*s.*—a cab, which employed only two horses, would pay £15 13*s.* If all these carriages were put upon one footing—if every vehicle on four wheels paid a uniform charge of £3 10*s.*, for example—and if every horse paid £1 1*s.* duty—it would be a great relief to the interests concerned and a great advantage to the country. He saw no reason why the cabs of London should not be placed on the same footing as those of Liverpool, Birmingham, Cheltenham, and other large towns. It was sometimes argued that the metropolis had peculiar advantages in regard to the expenditure of public money upon its parks, &c., and that it ought therefore to pay a larger share of taxation; but why the cabs should pay this burden more than other carriages he could not understand—especially as cabs were not allowed to enter some of the parks. What was the consequence? It appeared from the Report upon the table of the House, that the Chief Commissioner of Police (Sir Richard Mayne) described the public vehicles of the metropolis as very bad, while Sir John Thwaites declared that the public carriages and cabs of London were the worst in Europe. The reason was that the fares were so low and the taxation so high that no public companies would undertake this traffic as they undertook the omnibus traffic. The result was that the cab proprietors let out their cabs to men of a low class, who could scarcely earn a living, and the cabowners were sometimes obliged to give them credit for a day or two, when, if they could not make up the sum they had agreed to pay for the hire, they were summoned before a police magistrate, who committed them to prison for non-payment. The number of cabmen confined in White Cross Street Prison from this cause varied from five to twenty. The result was that the cabmen, having the fear of a prison before their eyes, extorted money from the public, and the master, in consequence of the low fares and heavy taxation, was unable to employ a proper class of drivers. The only remedy was by putting cabs upon the same footing as other carriages, and allowing the public to have the option of employing a superior kind of carriage—by paying an additional fare. The subject was not in the hands of the local authorities, but in those of the Government, and upon them the responsibility rested. The whole subject of horses and public carriages ought to be placed under better regulations, and in regard to the mileage duty it would be better if the whole duty were removed.

The CHANCELLOR of the EXCHEQUER said, that the speech of the hon. Member who had just sat down showed clearly that the whole subject of the taxes on locomotion required to be reviewed. Much greater changes ought to be proposed than those he had suggested, and the Resolution before the House was brought forward not as in any degree a settlement, but as a remedy for one salient point of grievance and inconvenience—namely, the state of the omnibus traffic which pressed unjustly upon the middle and working classes residing in the environs of the metropolis, &c., and affected the supply of carriages to the railway stations. He had, however, already explained that he had not the means of dealing with the whole subject on the present occasion. Upon the general question he would not hesitate to express the opinion that so far as popular locomotion was concerned, it could not be too free. The question was, however, one embracing many details. The hon. Member (Mr. Alderman Lawrence) said, with great truth, that even if the State ought to receive some consideration in return for the expenditure upon the metropolis it was by no means clear why it should be paid by a charge on cabs. He agreed with the hon. Member that this tax would deserve re-consideration; but his hon. Friend would no doubt agree with him that in regard to this matter of metropolitan expenditure it would not be wise to legislate until the House had got some better devised substitute in the place of this tax. Such a substitute might be found, but they had not found it now. The more convenient time to enter upon this question would be when the whole subject was opened out, as he trusted it would be, by the Report of the Railway Commissioners. Meanwhile, he trusted that the House would not object to adopt a partial remedy for a grievance specific in its character, and which pressed upon the public more heavily than any other part of the duties on locomotion.

Sir FRANCIS CROSSLEY must say that this subject was in a very unsatisfactory state. There were very few towns in England where cabs were allowed, as in London, to charge only 6*d.* per mile. It was most unfair to make the cabs pay more taxes in London, where the fares were lower than in almost any other town. In the country towns the municipal authorities regulated the public carriages; but in London the public fell between two stools. The Government professed to do this in London, but did not do it, and the local authorities were not allowed to interfere. In Paris the public could get any description of vehicle according to what they were prepared to pay for it, while in London the cabs were so dirty and kept in such bad condition that they were seldom fit for a lady to get into them. The Government, if they undertook to regulate the cabs, ought to see that they were really worthy of this great metropolis. The public really had a right to something better.

Mr. AYRTON said, if his hon. Friend the Member for the City (Mr. Alderman Lawrence) knew how difficult it was to obtain justice in that House when no powerful interest demanded it, he would be satisfied with the instalment of justice now obtained. For six years he had struggled to obtain a recognition of the exorbitant overcharge of taxation upon locomotion. He objected to the theory of the Chancellor of the Exchequer that the metropolis owed something to the Government for money laid out upon it, which ought to be repaid by some specific tax. He, for one, was not aware that any such claim existed. He believed that when the House came to balance accounts, not only would it be found that there was a great overcharge in the matter of cabs, but also a still greater overcharge in other branches of revenue. In London several families living in one house had to contribute to the house tax, while in the country families living in separate houses had no such tax to pay. There were many matters in respect of which the metropolis laboured under serious disadvantages. He attributed this to the fact that it had so small an amount of representation in that House. It could not make itself felt. He hoped, however, there was a chance of improvement in that respect. It was remarkable that if a number of small boroughs—which in the aggregate had not, perhaps, a population equal to half that of one of the metropolitan boroughs—felt themselves aggrieved by any particular state of circumstances, they were able to bring such a pressure on the Chancellor of the Exchequer as he was unable to withstand, while the metropolis could not get its just complaints attended to. He never could understand why the public carriages in

London should have a different rate of taxation imposed upon them from that which applied to similar vehicles in other parts of the country. The result was that gentlemen found themselves obliged to travel in very indifferent cabs, though it was true they had the satisfaction that here they rode cheaper than they could in any other city of Europe. The House were very fond of free trade when they wanted to buy; but the moment they came to make a law for those who sold they insisted that the article should be disposed of at the lowest rate. The licence required to be taken out by those who let horses out on hire was attended with inconvenience and hardship. Could anything be more absurd than that a man could not lend his horse or carriage without subjecting himself to very heavy penalties if he received any remuneration for the loan. If you found yourself in the country, and asked a farmer to let you ride his horse, you could not offer him remuneration—if you were to make such a request to a man he would look at you with suspicion. He had found this to be the case with a Scotch farmer to whom he applied for the use of a horse; but when he assured the man that he had the greatest contempt for the Excise laws, and that he was not aware they existed in that part of the country, he consented to let him have the horse. If a man driving a conveyance along the road allowed a traveller to get up, and accepted remuneration, a penalty might be enforced if he had not a licence. A turnpike-keeper had once threatened a man for giving him a lift. If a man keeping a horse and cart for the purposes of his business met his wife and gave her a lift home, the tax collector might pounce upon him and make him pay carriage duty, and a tax on the boy who groomed the horse. He hoped the time would shortly come when the Chancellor of the Exchequer would be able to totally abolish all taxes on carriages and horses to the extent that such interfered with industry and necessary locomotion.

Mr. POWELL desired to express his satisfaction that the Chancellor of the Exchequer had taken up this question, and had announced his intention of carrying the reductions still further. In some small towns these carriage duties made all the difference between commercial progress and the stagnation of trade. The question whether it was worth the while of a commercial traveller to visit a small town sometimes depended on whether there was omnibus communication between that town and the nearest railway station. In the town of Wigan, which he once had the honour of representing, omnibus communication had been discontinued in consequence of the mileage duty. This was an illustration of the evil effects which the duty sometimes brought about.

Mr. MORRISON said, he would like to know whether those duties could not be consolidated into a smaller number of items. He was also desirous of learning what the expense would be of collecting the farthing duty—because he thought it would bear an undue proportion to the total amount of the impost. He did not think that justice to the railway interest would allow of the duty on stage carriages being entirely removed as long as railways were taxed so heavily; because, though omnibuses could not compete with steam in point of speed, in many cases they possessed an advantage over suburban railways, inasmuch as they took up and set down passengers at their own doors.

Mr. WHALLEY said, the question was whether the House was to sacrifice certain portions of the mileage duty on the means of locomotion, and at the same time refuse even an inquiry into the turnpike system, which hampered locomotion to a very much greater degree. In his opinion, the question of turnpikes was fairly entitled to the consideration of the House.

Resolution *agreed to.*

7. *Resolved,* That, towards raising the Supply granted to Her Majesty, there shall be charged and paid on and after the 2nd day of July 1866, the following reduced Duty on Stage Carriages in Great Britain in lieu of the Mileage Duty now payable thereon (that is to say):

For and in respect of every Mile which any Stage Carriage shall be licensed to travel, the Excise Duty of One Farthing.

8. *Resolved,* That, towards raising the Supply granted to Her Majesty, there shall be granted and paid, on and after the 6th day of July 1666, the following reduced Duties on Licences to be taken out yearly by persons who shall let any Horse or Horses for hire in Great Britain as hereinafter mentioned:

	£	*s.*	*d.*
Where the person taking out such Licence shall keep at one and the same time to let for hire one Horse or one Carriage only . . .	5	0	0
And where such person shall keep as aforesaid any greater number of Horses or Carriages—			
Not exceeding three Horses or two Carriages . . .	10	0	0
Not exceeding four Horses or three Carriages . . .	15	0	0

Not exceeding five Horses or four Carriages . . .	20 0 0
Not exceeding six Horses or five Carriages . . .	25 0 0

Resolution 9.

That, towards raising the Supply granted to Her Majesty, there shall be charged, collected, and paid for one year, commencing on the 6th day of April 1866, for and in respect of all Property, Profits, and Gains mentioned or described as chargeable in the Act passed in the 16th and 17th years of Her Majesty's reign, chapter 34, for granting to Her Majesty Duties on Profits arising from Property, Professions, Trades, and Offices, the following Rates and Duties (that is to say):

For every twenty shillings of the annual value or amount of all such Property, Profits, and Gains (except those chargeable under Schedule (B) of the said Act), the Rate or Duty of Four pence.

And for and in respect of the occupation of Lands, Tenements, Hereditaments and Heritages chargeable under Schedule (B) of the said Act, for every Twenty shillings of the annual value thereof,

In England, the Rate or Duty of Two pence, and

In Scotland and Ireland respectively, the Rate or Duty of One penny halfpenny.

Subject to the provisions contained in Section 3 of the Act 26th Victoria, chapter 22, for the exemption of persons whose Income from every source is under One Hundred pounds a year, and relief to those whose Income is under Two Hundred pounds a year.

MR. POLLARD-URQUHART regretted that the Chancellor of the Exchequer had during the last few years allowed 3*d.* of the duty, which would have provided for the repeal of two-thirds of the malt tax, or two-thirds of the sugar duty, or for the repeal of the duties upon every article except six —namely, wine, spirits, malt, tea, sugar, and tobacco, to slip through his fingers. Nothing would do so much to stop the mouths of demagogues as to show, by the maintenance of the income tax, that that House was determined to adhere to the policy of abolishing duties which were levied upon articles consumed by the working classes.

MR. HUBBARD said, he must protest against the re-enactment of the Income Tax Act without an attempt having been made on the part of Her Majesty's Government to remove any of its gross inequalities. If those inequalities had been removed, the tax would have been more readily endured. He wished also to call the attention of the Chancellor of the Exchequer to the imperfect and clumsy machinery by which the tax was collected. The amount of confusion which it caused was something marvellous. This confusion partly arose from the inaccurate forms under which persons were required to make their assessment. No man could take the forms for assessment under Schedule D and make a just return taken from his own ledger without its being in a state of conflict with the requirements of the Act. In the receipts, too, which were given for income tax a statement was made that a certain sum had been received according to the information and particulars in the margin, but no particulars and no information were given in the margin. He submitted that that was a difficulty which might easily be remedied, and he urged upon the right hon. Gentleman the propriety of making the tax collectors give a proper form of receipt, showing the amount on which, and the rate at which, the tax was levied. There was another point to which he would call the attention of the right hon. Gentleman. Under Schedule D every individual was bound to make his own return, but there was no penalty if he failed to do so. The consequence was that a man with a tolerable good business would often refuse to make any return at all. Thereupon the income tax Commissioners made their own assessment, and assessed him, say, at £300 a year. He would pay it, and again refuse to send in a return; whereupon the Commissioners would, perhaps, assess him at £500 which he would pay. This process went on step by step so long as the trader was assessed by the Commissioners at a lower sum than he was really liable to pay. He would suggest to the Chancellor of the Exchequer the expediency of introducing a clause with the object of compelling people to make returns under Schedule D.

MR. ALDERMAN LAWRENCE said, the income tax pressed most severely upon persons possessing incomes of £200 or £300 a year, and in his opinion £150 ought to be written off every income up to at least £600 a year. The tax at present pressed too heavily upon persons engaged in professions, such as surgeons, artists, schoolmasters, and clergymen.

MR. WHALLEY said, there was an essential difference between property and income tax, which were now grouped together. The reduction in the tea and sugar duties, and imposts of that kind, were insignificant in their importance as compared with the income tax, which taxed the bone and muscle of the industry of the country. The property tax was a reasonable and legitimate tax to meet the requirements of the country—it was the ancient and proper means of raising revenue; and although vestries had power to impose a tax analogous to the income tax, common sense told them that the proper way was to raise the tax from property, and this was done throughout the length and breadth of the country. The property tax was direct and economical; the income tax was indirect and expensive; and yet the two were mixed together as though there was some analogy between them.

THE CHANCELLOR OF THE EXCHEQUER meant no disrespect to hon. Members by declining to discuss questions which had been raised, and which went deep into our fiscal and social systems, because they could not be adequately discussed on a Resolution for the renewal of a tax. They were fair and proper subjects to be discussed thoroughly, and when they were raised as separate questions the House had shown no disinclination to attend to them; but, on the voting of a portion of the Supplies of the year, the House could not enter upon the deeper and larger question of the structure of the taxes.

Resolution *agreed to.*

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee to sit again on *Wednesday.*

NATIONAL DEBT ACTS.—COMMITTEE.

Acts *considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER, on rising to move a Resolution, said, that as it would be very difficult to discuss the question satisfactorily without details, and as the House could have the details only when the Bill was before it, he would simply move the Resolution which stood on the paper, in conformity with the understanding come to in the House that the discussion should be taken at a convenient time, such as on the question of the second reading. He begged, therefore, to move—

> "That it is expedient to grant powers for cancelling the charge on the Consolidated Fund for Savings Banks of £24,000,000, and also for cancelling, from time to time, Capital Stocks of Annuities held for Savings Banks by the Commissioners for the Reduction of the National Debt, and for creating, until the fifth day of April, one thousand eight hundred and eighty-five, equivalent Terminable Annuities for Savings Banks in lieu thereof, and to provide for payment of such Terminable Annuities out of the Consolidated Fund.

SIR EDWARD BULLER said, he had listened to the statement of the Chancellor of the Exchequer on this subject, and had read the Reports in the papers, and he confessed, after all, that he did not understand the plan of the Government, nor had he met any one who did. But, as far as he did understand it, it was this:—There were to be two operations, A and B. The first was to wipe out £24,000,000 of cash, not stock. He wished to know how these £24,000,000 of cash were represented by an interest of £720,000, that being nearly 3 per cent. There was another point which he would wish to have cleared up. The Chancellor of the Exchequer had stated that there were £3,000,000 due to the trustees of the savings banks over and above the £24,000,000. Was he right in stating that? If he understood the scheme rightly, it was that £1,725,000 was to be annually paid for the purpose of extinguishing the £24,000,000, and at the end of eighteen and a half years we were to enter into an engagement for another term of eighteen and a half years, or a longer period. The right hon. Gentleman would extinguish, in the course of about eighteen years, £12,000,000. There would then remain about £12,000,000 more in the hands of the Commissioners of the National Debt for the purpose of satisfying the demands made by the depositors. So that in 1885 we should be in this position:—We should have wiped off £24,000,000 of money, but of that sum £12,000,000 would be in the hands of the Commissioners of the National Debt, applicable to the payment of depositors. That was proposal A, as far as he understood it. Then came proposal B, which was to apply £12,000,000 of assets to carry out something like the same process, and to purchase annuities which were to expire either in 1885 or 1905. Now, he wanted to know how these £12,000,000, which represented something like £13,500,000 stock, were to be converted into annuities. Did the Chancellor of the Exchequer intend to purchase annuities from time to time as he had £500,000 in his hands, or was he to purchase stock in the first instance, and convert that stock into annuities—was that to be done every year, and what was to be the term of years for which the annuities were to be granted? Were the annuities to be granted next year, and then for a period terminating in 1905, or every year for a period of twenty years, so that gradually they would be reduced from year to year, and terminate in a small sum in 1905?

LORD ROBERT MONTAGU said, he rose not to continue the discussion, but rather to ask whether it was in order to go into it at all. On the Paper which hon. Members received on Saturday morning the second Order of the day was the Merchant Shipping Act, 1854, and that was the state of the Orders when the House rose on Friday evening. But when he came down to the House to-day he found that the Orders had been altered; this National Debt question had been intercalated between the first and second Orders as they had appeared on the Paper on Saturday morning. Now, it was not right that hon. Members should be placed in that position. This was a subject of the greatest importance. If the hon. Member for Buckingham (Mr. Hubbard), for instance, wished to raise a discussion on the National Debt Bill, and if, relying on the Paper which he received on Saturday morning, he had gone to his country seat (believing, from the position in which the question had stood on the Orders this morning, that it could not possibly come on for discussion to-night), he would have lost the opportunity which he desired, and the House would have lost his knowledge and experience. He therefore wished to ask, as a matter of order, whether they could go into the question of the National Debt Acts now?

THE CHAIRMAN said, the Question of the noble Lord was a Question for the House, and not for the Committee. The House had referred the consideration of the National Debt Acts to the Committee, and the Committee could not, therefore, inquire into the question raised by the noble Lord.

LORD ROBERT MONTAGU asked, whether he was to understand that he should refer the point to the Speaker before the Report was presented? He had not had an opportunity of doing so before the Speaker left the Chair.

THE CHAIRMAN said, the noble Lord would have no difficulty in finding opportunities of raising the Question. When the Report was brought up there would be no difficulty in doing so.

VISCOUNT CRANBOURNE said, he should like to know whether the Chancellor of the Exchequer had been conscious of this curious manipulation. Were they to attribute this alteration, which might have misled many persons anxious to discuss this question, to the officers of the House, or to any Member of Her Majesty's Government? Those financial questions were matters upon which the House ought to insist upon having ample notice, and for this reason — that the decision of them rested with that House alone; and if by any accident full consideration was not given to them, the error was irreparable, as no action could be taken upon them in another place. He hoped, therefore, the right hon. Gentleman would take notice of the irregularity which had occurred. On the Notice paper of Saturday this measure was put down as No. 22; it was afterwards removed to the second place—a matter about which they had no notice, and after the Papers were sent round on Saturday.

THE CHANCELLOR OF THE EXCHEQUER said, the intention of the Government certainly was, that this measure should be brought forward this evening, and that intention was made the subject of conversation more than once during the last week. He thought it was fully understood that it was the intention of the Government, so far as depended upon them, with the approval of the House, to move the Resolution this evening. With respect to the question put to him by the noble Lord (Viscount Cranbourne), his knowledge was very limited. He had seen the Order in the middle of the list, but when he came down to the House he found it promoted to the second place. He apprehended whatever mistake was made must have been made in the Notice paper of Saturday, and that the Order was only restored to its original place. With respect to the questions which had been asked by his hon. Friend behind him (Sir Edward Buller), there were some of them that could hardly be discussed until the Bill was in the hands of Members; but with regard to others he was able to give an answer. With regard to the first question, why, when £24,000,000 was to be converted, the interest was only £720,000, the explanation was to be found in the history of the transaction by which the book debt was created. That book debt of £24,000,000 represented what was previously £24,000,000 of stock, and when by the vote of the House that stock was converted into a book debt the interest was not changed—it remained at 3 per cent as before. At the time of the conversion the annuities must be created with reference to the existing state of the funds. Hence had arisen a considerable deficit on savings banks stock. They were liable to this state of things with regard to the savings banks money. They received deposits when there was great abundance of money, and when the funds were high; consequently, investments were made at high prices; but when the funds fell, perhaps 10 per cent, a portion of the deposits was called for, and sales were made at low prices. The operation now proposed would repair this deficit, but at the cost of an actual payment of cash. With reference to the £3,000,000, it was included in the £24,000,000. The engagement connected with what was called the operation A was limited to eighteen and a half years. The first payment would be made at the end of this year, and the last payment in 1885. It was quite impossible to anticipate how much of the deposits of savings banks would be withdrawn in any future year; the only data they had on that point was the extent to which they had been withdrawn to the present time; but the sum which would be ready for that purpose was so very large—so much beyond any draughts hitherto made, that the presumption was that about £500,000 a year would remain. Then as to the £12,000,000, which would be in the hands of the Commissioners in 1885, it would be the business of the Commissioners to make investments from time to time, and he did not think a large sum would be allowed to accumulate. He now answered these questions dryly and without entering into the scheme, which would be best understood when the Resolutions were in the hands of Members.

Sir FRANCIS CROSSLEY expressed his great satisfaction that the attention of the Chancellor of the Exchequer had at last been given to the subject of the National Debt with a view to place it on a more satisfactory footing. In the course of the right hon. Gentleman's able speech when he introduced his Budget he had told them that there were two ways, and only two, in which they could deal with this question. The first he said was to apply the whole or a portion of the surplus to pay off a portion of the debt outright, and the second was to apply the same amount to pay the difference in value between terminable annuities and Three per Cent Consols. He also told them that he had received many suggestions by letter with various schemes for reducing the National Debt by creating terminable annuities. He (Sir Francis Crossley) could not claim to have been one of his correspondents on that subject; but ever since he had had the honour of a seat in that House he had not failed on every suitable occasion to bring forward the question of creating terminable annuities in lieu of the permanent debt. But the right hon. Gentleman had told them that the great obstacle to his taking the advice given was that no one wanted to buy terminable annuities on the Stock Exchange; but he (Sir Francis Crossley) thought it was going rather too far to find fault with there being no buyers of terminable annuities on the Stock Exchange when the fact was they had not been offered—before there were buyers there must be sellers, and he had too much faith in the prudence of the dealers on the Stock Exchange to imagine that they would not buy the stock that was cheaper than the Three per Cent Consols. Whilst he did not object to the short terminable annuities now proposed by the Chancellor of the Exchequer he was in favour of much longer terminable annuities being offered as well; and he had on several occasions stated in that House that if the Chancellor of the Exchequer would year by year lay by £500,000 out of his surplus for the purpose of paying the difference between terminable annuities at 100 years hence and Three per Cent Consols, that amount would pay the difference in value between upwards of £10,000,000 of terminable annuities at 100 years hence and Three per Cent Consols. But, supposing the right hon. Gentleman were correct in saying that terminable annuities would not be a favourite stock, still the only result would be that the £500,000 instead of converting 10½ millions, as the exact value would do, might convert rather under £10,000,000 thus giving those who purchased terminable annuities the advantage in value to that extent. The amount of our debt was so colossal that merely to pay it off outright with a portion of the surplus made no impression upon it; for instance, if £2,000,000 were paid off directly we should merely be paying 5*s*. in the £100 or bankers commission upon it, whereas by the terminable annuities a half million would transpose £10,000,000 interminable annuities to be terminable 100 years hence. The Chancellor of the Exchequer had remarked that it would have been unwise to have attempted to deal with the National Debt until our commercial legislation had been placed on a satisfactory footing, but looking at the prosperity we had had for many years back, he was unable to endorse that opinion. He quite admitted that the point to which the right hon. Gentleman had referred was the more important of the two, but he thought it would have been much wiser to allow the two to proceed hand-in-hand in the mode which he had described. The right hon. Gentleman had drawn their attention to the important subject of the decrease of our coal supply in this country. He should be sorry to be able to think that it would be completely exhausted in so short a time as the Chancellor of the Exchequer had led them to suppose; still he was perfectly correct in this, that there was no country in the world where coals could be brought to the surface so cheaply as in this, and being an island the coals were near to the sea-board when so brought to the surface, consequently there was very great danger of rapid exhaustion taking place. He (Sir Francis Crossley) believed also that his statement was correct as to the quantity of coal in this country, being but the one thirty-seventy part of the quantity in America; but in that country the wages were high, it was a continent, and not an island, and consequently it would be very difficult to get the coal to the sea-board. He thought the Chancellor of the Exchequer had done good service in bringing this important subject under their consideration, and had shown that it was wise and prudent that no time should be lost in placing our National Debt on a more satisfactory footing, and he (Sir Francis Crossley) hoped that, whoever might be the Chancellor of the Exchequer in future years, the system of terminable annuities would be more extensively adopted, for the reduction of the debt in time of peace was the best preparation we could make for war.

MR. WEGUELIN said, the great point to be considered was whether the country would bear the extra charge proposed for the purpose of paying off the debt by instalments — which was the real operation of terminable annuities. He would suggest to the Chancellor of the Exchequer that there was a fund which might very fairly be applied to this object. The right hon. Gentleman stated the other night that the Exchequer Loan Commissioners had lent altogether about £10,000,000, which appeared every year under the head "Repayment of Advances" in the Revenue Accounts. It appeared to him that the receipts from this source might be applied to the creation or payment of these annuities; which would be attended with this advantage, that in times of difficulty, when it might be requisite for the Government to raise money, these loans could be suspended.

MR. WHALLEY protested against its going forth to the world that our national pre-eminence depended upon our coal-fields, for it was really dependent on our energy and enterprize — qualities which would enable us to bring coal from America or any other part of the world, if our own deposits were exhausted. He protested against the doctrine that if our supply of coal were to fail we should at all descend from our position as a nation.

MR. LAING said, that irrespective of the details of this measure, a very important principle had been mooted in eloquent speeches recently delivered on the question. It would be a great convenience if the Chancellor of the Exchequer would state whether the discussion upon it would be taken before or after that on the Reform Bill, or whether it would be taken before the Whitsuntide recess.

THE CHANCELLOR OF THE EXCHEQUER was afraid that, having regard to other subjects still more important, he could only repeat his promise of giving ample notice. He should be glad if the second reading could be fixed for Thursday week, but until he knew what course was likely to be pursued in regard to the Bill he had introduced that evening he could make no definite arrangement.

Resolution *agreed to.*

Resolved, That it is expedient to grant powers for cancelling the charge on the Consolidated Fund for Savings Banks of £24,000,000, and also for cancelling, from time to time, Capital Stocks of Annuities held for Savings Banks by the Commissioners for the Reduction of the National Debt, and for creating, until the fifth day of April, one thousand eight hundred and eighty-fifty, equivalent Terminable Annuities for Savings Banks in lieu thereof, and to provide for payment of such Terminable Annuities out of the Consolidated Fund.

House *resumed.*

LORD ROBERT MONTAGU (Mr. Speaker being in the Chair) said, he would now call attention to the point of Order he had previously mentioned. He wished to observe that the Paper containing the Orders of the Day which had been laid upon the table that evening differed from the Paper which had been supplied to Members on Saturday morning. The National Debt Bill stood second on the one paper and appeared as the twenty-second Order on the other. That alteration might have led to serious inconvenience. He wished to know whether such an alteration could legitimately be made.

Mr. SPEAKER said, the House was aware that on Friday evening the Chancellor of the Exchequer fixed the Committee on the National Debt Acts as one of the Orders for this evening, and that the Government had the power of arranging those Orders in the way which appeared to them most convenient for the despatch of public Business. The Committee on Ways and Means and the Committee on the National Debt Acts were intended to stand next each other, but they were accidentally separated and printed apart. On Saturday, knowing what the intention of the Government was and what was proposed, for the convenience of public business, the Clerk directed that the change should be made.

Resolution to be reported *To-morrow.*

LIFE INSURANCES (IRELAND) BILL.

On Motion of Mr. Attorney General for Ireland, Bill to amend the Law relating to Life Insurances in Ireland, *ordered* to be brought in by Mr. Attorney General for Ireland and Mr. Solicitor Gereral for Ireland.

Bill *presented,* and read the first time. [Bill 114.]

Hosue adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, May 8, 1866.

MINUTES.]—Several Lords took the Oath.

Public Bills — *Second Reading* — Labouring Classes Dwellings (68).

Committee — Dockyard Extensions Act Amendment * (56).

Report—Dockyard Extensions Act Amendment * (56).

Third Reading—Drainage and Improvement of Lands (Ireland) (90), and *passed.*

Lord Robert Montagu

THE NESTORIANS IN PERSIA.

QUESTION.

Viscount STRATFORD de REDCLIFFE said, that seeing the noble Earl the Secretary for Foreign Affairs in his place, he would take the opportunity of making an inquiry on a subject not pressing immediately on any National interest, but which was of a certain degree of importance in a religious and social sense. Their Lordships were aware that in the kingdom of Persia there was a considerable body of Christians, established there from the earliest period, under the name of Nestorians, probably deriving their name from Bishop Nestorius, who flourished some time in the 5th century, and who was Bishop of Constantinople, and who, in his early days, was a vigorous persecutor of Christians, and ended by becoming a vigorous upholder of Christianity. These Nestorians were remarkable, as he understood, for the purity of their Christian faith and the simplicity of their character; and if anything were wanting to satisfy their Lordships that they were right-minded in that respect, it would be the fact that the Nestorians had suffered a good deal of persecution partly from the Mussulmans, and partly, he was sorry to say, from fellow-Christians of the Roman Catholic persuasion, who were anxious to bring them over to the See of Rome, and, not succeeding in that object except to a limited extent, had set up the Persian and Mussulman population against them. It appeared that lately, from advices from this country, proceeding, perhaps, from the Office over which the noble Earl presided, and very much to his credit in that case, the present monarch of Persia had not only ceased all persecution of the Nestorians, but had offered them protection, and had also given them a site for the erection of a church in the part of the country where they lived, and had himself given a most remarkable example by presenting a sum of £100 towards the erection of the church. He (Viscount Stratford de Redcliffe) had been at Constantinople, and had witnessed the progress of Liberal ideas there and in the East, but this surpassed anything he had the good fortune to see in that quarter. Under these circumstances, it would be satisfactory to find that the Government had received information similar to that which had reached him from what he believed to be a very authentic source; and in that case it would be a still greater satisfaction to find that Her Majesty's Government viewed the circumstances in the same light as he did, and were disposed to give some evidence of their appreciation of the Shah's conduct on this occasion, and some encouragement to the prosecution of Liberal ideas so favourable to Christians and to the common interest to persons connected with the East. The Question he wished to put to his noble Friend was, Whether the information received by the noble Earl was similar to that which he had received himself; and whether the Government had taken any step, or had in contemplation to take any step, which would show that they appreciated the Shah's conduct in giving protection and encouragement to these people?

THE EARL OF CLARENDON: In answer to my noble Friend's inquiry, I can merely give a confirmation of the statement he has made. In the first place, I believe the Nestorians in Persia were established at an earlier date than that mentioned by my noble Friend, and that their rites and doctrines so very much correspond with our own that they have been called the Protestants of Asia. They have been subject to the greatest oppression, not only from those amongst whom they live, but by the Mahomedans who have been placed over them as rulers. These continued oppressions having come from a variety of sources to the knowledge of Her Majesty's Government, Mr. Alison, our Minister in Persia, was directed to bring the whole subject under the consideration of the Persian Government. Mr. Alison had also suggested that it was very desirable that they should cease to be governed by a Mahomedan Prince, and that a Christian ruler should be placed over them. This suggestion was approved, and he was desired to bring it before the Persian Government; and after communicating with the Persian Prime Minister he communicated direct with the Shah. The Shah not only agreed that a Christian ruler should be placed over the Nestorians, and gave them a site for the building of a church, but he did what my noble Friend has described as an unprecedented example —he subscribed £100 towards the building of the church. As soon as these circumstances came to the knowledge of Her Majesty's Government, Mr. Alison was desired to return their warmest thanks to the Shah; and they also desired him to subscribe £80 towards the building of the church. I have also the satisfaction of stating almost all sects joined with Mr. Alison in the subscription. The matter having been brought to Her Majesty's knowledge, Her Majesty desired that Mr. Alison should seek an audience with the Shah to express in her name the interest she took in these Christians and her warm acknowledgment for the Shah's valuable assistance and the protection he had extended to the Nestorians. The Christian ruler, a man of high rank, has since been appointed; and although my noble Friend will understand there is some difficulty in establishing the state of things he desires, I think there is every reason to hope that this sect will henceforth be free from persecution. I cannot conclude without bearing my testimony to the great tact, judgment, and ability which have been exhibited throughout an affair (which I am sure my noble Friend will understand could not have been brought to this satisfactory issue without some difficulty) by Her Majesty's representative in Persia.

THE EARL OF SHAFTESBURY said, he had received letters confirming the statements which had been made; and only to-day he had seen a gentleman who stated that this was a legitimate occasion for promoting the Christian religion in the East. He should like to point out to his noble Friend the circumstance that the Secretary to the Foreign Minister of the Shah gave £50 as a precedent which was worthy of imitation.

THE BISHOP OF OXFORD said, he desired to offer a single word in correction of what had fallen from the noble Lord at the head of the Foreign Office. He unfeignedly rejoiced at the protection which had been extended towards these our brother Christians, and at all the good that might come from that protection; but if the right rev. Bench were to sit perfectly still under the statement that in all its particulars the Nestorian doctrine agreed with the doctrine of the Church of England, that would give a great shock to many Christians in this country. That was not the case. The Church of England agreed with these people in protesting against the assumption and aggression of the Church of Rome, but did not agree with them in all matters of doctrine— which constituted the Nestorians a separate sect.

LABOURING CLASSES DWELLINGS BILL.

(*The Lord Stanley of Alderley.*)

(NO. 68.) SECOND READING.

Order of the Day for the Second Reading read.

LORD STANLEY OF ALDERLEY, in moving the second reading of the Bill, said, that it had its origin in a desire to meet the wants of the labouring classes who had been driven from their habitations to so great an extent by the construction of railways and public works. The object of the Bill was to enable the Public Works Commissioners to advance to public companies and private individuals sums of money not exceeding one-half of the value of the premises to be erected, for the purpose of providing dwellings for the labouring classes, and the advance was to be charged interest at the rate of 4 per cent.

Moved, "That the Bill be now read 2ª."—(*Lord Stanley of Alderley.*)

THE EARL OF DERBY said, the Bill was one of an exceptional character, and certainly not in accordance with the usual principles of legislation. It was no doubt a great object which it had in view, and might operate very advantageously for the labouring classes; but as he understood, money was to be advanced to public companies for the purpose of building houses for the labouring classes, without any stipulation as to rents that were to be required in return. This was giving an opportunity for mere speculation. In all previous Acts of a similar character the object had been to secure a moderate rent, with a fair return to the builder. Unless provision were made that the rents required should be moderate in amount, the very object of the measure would be defeated.

LORD STANLEY OF ALDERLEY considered the objection of the noble Earl would be obviated by a provision which was contained in the Bill, that the advances should only be made under such regulations as to rent and other matters as the Treasury might think proper to lay down.

THE EARL OF SHAFTESBURY said, he cordially approved the object of the Bill; and whether the principle were good or bad, it had been repeatedly sanctioned by both Houses of Parliament, and money had been advanced to private persons for a variety of purposes. There were several important considerations, however, of which it was desirable not to lose sight in dealing with the subject. Their Lordships were asked to provide for the replacement of a class of houses in which one family occupied at the most two rooms, while in many instances the accommodation was confined to a single apartment. Now, if much more ample accommodation than two rooms should be furnished in the buildings which would be erected under the operation of the Bill, it was possible that the rent would be so largely increased that a considerable number of those who would be displaced would not be able to pay it; while if single rooms were set aside for occupation a legislative sanction would, as it were, be given to that system of several persons dwelling together in one apartment, which was so subversive of all health and decency. He wished also to impress upon their Lordships the necessity, particularly in the event of money being lent to private speculators under the Bill, of having due precautions taken to prevent them from running up houses of a miserable description, which might tumble down at the end of twenty years. He did not think that Bill would have any very extensive operation, because the rate of interest fixed was too high to induce many borrowers; for the measure to do any good, the rate of interest should be reduced to 1½ or 2 per cent. The fact should not be overlooked that there were great differences in the condition of the working classes of the metropolis. Some of the skilled artizans of London, who earned 35*s.*, 40*s.*, and even as much as 60*s.* a week; might be able to pay 3*s.*, or even 6*s.* a week for their lodgings; but the great mass of the labouring poor in London were in a very different position—he believed they did not earn on an average more than from 10*s.* to 12*s.* per week, and such persons could not pay more than 1*s.* 6*d.* or 2*s.* a week for their lodgings. He would also observe that the rents in London were very considerably increased by the circumstance that many of the skilled artizans required to live, not only in close proximity to their work, but in close proximity to each other. Take the case of the watchmakers of Clerkenwell as an illustration. A watch passed through the hands of at least 100 different workmen before it was completed, and these men must be contiguous to each other, because, although each workman might have a certain number of tools of his own, he must rely to a great extent on the assistance of his neighbours. But even if by the present measure they could make provision for the skilled artizans, how could they make provision for that large mass of the labouring poor who lived in miserable dens and wretched alleys, and were unable to pay more than they now did for a single room —namely, 1*s*. 6*d*. or 2*s*. per week? That was the class which was least of all able to help itself. Yet, although the Bill might not have any extensive operation, he regarded its introduction as a useful experiment, believing that even if they lost the whole of the money employed in carrying it on they could well afford to do so—especially as it would be the means of procuring for them a great amount of valuable knowledge on a very important matter. Considering the enormity of the evil to be remedied, and that it was augmenting from day to day—because, while they were widening their thoroughfares and improving their street architecture, the labouring classes were—not sent to the outskirts of the metropolis, but were driven into houses already overcrowded, where pestilence, disease, immodesty, and everything most offensive to physical and moral life went on in an increasing ratio—he thought it was their duty to make every experiment in their power with a view to mitigate so frightful a state of things; and he therefore begged to thank the Government for their present attempt.

The Earl of POWIS said, that the Public Loan Commissioners were prohibited by a Treasury Minute from advancing money at a lower rate of interest than 5 per cent, and expressed his fear that, unless the Government were prepared to reconsider that Minute, so as to allow advances to be made at a reduced rate of interest, the provisions of this Bill would remain a dead letter.

Lord STANLEY of ALDERLEY said, that the Bill gave the power of advancing money at an interest of 4 per cent.

Motion *agreed to:* Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

AUSTRIA, PRUSSIA, AND ITALY.

QUESTION.

Earl CADOGAN rose to put the Question to the noble Earl the Foreign Secretary which stood on the notice paper in his name. A Question on the very same subject had, he understood, been put on the previous evening by an hon. Gentleman in the other House of Parliament, and had been answered by the Under Secretary for Foreign Affairs. In spite, however, of that circumstance, he thought their Lordships might still deem it advisable that he should persevere with the Question of which he had given notice, in order that their Lordships and the country might have the benefit of a statement from the noble Earl at the head of the Foreign Office, not simply with reference to the material facts as to what had lately occurred—on which, perhaps, his noble Friend might say their Lordships were already well informed—but also with respect to any steps which the noble Earl might have thought fit, as the organ of Her Majesty's Government, to take, with a view either to avert or mitigate the deplorable consequences which might arise if hostilities were unfortunately to break out. Assuming that he had their Lordships' sanction for proceeding with that matter, he would endeavour, as much as possible, to confine himself to the Question which stood in his name. He would express no opinion himself, nor would he challenge any expression of opinion on the part of the noble Earl or their Lordships on subjects which, although of great interest, it might be premature to discuss, such as the causes which had led to the present critical state of affairs; the relative amount of blame to be awarded to each of the three Powers whose differences seemed to threaten the outbreak of a European war; and lastly—and this was not the least important point—the motives that might have influenced the Emperor of the French, who had it in his power by one word to prevent the conflict which was now impending, but who had left that word unspoken. These were subjects of very great delicacy, and if approached at all ought to be approached with very great caution. In his humble opinion the moment had not yet arrived when those subjects would be ripe for discussion; but he was afraid that that time was not far distant. He had no doubt that there were many Members of their Lordships' House far more competent and with much greater claims to their attention than himself who were prepared to discuss those subjects with that calmness and impartiality and statesmanship which their importance demanded. But putting those subjects aside, he would advert to points to which the same considerations of caution and forbearance did not equally apply. He meant those points to which his question referred. On these he hoped he might be allowed to say a very few words. His noble Friend at the head of the Foreign Office was far too sagacious and had too much foresight not to have discerned the premonitary symptoms of the approaching storm which threatened very shortly to break over a great part of Europe, and he was sure his noble Friend also had too keen a sense of the responsibility which attached to his high office to have satisfied himself with sitting quietly by as a calm and idle spectator of what was going on, and with not doing whatever might be in his power in the way of taking precaution against the ruin and desolation which, when that storm burst, would be scattered far and wide. If his noble Friend had taken that course, it could have been only from one or other of two causes—either the noble Earl was a determined adherent of the new policy known as the policy of non-intervention, or from a conviction that the influence which this country had so long possessed in the councils of Europe had become a thing of the past. He did not, however, believe that he held either one or the other of these opinions, and he was rather disposed to assume that his noble Friend had impressed upon those Governments whose unhappy dissensions were likely to embroil Europe in war those counsels of moderation and those friendly remonstrances and warnings which he was justified in offering from his long experience, high character, and the great estimation in which he was held by the Sovereigns and many of the principal statesmen of Europe with whom he was intimately acquainted. He would now ask the Question of which he had given notice—namely, Whether Her Majesty's Government have made any Offer of Mediation, either alone or in concert with The Emperor of the French and The Emperor of Russia, to the Courts of Austria, Prussia, and Italy, with a view of assisting the Governments of those Countries in arriving at a Pacific Settlement of the Questions at issue between them? He trusted that the noble Earl would not confine himself to the specific terms of the Question; but would consider it as applying to a proposal of any other nature which he might have made to the Courts in question.

THE EARL OF CLARENDON: My Lords, I am much obliged to my noble Friend for the tone of the remarks he has made, and for the courteous manner in which he has expressed himself in regard to myself. I am afraid that, in one respect, it will be necessary for me to maintain a discreet silence, if my noble Friend alludes to the apportioning of blame and the imputation of motives.

EARL CADOGAN said, he had expressly disclaimed any wish to enter into topics of that kind.

THE EARL OF CLARENDON: I beg my noble Friend's pardon. I am glad I have misapprehended him on that point. It is perfectly true, as my noble Friend said, that Parliament has been without any information communicated by us on the subject, and for this reason—that, so far as the action of the Government is concerned, this country will, neither directly nor indirectly, take any part in war, if war should unfortunately occur. Of course, we have always been ready to answer any inquiry that might have been addressed to us; but until last night, in the other House of Parliament, and to-night in this House, no inquiry of that nature has been addressed to us. I am sure this has not been from any want of vigilance on the part of Parliament, or from want of interest in Continental affairs, but because it was felt that the public are just as well informed as the Government on passing events. There is now little of that secret diplomacy which in former days so much prevailed. There is on the part of every Government—such is the power of public opinion—so great an anxiety to appeal to it and obtain its support, that despatches of the most important character and entailing the gravest consequences are no sooner delivered than they are published; and the telegram secures that there shall be no priority of information. We are, therefore, all placed on the same footing. We know the complaints of Prussia against Austria, and in what manner Austria has answered those accusations. We know by the able papers they have published what are the opinions of Bavaria and Saxony as to the conduct of their two great neighbours, and what are the opinions of the rest of the German Powers. We know how loud have been the remonstrances throughout Germany against a war uncalled for by national honour and forbidden by national interests. The fall of the funds and of all public securities throughout the Exchanges of Europe—the paralyzation of credit, of commerce and industry—the enormous losses that were entailed as soon as the rumour of war assumed an appearance of reality—seemed to be so many warnings to Sovereigns how they trifled with the interests of their subjects. Up to about a fortnight ago there was an appearance that moderate counsels would prevail, and that the calamity of war would be adverted. But within the last fortnight this hope has become less and less felt, and, although each Power declares that it has no aggressive intention against the other, and although each declares that it has only armed against an attack which they all declare they do not meditate, yet when three large armies are marching to their respective frontiers there is too much reason to fear that war is at hand. If we had the least reason to hope that our good offices would have been of any use, they would have been freely offered and conscientiously employed. That we have taken care the Powers in question should know. I should not be discharging my duty if I said too much; but, my Lords, we have stood alone, and alone we could do nothing against the determination that war was the most effective means—the only effective means of giving effect to an ambitious policy. This determination may possibly be carried into effect—we must hope that until war is actually declared it will not be carried into effect, but more than a million of men are now armed and prepared for the conflict. And I must say that it is a melancholy sight in this enlightened age, and in the present state of civilization and progress, that Europe should be even menaced with war for which no *casus belli* can be said to exist, and for which there is no justification.

Viscount STRATFORD DE REDCLIFFE said, he did not rise with any intention of entering into a lengthy consideration of the subject, but he heartily concurred in the opinion that the war which now menaced Europe was to be deprecated, not only with respect to its probable consequences, but to the motives of its authors. It was to him a matter of surprise and regret that, in spite of the public knowledge and public opinion to which the noble Earl had referred, those who were at the head of the councils of States and of great armies were disposed to carry out their ambitious projects, and the present prospect was that Europe was about to be involved, not only in one of the most extensive wars of this century, but one of the most extensive within historical record. This country, under these circumstances, would be more than usually fortunate if, with the best intentions and the greatest love of peace, we were not eventually drawn into it. It appeared that, with every disposition on the part of the Government to give good advice, the voice of England was of no effect upon the Cabinets of Europe, and that this country was condemned to silence and inaction, and was unable to take precautions or even to raise a voice against the coming calamity. That was a state of things deeply to be lamented, and if that was the position in which we stood he should say that he thanked Heaven that at his time of life he might naturally hope to be spared the contemplation of the evils with which we were threatened. He did not believe that in this case Austria was the aggressive party. He could not believe that in her state of financial weakness at home, of political weakness in Hungary and in Italy, and in her doubtful position in Germany, it was possible that she should be the aggressor. But when the affairs of the Duchies were under discussion many of their Lordships who took part in the debate foretold that the bitter cup prepared for Denmark contained some dregs which the Great Powers would one day have to drink, and this hour now seemed to be approaching. That did not explain the extent to which the danger had gone, but it did explain its origin, and it was to the last degree lamentable to see the peace of the world compromised under such circumstances.

Earl GREY: My Lords, I must say, for myself, that, though I view the state of affairs to which the noble Viscount has called attention with the same dismay and the same horror as he does, I do not look upon it with the same surprise. It seems to me that what has now taken place in Europe is the natural consequence of that conduct which we thought it right to pursue some two years ago. Your Lordships will remember that it was at that time ostentatiously laid down as the political rule of conduct of this country that we were never to interfere with foreign States except when our own interests were directly and immediately threatened. The rule or principle of non-intervention, which had been understood in a very different sense by great statesmen in former times, was abused to this extent. In former times, when the principle of non-intervention was invoked, it meant this—that no State had a right to interfere with the internal affairs of another; that it was an abuse and scandal if any nation prevented another from settling its internal Government in the manner it thought best for its own welfare and its own prosperity. But in those days no man ever dreamt that the principle of non-intervention applied to the case of the disputes which arise in the civilized world, or that it meant that a great country like this had no duty to perform in endeavouring to prevent the oppression of weak States by the strong, and in maintaining, not only peace, but the interests of justice throughout the world. My Lords, I say this is a new doctrine, for the first time put forward and for the first time acted upon in a manner which has left a stain on the fair fame of this country some two years ago. We then not only acted on this principle, but acted on it in this manner — we deluded unfortunate Denmark by intimations, if not promises, of support, until we brought her into a false position—and then we abandoned her. I then foresaw that if we were to proceed on the purely selfish principle of thinking of our own interests only, it would very soon happen that some strong and unscrupulous Power would avail itself of the new principle to be guilty of acts of spoliation, that the peace of Europe would be in danger, and that sooner or later we should see those deeds of wrong and violence which we had encouraged by our sufferance rise to such a height and be applied in such a manner as to fill the world with blood and misery. I ventured at the time to express to your Lordships my conviction that this would be the consequence of the policy pursued; that, encouraged by our sufferance, scandal, wrong, and robbery—what we stated in our official papers to be wrong and robbery —would result; and I am certain that a single word said at the right time and with proper firmness would have stopped the entire mischief without danger of war. We are told that it was a great triumph for the Administration of that day that it kept us out of war. I ventured then to say that they ought not to boast until we had seen the end of it; and, looking now at the threatening state of Europe, will any man tell me that we are not now more in danger of being drawn into a contest than if we had at that time taken a bolder course? My Lords, I say the consequences may be put off for a time, but they will come; and for those consequences I hold Her Majesty's Government to be responsible.

EARL RUSSELL: My Lords, I must say a few words with respect to the speech which my noble Friend (Earl Grey) has just addressed to your Lordships. I never heard it laid down—I know not whether anybody laid it down, but certainly Her Majesty's Government did not—that this country was not to interfere where the peace of Europe or the interests of justice might require. What I said was that if neither your honour nor interests were concerned you must consider long and with great deliberation before you enter into a war. If you enter into a war merely for the sake of preserving the general balance of power in Europe, without your interests or honour being involved, you ought to see whether you are not likely to produce much more evil than you are likely to remedy. My noble Friend, on the other hand, says it was no question of Germany being in the right or of Denmark being in the right, but that there was an opportunity of entering into a war and we ought to have accepted it. I differ entirely from my noble Friend, and I certainly cannot accept his representations of the conduct of Her Majesty's Government.

THE EARL OF DERBY: I never heard a more complete misrepresentation than has been made by the noble Earl (Earl Russell). He represents the noble Earl on the cross-benches (Earl Grey) to have laid down that it was not a question whether Germany or Denmark was in the right, and also that he desired to enjoy the opportunity of dragging this country into a war. Nothing could be more different from the language of the noble Earl, whose language was this—and I entirely concur with him —that you had laid down that the action of the German Powers in the affairs of Denmark was a wrong and a robbery; that there was no question as to which was in the right or which in the wrong; that the aggression was on the part of Germany on inoffensive Denmark, or, at all events, that the offence of Denmark was slight as compared with the wrong of the German Powers; and having done all this, and having gone to such an extent that the Prussian Minister told you, in answer to one of your threatening and braggadocio despatches, that it was a declaration of war—when Denmark depended on your moral if not your material support, then you took an opportunity of withdrawing from the contest which you had yourselves encouraged, and abandoned the ally whom you had led by your encouragement to maintain her own rights.

EARL RUSSELL: I must say, in explanation, that we maintained with regard to the engagements which Denmark had entered into with Austria and Prussia that Denmark had given cause of complaint to both these Powers, and we advised her to set herself right by fulfilling punctually those engagements. Denmark was recommended to do that; but she determined to resist, and refused to comply with the advice of Her Majesty's Government. We again urged that course subsequently upon Denmark, and Lord Wodehouse was sent to Copenhagen with the view of prevailing upon the Danish Government to do so. The Danish Government still refused. We urged upon the German Powers that there was still an opportunity of setting the matter right, and that they were bound not to go to war until they had exhausted every other mode of obtaining what they sought. At the last moment Denmark was prepared to do justice to the claims of Germany, and we held that the war was consequently an unjust war on the part of the German Powers. But they had originally a good right to complain that Denmark had made engagements with them which she was not willing to fulfil.

The Earl of **HARDWICKE**: I should like to ask a question of the noble Lord the Secretary of State for Foreign Affairs. I see from a report in the papers of what was stated in another place last night by a distinguished Member of Her Majesty's Government, that "it will be unadvisable for Her Majesty's Government to enter alone into any communication with the view of offering their good offices to the Powers now on the verge of war." It struck me as being a very remarkable thing that this country should be unable to do anything alone—that it had not of itself sufficient power and weight to appear before Europe as an arbiter, well wisher, or good adviser; but that it must, forsooth, go to some powerful neighbour, and say, "Will you act with us, because we are so feeble that we can do nothing alone?" I should like to know if that is really the condition in which we are placed?

The Earl of **CLARENDON**: I can tell my noble Friend that that is not the condition in which we are placed. I do not know what report my noble Friend read, but it certainly was not correct. I suppose that between Governments, as between individuals, an inquiry beforehand is necessary, whether your advice, if given, would be acceptable or not; otherwise, if offered, it would be more likely to do mischief than if you let the matter alone. Long ago we took means to ascertain whether our good offices would be acceptable and useful, and the answers we got were not encouraging. The matter, therefore, was not pressed, for we had ample means of knowing that it would not be useful to do so. We addressed ourselves to other Powers to know whether they took the same view as we did; and when we found that we should be left in the position in which we found ourselves at first, we did not press our good offices further.

House adjourned at a quarter past
Six o'clock, to Friday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 8, 1866.

MINUTES.]—New Member Sworn—Sir John Charles Dalrymple Hay, baronet, *for* Stamford.

Select Committee—On Masters and Servants *nominated.*

Ways and Means—*Resolutions* [May 7] *reported.*

Public Bills—*Resolutions in Committee*—National Debt Acts.

Ordered—Sea Coast Fisheries (Ireland)*; Compulsory Church Rate Abolition; Customs and Inland Revenue*; National Debt Acts*; Terminable Annuities*; Indian Prize Money.*

First Reading—Compulsory Church Rate Abolition [143]; Terminable Annuities* [144]; Customs and Inland Revenue* [145]; Indian Prize Money* [146]; Sea Coast Fisheries (Ireland)* [147].

Second Reading—Transubstantiation, &c., Declaration Abolition [82].

Considered as amended—Crown Lands* [98].

Third Reading—Exchequer and Audit Departments* [3], and *passed.*

IMPERIAL GAS COMPANY BILL [*Lords*] (*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Mr. **TITE** rose to move that the Bill be read a second time this day six months. The site which the Company now occupied in Bethnal Green had never, he believed, been sanctioned by legislative enactment; but they had power to hold lands in the parish of Bow, close to Victoria Park; and they had twice sought to obtain legislative power to establish and increase their Works at that point. Last year, after considerable discussion, a Bill passed that House, but was thrown out in the House of Lords. That Bill was opposed by the Metropolitan Board of Works, and probably their opposition contributed to throw out the Bill in the other House. Under the present Bill the Company sought power to obtain 100 acres of land, and to establish enormous gas works in that district. The Bill was opposed very generally by the inhabitants, and especially by the Metropolitan Board, on the ground of the injury which would be done by the Works to the Victoria Park. The Victoria Park consisted of 240 acres, beautifully disposed, in the midst of a very crowded and poor district. It had cost £72,000 of public money, and the Metropolitan Board had laid out £20,000 in forming a road from Limehouse to it. He did not know any thing of the kind more useful, or, in a moderate way, more elegant than Victoria Park. It was quite a credit to the metropolis. The Gas Works would encroach on the north and east side of the Park, and would be fatal to the salubrity and usefulness of a place which had become a very favourite resort for health and recreation to the district around. He thought a site might be found on the low-lying lands further down the river which would be comparatively unobjectionable on public grounds; but that proposed in this Bill would, to a very large and crowded district, be a serious annoyance and nuisance. He understood that the area had been limited in the House of Lords to thirty-seven acres, in addition to the twenty-seven the Company now possessed; but even that extent of Works would enable them to create all the nuisance which the neighbourhood apprehended. It was also stipulated that the Works should not be erected within 300 yards of Victoria Park. That would be about the distance of Charles Street from the place where they were now sitting, and what would hon. Members say if it were proposed to erect great Gas Works so near the House of Commons? He begged to move that the Bill be read a second time that day six months.

Lord JOHN MANNERS begged leave to second the Amendment. He was glad to find that if the inhabitants of the districts surrounding the Victoria Park were deprived on that occasion of the advocacy of their more natural guardian, the First Commissioner of Works, the hon. Gentleman the Member for Bath (Mr. Tite) had stood forward on the part of the Metropolitan Board of Works as the vindicator of what he must call the rights of the people. He objected altogether to treat this as a Private Bill—it involved a great principle of public policy. In 1852, the Legislature had put an end to intramural interment on the ground of the public health; and when such a measure as this, involving the same consideration to a great extent, came before them for the second reading, the House had a right to consider whether it involved a violation of this principle or not. Now he (Lord John Manners) objected to the erection of great gas works within 300 or 400 yards of a place of public resort and recreation as a nuisance. He, therefore, objected to the Bill *in limine*, and upon principle. In Paris gas works were placed without the boundaries of the city. What would be the feeling of hon. Members if they were told that a gas works which would produce 17,000,000 cubic feet of gas *per diem* was to be erected in Charles Street; or would such a thing be tolerated within 300 yards of Hyde Park? He thought hon. Members would be very loud in their protestations against sanctioning such a measure. Then why should they impose on the East End of London what they knew in their hearts they would refuse at the West End? Having regard to every consideration of public policy, good feeling, and respect for the inhabitants — having regard also to the large sum of public money which had been expended for their recreation in the East End of London, he called on the House to support the Amendment and reject this Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Tite.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. BERESFORD HOPE was anxious to say a few words in opposition to the Bill, as he held in his hands a petition signed in Victoria Park by the Rector of Bethnal Green and over 700 frequenters of the Park against the proposal. Referring, as it did, to a Private Bill, he was prevented by Standing Orders from laying it on the table of the House, but he appealed to it in defence of the opposition he was offering. He had spent the morning of Saturday on an ash-heap, by the River Lea, surveying the ground which the Company desired to usurp, and he had spent that morning in one of their gas works to realize the extent of the nuisance which gas-making produced. From the inspection of this gas work, which only made 2,000,000 cubic feet a day, while the proposed one at Victoria Park was to make 17,000,000, he had drawn his own decided conclusions. The new works of the Imperial Company were to be close to the Victoria Park Cricket-ground, which was peculiarly thronged. How would they like gas works, making 17,000,000 feet a day, 300 yards from Rotten Row? He believed that the argument of the Gas Company was, that if they did not get the ground some other nuisances would. Well, all similar nuisances ought to be impartially put down within the limits of the capital. The time, in fact, had come, when it was necessary to consider on broad principles the condition of London as a place of residence and business, and not as a mere factory. If the first blow was not to be struck, and if the perpetuation of the evil in the permanent and gigantic form of such gas works was not to be put an end to, they never hereafter would have standing ground when they tried to abate the general mischief.

Mr. COWPER thought the Government should be careful not to interfere unnecessarily with the course of private Business; and the House ought not on the second reading to reject a Private Bill unless some important principle were involved. It was a question of public policy whether they ought to sanction the further erection of gas works in the neighbourhood of dwelling-houses? He (Mr. Cowper) thought it a grievance to the inhabitants to have a factory of this kind placed immediately in their vicinity. The peculiarity of the case was the gigantic size of the works. The noble Lord had said that gas works would not be tolerated near St. James' Park. Had he forgotten the works in Horseferry Road, within 400 yards of that House, and neither in St. James' Park nor in that House had any evil effects been experienced. Looking to the enormous extent of the proposed works, he did not see how it was possible to secure adequate protection by clauses, and in order to prevent the risks apprehended by many who were competent to form an opinion, he should oppose the Bill.

Mr. STANILAND said, he was not disposed to press the second reading of the Bill, so far as it related to the erection of buildings in the neighbourhood of the Victoria Park; but there was a second portion relating to the raising of capital, and Parliament having imposed on the Company the obligation of supplying a very large district with gas, he hoped there would be no objection to proceeding with that part of the Bill, he undertaking that all the clauses relating to works should be struck out, and the Company would endeavour to find a fit site for their works elsewhere. He hoped on that understanding the Amendment would be withdrawn.

Mr. BRADY trusted that sufficient security for the public convenience would be taken if the Bill were read a second time.

Mr. AYRTON thought that after what had been stated by the hon. Member for Boston (Mr. Staniland), the Bill might be allowed to proceed. The best course would be to send this Bill before the General Committee upstairs.

Sir JOHN TROLLOPE said, that that Committee had not power to examine witnesses upon oath, which made a serious difference when a Bill was likely to be strongly contested, and therefore he objected to the Bill being so referred.

Mr. Alderman LAWRENCE hoped that equal justice would be meted out to the dwellers in the East and West of London. Victoria Park was peculiarly the people's Park, to which the hard-worked artizans of the thickly-peopled neighbourhoods resorted with their wives and children to obtain health and recreation, and their comfort and welfare ought to be carefully guarded.

Mr. PAULL said, that it had been argued that wherever gas works had been established they were a nuisance to the neighbourhood; but it was remarkable that there had been no complaint against the City Gas Company as producing a nuisance in the neighbourhood of their works. He thought that after the concession which had been made by the hon. Member who had charge of the Bill, it should be read a second time, and that an opportunity should be afforded to make proper inquiry as to its merits.

Mr. HANBURY said, that the works were so placed that every north and east wind would blow the sulphurated hydrogen across the Park. He trusted, for the sake of the people using the Park as a place of recreation on Sundays, the House would reject the Bill.

Mr. DODSON hoped that, considering the manifest feeling of the House, the hon. Member (Mr. Staniland) would not press the second reading to a division. The hon.

Member had stated that the Bill was divided into two parts, one referring to the construction of works, and the other to the raising of capital, and he was willing to withdraw the former. The House, however, would naturally feel a curiosity to know what the capital was needed for if the works were abandoned. If capital was wanted for other purposes than the construction of the works proposed, it would be open to the promoters to petition the House for leave to bring in a Bill for this special purpose.

MR. STANILAND said, he should not press his Motion.

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

ARMY—MILITIA PENSIONS.—QUESTION.

MR. FREVILLE-SURTEES said, he would beg to ask the Secretary of State for War, Whether he intends proposing any pensions to the widows and children of deceased Adjutants and Quartermasters of Militia Regiments?

THE MARQUESS OF HARTINGTON said, in reply, that as the officers referred to were not liable to the dangers of foreign service common to officers in the Line, pensions to their widows and children had invariably been refused. He saw no reason for making the proposed change.

MEDICAL OFFICERS IN THE ARMY AND NAVY.—QUESTION.

COLONEL NORTH said, he would beg to ask the Secretary of State for War, Whether it is the intention of Her Majesty's Government to carry out the recommendations as regards increased pay, &c., of the Committee which was appointed to inquire into and report upon the grievances of Medical Officers of the Army and Navy; and if there is any objection to lay the Report upon the table of the House?

THE MARQUESS OF HARTINGTON said, in reply, that the recommendation of the Committee involved not only a considerable increase of pay to medical officers in both services, but questions of the expediency of placing the medical officers of the two services on a different footing. The recommendations of the Committee were receiving due attention, and as soon as a definite decision was arrived at he would communicate the result to the hon. and gallant Member. He did not, however, think that it would be expedient to lay the Report asked for upon the table just now.

REFORM BILL FOR IRELAND.

QUESTION.

MAJOR STUART KNOX said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is his intention to lay upon the table of the House a Return relating to Ireland similar to those relating to England and Scotland which are now before the House in reference to the Reform Bill for those countries? He asked for this Return because he had an objection to being smothered in the dark.

THE CHANCELLOR OF THE EXCHEQUER: Sir, we who occupy this Bench can greatly sympathize with the hon. and gallant Member opposite in his objection to being smothered in the dark, because we so nearly experienced that unpleasant operation. In reply to the Question of the hon. and gallant Gentleman, I may say that it is the intention of my right hon. Friend to lay upon the table very shortly the Return asked for.

REFORM BILL FOR SCOTLAND.

QUESTION.

COLONEL SYKES said, he also would beg to ask Mr. Chancellor of the Exchequer with regard to a statement that was made in this House last night in reference to the Reform Bill for Scotland. According to the printed form which had been laid before them, the town of Aberdeen was to receive an additional Member, but according to the speech of the Lord Advocate last night the city of Edinburgh, instead of that of Aberdeen, would receive the additional Member.

THE CHANCELLOR OF THE EXCHEQUER: Sir, the statements contained in my speech and in that of the Lord Advocate are correct. The intention of Her Majesty's Government is to propose that three Members be given to the city of Edinburgh, and, therefore, it is not their intention to propose that an additional Member shall be given to the town of Aberdeen. It is, however, proposed to give a second Member to the county of Aberdeen. The error in the tabular form was owing to a misprint, which will be corrected.

COLONEL SYKES said, under these circumstances, he begged to give notice that in Committee he should move that a second Member be given to the town of Aberdeen.

ARMY—(MEDICAL OFFICERS.)

MOTION FOR PAPERS.

SIR ROBERT ANSTRUTHER, in calling the attention of the House to the proposed alteration in the system of promotion among the Medical Officers of the Brigade of Guards, and in moving for an Address for Copies of the Warrant or Order of 1860, under which a change in the system of promotion among the Medical Officers of the Brigade of Guards is to be made; and of any Communication from the War Office or the Horse Guards to the Officers commanding the three regiments of Guards, intimating the proposed change of system to the Officers affected by it, said, that though his Notice nominally referred to the Brigade of Guards only, he believed, in that fact, the Motion affected the whole of the medical department in Her Majesty's service, and, through that department, the whole medical prefession throughout the country. It could scarcely be expected that first-class men of the medical profession would enter Her Majesty's service unless they could be certain of the rules under which their promotion was to be regulated. It was supposed by some that his Motion went further, and affected the authority of the Crown over the army. He should be the last man to wish to see the power of the Crown over the army controlled in any way, and he should regard it as a great misfortune were that House to take the control of the army into its own hands; but they had a right to expect that the recommendations which were given to Her Majesty by her advisers should be made with a due regard to existing and ancient interests, and that any innovation upon the ordinary rules should be preceded by ample notice to the parties likely to be affected by such changes. The promotion to the rank of surgeon in the Guards had hitherto been regulated by seniority in the regiment, and he had heard of no reason why a system which had endured for so many years should be altered. It appeared that in 1858 a Royal Warrant was issued, founded upon the recommendations of the Royal Commission of 1857, which ordered that the assistant-surgeons should as a general rule be promoted to the rank of surgeons in the order of their seniority in the service, unless exceptional circumstances should prevent them being so promoted. The medical officers in the Guards did not imagine that that warrant affected them, as it had hitherto been supposed that when the Guards were not especially mentioned in a warrant they were not affected by it. The warrant in question contained no special mention of that particular branch of the service, and, therefore, the medical officers in it were justified in believing that they were not affected by it. Either they were or they were not affected by it—if they were not, then his argument held good; if they were, then there was no necessity for any subsequent warrant. It now turned out, however, that in 1860 a special warrant was drawn up which decided that the promotion to the rank of surgeon in the Guards should go by seniority in the Brigade of Guards. He was not there to dispute the wisdom of that arrangement, but he thought that the gentlemen affected by it should have been informed of the existence of the warrant. The noble Lord the Secretary of State for War on the 9th of April, in answer to a question, admitted that that warrant had been neither seen nor promulgated. Doubtless the noble Lord in his reply would state that, although the warrant had not been promulgated, the medical officers in the Guards were perfectly well acquainted with the substance of the warrant; but he (Sir Robert Anstruther) had made inquiries at the orderly room of the Guards, and there was no copy of the warrant there, and the only document to be found was a letter in 1865 from Earl de Grey, in which he said—

> "That promotion by seniority in the Brigade is recommended by his Royal Highness as the most suitable arrangement, and would be adhered to."

In the face of the warrant, however, Assistant Surgeon Kerin was appointed, in 1863, over the heads of the assistant-surgeons of brigades, and Surgeon Wylde was promoted in a similar manner. He thought it extremely hard that an officer entering the service before the warrant was signed should suddenly find his prospects destroyed without the slightest warning. At the time the warrant was signed many officers, he was informed, would, if it had been promulgated, have resigned and sought advancement in other walks of life; but now they found that all the time they had spent in the profession had simply been of no advantage to them. The discontent which existed among the members of the medical branch of the army was not, he thought, surprising, when it was found that the professional prospects of those officers would be so suddenly destroyed. On the contrary, indeed, he thought it was but natural that such discontent and distrust should exist. In addition to all the objections which might fairly be urged against the warrant itself, the time of its promulgation was about the worst that could possibly have been chosen. He had, he ventured to think, brought the matter forward in the interest of the service itself, as well as in the interest of the medical men. The assistant-surgeons of the Brigade of Guards did not ask that the warrant should be repealed—they did not say that it was a bad warrant, and they would even admit that it might possibly be a good one—what they asked, however, was that it might not have retrospective action. He should conclude by moving an Address for—

> "Copies of the Warrant or Order of 1860, under which a change in the system of promotion amongst the Medical Officers of the Brigade of Guards is to be made:"
>
> "And of any Communications from the War Office or the Horse Guards to the Officers commanding the three regiments of Guards, intimating the proposed change of system to the Officers affected by it."

Lord HENRY PERCY said, that the matter was a most important one. In his opinion the question affected the interests of the whole army. No Government was entitled to introduce measures having a retrospective operation unless great public interests were concerned. Some of these officers had entered the army fifteen years ago, and had served with credit and without the slightest reproach in the Crimea, in Canada, or wherever they had been called by their duty. No fault had ever been found with the medical organization of the Guards. The warrant was certainly not wanted, and was ruinous to the interests of the assistant-surgeons, many of whom had served thirteen or fourteen years. It was generally found, indeed, that retrospective measures created a want of confidence in the army, and when measures of that kind had been promulgated before it had been found desirable to make a fresh change. In 1854, for example, the warrant that was then issued had to be altered in consequence of the discontent it created amongst the officers in 1857 or 1858. The way to remedy the evil occasioned by the warrant in question was very simple—namely, to allow all those assistant-surgeons in the service before the promulgation of this warrant to have their promotion, according to the old regimental system. He thought it hardly worth while to create dissatisfaction by carrying out a rule which had lain dormant for so long; and he trusted that the Secretary of State for War would re-consider the matter to which his attention had been called, and not add to the discontent prevailing in the medical branch of the army, so largely contributed to the changes introduced since 1854.

Mr. BRADY supported the Motion, and said, that the changes which took place some time ago in regard to the medical officers in the public service had a great effect in raising the standard of those gentlemen generally. He, however, held that the advantages hitherto conferred on them were after all by no means commensurate with the services which they rendered to the country. Nothing was more calculated to injure the service than the adoption of any regulation by which the younger men of the service were advanced over the heads of their seniors, not because their merits were greater, but because it was thought expedient by the military authorities to introduce an entirely new system of promotion. The warrant in question committed a gross injustice against those officers who had entered the service upon the faith of that system under which promotion was to proceed according to seniority.

Mr. PEEL DAWSON felt a great interest in a discussion respecting the medical promotion in a regiment in which he had had the honour to serve, and the interests of officers with whom he was associated. He could not help thinking that this warrant had not been sufficiently promulgated, and that it had remained for a long time unknown even to those whom it deeply concerned. He thought that its provisions should be made prospective and not retrospective, and that it should not affect those officers who entered the service before 1860. If that principle were acceded to, in his opinion there would be no semblance of a grievance to complain of.

Mr. INGHAM said, that the fact of the medical officers having accepted the Warrant of 1858 seemed to be construed into an abnegation of all the privileges to which the medical officers in the Guards were formerly entitled. That, he thought, was a very hard construction to place upon the matter, and although he acquitted the heads of the Department of any intention to do injustice to those for whom the appeal was made, he could not help thinking there had been inadvertence. It was especially unwise to promulgate any measure of doubtful justice at the present time. He saw from the newspapers that a wiser course had recently been pursued by Russia, which, though a neutral Power, as England was, in respect to the agitation now prevailing in Europe, had issued a public notice with a view to reinforce the medical staff of the army. Seeing the difficulty of recruiting the medical staff of our army, he thought it was peculiarly necessary at that moment to observe religiously our engagements to those who rendered us such invaluable services.

THE MARQUESS OF HARTINGTON: Although I am unable to admit that the Papers for which the hon. Baronet the Member for Fifeshire has moved are documents which the House has any right to claim, still, as I shall have to refer to them in the course of my reply to his Questions, it will only be in accordance with the rule of the House if I lay them upon the table. I therefore make no opposition to his Motion. I have, however, to make one or two observations with respect to his remarks and the request which he has made, and I hope I shall succeed in placing the matter before the House in a somewhat different light from what it appears in the statement of my hon. and gallant Friend. It is quite true, as was stated by my hon. and gallant Friend, that up to the year 1858—and I think I may say 1860—the rule of promotion from the rank of assistant-surgeon to surgeon in the Brigade of Guards was by seniority in the regiment. However, in 1858, as has already been stated, a warrant was published altering in almost every particular the status of the army medical officers—altering their position with regard to pay, relative rank, allowances, promotion, and pensions. The rule of promotion from the rank of assistant-surgeon to surgeon was, save in some exceptional cases which were specified, to be by seniority in the service. Now, it has been stated that, the Guards not being specially mentioned in that warrant, there was nothing to show that its provisions affected the medical officers of the Brigade. I was astonished to hear that statement. Does my hon. and gallant Friend deny that the surgeons and assistant-surgeons of the Brigade of Guards have taken advantage of every provision in that warrant which tended to their benefit? Does he deny that the assistant-surgeons are at this moment in receipt of the increased pay given by that warrant, and that in the Brigade of Guards two at least of the surgeons of the regiments have attained the rank of surgeon-majors simply through the operation of that warrant? There is no objection on the part of the surgeons of the Guards to accept those provisions of the warrant which tended to their advantage, and I have no hesitation in saying that the medical officers of the Guards have accepted this change as beneficial to them. If they had any doubts on the subject of promotion, surely it would not have been too much trouble for them to make inquiries as to whether the provisions of the warrant were to be set aside or not in their case. A great deal has been said about what has been called the Warrant of 1860; but that term is hardly applicable to the document in question, and if I have made use of the term it was in error. The history of it is as follows:—In 1860 a vacancy took place in the office of surgeon in one of the regiments of the Household Cavalry, and the Colonel of the 2nd Life Guards, Field-Marshal Lord Seaton, according to custom, recommended the appointment of the senior assistant-surgeon in his own regiment. At that time Mr. Kerin was not only the senior assistant-surgeon of the Household Cavalry, but also senior of that rank in the army. His Royal Highness the Commander-in-Chief, in a letter to Mr. Herbert (afterwards Lord Herbert) who was the Secretary of State for War, in recommending that the appointment should not be given to Mr. Buckland, the senior assistant-surgeon in the 2nd Life Guards, but to Mr. Kerin as the assistant-surgeon of the Brigade, took occasion to state the way in which he proposed to carry out the provisions of the Warrant of 1858 with respect to the Household Cavalry and the Brigade of Guards, so as to fulfil the intention of that warrant, and at the same time to preserve, not the rights of the assistant-surgeons—who, it seems, he did not think had any rights at all to regimental promotion—but the rights and the privileges of the Colonels of the Guards, who had hitherto had the power of recommending these promotions. That letter of his Royal Highness, and the reply of Mr. Herbert, I shall be able to lay on the table of this House. The reply of Mr. Herbert will show that he had no doubt whatever about the propriety of the promotion of Mr. Kerin; the only doubt that existed in his mind was, whether or not the limitations proposed by His Royal Highness that promotion should go by seniority in the Brigade were in contravention of the warrant. The result of that correspondence between Mr. Herbert and His Royal Highness was a document which was submitted for the approval of Her Majesty, and which became what was designated the Warrant of 1860. That document, as I have explained, is not a warrant, but merely a "submission" by the Commander-in-Chief to Her Majesty of explanations of portions of the Warrant of 1858 applying to surgeons of the Brigade of Guards. Therein it is laid down—

> "That on the appointment of surgeon becoming vacant, if in the Household Cavalry, the colonel of the regiment should be permitted to recommend for the succession the senior assistant-surgeon of those three regiments, if duly qualified, and he thought proper to do so, or, if he considered it more desirable to recommend the transfer of a surgeon from the cavalry or infantry of the line, or the promotion of the senior assistant-surgeon of the whole army, to fill the vacancy; and that the same rule should be observed on any vacancy becoming vacant in one of the regiments of Foot Guards, the promotion being given on the recommendation of the colonel either to the senior assistant-surgeon of those three regiments or the vacancy filled by the transfer of a surgeon or the promotion of a senior assistant-surgeon of the army if duly qualified."

After this document came from the Queen there was no necessity for keeping the knowledge of it from the Brigade of Guards; but I admit that through an inadvertency that document was not well known, and that this is a circumstance to be regretted. However, for reasons I have mentioned, I do not think that that circumstance is sufficient to make it necessary to postpone the operation of the provisions the document contained. For I maintain that the Warrant of 1858 is the only warrant under which the surgeons of the Guards, in the same way as the surgeons of the whole rest of the army are placed. If they wanted to become acquainted with the regulations affecting their promotion, they had only to look to that warrant, and if they thought that exception should have been made in their case they should have applied for it. As it has been admitted by the hon. and gallant Baronet who moved the Address, the decision arrived at on this subject has been perfectly well known to the surgeons in the Brigade certainly since the year 1861. With regard to the case mentioned by my hon. and gallant Friend, in which he said there had been a regimental promotion, he has omitted to mention circumstances which fully show that instead of the promotion of Assistant Surgeon Hayward being an infringement of the warrant, it was in conformity with the principle laid down in it—namely, that not the surgeon who has served longest in the Brigade, but longest in the army, should be promoted. My hon. and gallant Friend has also referred to Surgeon Major Wylde. Now, the Warrant of 1858 and the submission of 1860 did not refer in any way whatever to any promotion excepting the promotion from assistant-surgeon to surgeon. The regimental surgeon-major, the hon. and gallant Baronet is aware, is one of the peculiarities of the regiments of the Guards, which does not exist in any other regiments, and my hon. and gallant Friend will remember that what applies to the medical department of the lower ranks of the army no longer applies to the higher ranks. Considering, therefore, that the decision arrived at in 1860 was in strict accordance with the principles laid down in the Warrant of 1858, and that the surgeons of the Brigade of Guards have without exception acted under it, and that it has not been shown that they were ignorant of the decision arrived at in 1860, I do not think any cause has been stated for setting it aside.

SIR ROBERT ANSTRUTHER said, that the Secretary for War had misunderstood him, in arguing that he admitted that the assistant-surgeons of the Guards were aware of the warrant. What he had said, however, was that there was absolutely no communication to them till 1865, and the communication then sent referred to a very small part of the submission from which the Secretary for War had quoted.

THE MARQUESS OF HARTINGTON: I understood my hon. and gallant Friend to say that, although it had never been officially promulgated, the assistant-surgeons of the Guards were perfectly aware of the decision which had been arrived at in 1860. If my hon. Friend does not admit this, I am prepared to assert on information which I possess, that the greater part, if not the whole of the assistant-surgeons of the Guards, previous to 1865, were aware of the decision, and that it underwent considerable discussion among them. With regard to the question of the merit of the case, I do not think it necessary to enter upon it at the present time. I do not see why what has been generally adopted in the army at large should not be adopted in the Guards. The hon. Member for Leitrim (Mr. Brady) contended that faith has been broken with these officers, who were naturally dissatisfied that juniors should be promoted over their heads. But that is the very thing this regulation was intended to avoid, and the objection of the hon. Member for Leitrim therefore fails of its point. As to the passages which my hon. Friend read out from the Report of a Committee, which has not been laid on the table, but which, on the contrary, is a confidential document, I do not know how he obtained it, and I must decline to follow him into those passages, more particularly as the Report is one which has no special bearing upon the case. For the reasons which I have stated, I regret that I shall not be able to advise the Commander-in-Chief to postpone the operation of the Warrant of 1858 with regard to assistant-surgeons; but rather that matters shall be left upon the footing on which they were placed in 1860.

General PEEL: Although I am perfectly aware that the opinions I am about to express will not be in accordance with those of many of my hon. and gallant Friends, I cannot but regret that the assistant-surgeons of the Guards should have urged the hon. and gallant Officer opposite (Sir Robert Anstruther) to call the attention of the House to a case with which I conceive it has nothing whatever to do. I take this to be one of the cases in which Parliament has, happily, come to the decision that it is not within its province to interfere with the administration and discipline of the army as long as confidence is felt in the Secretary of State for War and the Commander-in-Chief. I believe it is the universal feeling of the country that our army should not be made a Parliamentary army, and I have never seen any disposition on the part of Parliament to make it so. But, unfortunately, hon. and gallant Officers on both sides of this House are constantly induced to get up to call upon the House to interfere with the discretion of the Secretary of State and the Commander-in-Chief, and to seek by proceedings in this House to overrule the decisions of the responsible heads of the profession. A great case of hardship is made out for these assistant-surgeons of the Guards. I venture to say there never yet was a case of a Royal Warrant dealing with promotions which did not inflict hardship upon some individual or other. When the Royal Warrant altered the promotion from the rank of lieutenant-colonel to colonel in the army, there is not the slightest doubt that captains and lieutenant-colonels in the Guards suffered, or that this medical warrant of 1858 affected all the assistant-surgeons in the service. The warrant contemplated the promotion from assistant-surgeon to surgeon throughout the whole army. Previously, the promotions had taken place within certain districts, and there can be no question that several assistant-surgeons who were senior within their own districts suffered hardship by the alteration. Though it is said that the assistant-surgeons in the Guards were not aware that the Warrant of 1858 applied to them, that they were never acquainted with it, and that it was never sent to their orderly room, I can state—for I was Secretary of State for War at the time—that it was circulated in the usual way. It was no doubt published in the monthly *Army List*, and no departure whatever was made from the usual practice in that case. The warrant was drawn up by myself from the Report of the Royal Commissioners; and it is quite evident from his proceedings in 1860 that the Chairman of that Commission, Mr. Herbert, when he became Secretary for War, conceived that the warrant applied to the medical officers of the Guards. But, whether it did or did not apply to the Guards, I am quite certain that the hon. and gallant Officer opposite will not dispute the power of the Crown, on the recommendation of the Commander-in-Chief, approved by the Secretary of State for War, to make alterations with regard to the promotion of officers. Everybody who enters the army enters it subject to the alterations that may be made in the conditions of the service, even though he may have entered it with the understanding that the promotion was to be by seniority. Captains and lieutenant-colonels purchased their commissions upon the understanding that the system was to continue; but in the case I have already mentioned they had to submit. The hon. and gallant Officer who brought forward this subject, I must say, somewhat irregularly quoted evidence not before the House, and proposed to deal with the Warrant of 1858. Nobody regrets more than I do that the Warrant of 1858 was departed from. It think it a very bad thing for the service; but I never doubted the power of the Secretary of State to make the alteration. In the House and out of the House, I have always done everything I could for the medical officers of the army, and I am happy to say that in the Guards great good feeling exists between the combatant officers and the assistant-surgeons and surgeons of the regiment. I only wish that similar good feeling had been universal throughout the army, and in that case, I believe there would have been no necessity for altering the warrant. As the noble Lord the Secretary for War has agreed to give the papers moved for, I have nothing further to say upon the subject.

Captain VIVIAN said, that whilst he agreed with the right hon. and gallant Member for Huntingdon that the House should not interfere with the discipline of the army, and that it had always shown great disinclination to trench on the prerogative of the Crown, he must still remind hon. Members that the House had a right to supervise everything relating to that great money-spending establishment, and if anything like a case of grievance or hardship were put forward it must give rise to a sort of jealousy if the House were told that they were not at liberty to pursue the discussion, because of the prerogative of the Crown. It did not appear to him that the noble Marquess had given a satisfactory answer to the point raised. The medical officers of the Guards complained that they had been taken by surprise; and he must say that the answer of the noble Marquess did not successfully refute that allegation. It must be remembered that many of these surgeons had given up large and lucrative private practice to take service in the Guards; and it certainly could not be satisfactory to gentlemen whose future must be materially affected by the contents of these documents, to be told as a sufficient reply that some of them had known of the warrant, and that others had discussed it. He hoped His Royal Highness upon re-consideration would see grounds leading him to decide that the warrant ought not to be retrospective in its operation, and that the officers who had entered the service under the previous regulations would be promoted in their proper turn.

Colonel ANNESLEY concurred in the opinion expressed by the right hon. and gallant Member for Huntingdon, and only rose for the purpose of making an observation with regard to a statement made by the hon. and gallant Gentleman who introduced the subject, and which was the only blot on the Secretary of State for War—how it was that the warrant, which in fact was not a warrant, was not promulgated to the medical officers of the Brigade of Guards. He thought the speech of his right hon. Friend the Member for Huntingdon had exhausted the arguments on this question, and he should follow the right hon. Gentleman with great pleasure into the lobby.

Lord DUNKELLIN said, he thought his noble Friend the Secretary of State for War had scarcely met the case raised by the hon. and gallant Baronet (Sir Robert Anstruther). The grounds on which his noble Friend based his answer was, first, that the operation alluded to took place under a Warrant of 1858; and that the second order of 1860 was made known to the gentlemen whom it immediately affected very soon after it was written. In opposition to this the position of assistant-surgeons of the Guards was, that they did not accept the Warrant of 1858, and did nothing on the explanatory warrant or document of 1860. They had not accepted them because they really had no option in the matter. If they had had the opportunity they would not have consented to such a suicidal arrangement, for the sake of the additional 2*s.* 6*d.* per day pay, to take a position which would prevent them from rising to the higher ranks of their profession, or if they got there deprived them of their old pay or pension. With regard to the memorandum of 1860 this explanatory document was written, and what became of it no one knew—it was not made known to those whom it affected, and though his noble Friend said he had good reason to believe they were acquainted with it, he (Lord Dunkellin) had very good reason himself to believe that it was not known to many of them in 1861, or for some years afterwards. It was true that a rumour of the matter got abroad; but in 1863, two years afterwards, promotions took place in a regiment he was acquainted with expressly on the old arrangement. If the whole thing was to be opened the assistant-surgeons in the Guards ought to be promoted into the Line; but he was told that a surgeon going into the Guards had no chance of getting into the Line. The medical staff of the army was filled from the Line, and medical officers in the Guards were supposed to have been satisfied with the prospect of promotion to the rank of surgeon-major and its accompanying advantages. What they wanted to know was how this promotion was to go on; but, at the same time, he did not think the Warrant of 1860 could be said to have been made known. The right hon. and gallant Gentleman opposite (General Peel) said this was not a question to be discussed by the

House of Commons, as it related to the administration of the army; but this did not quite come under that head. He believed that in the matter of those warrants a hardship was inflicted on individuals without any benefit to the service; and as there were only eleven officers affected by them, he hoped his noble Friend would avail himself of the opportunity now afforded him of doing a very graceful act, and one which could not in any way impair the efficiency of the service.

Colonel NORTH said, the noble Lord the Secretary of State for War having referred to the Warrant of 1858, he could not help remarking that if the surgeons of the Guards were amenable to that warrant surely all the high offices affected by it should be open to them. He was one of the Committee of the House on the Medical Department of the Army, and he must say that every Member of the Committee was satisfied that the medical and hospital arrangements of the Guards under their own surgeons were a model for the rest of the army.

Colonel KNOX said, the noble Lord the Secretary for War had admitted that there was an omission in not promulgating these warrants. With that of 1858 these gentlemen had nothing to do; and it was admitted that the document of 1860 was not a warrant, but only a submission or memorandum. The noble Marquess said that the medical officers of the Guards took the advantage of the Warrant of 1858 by taking the increased pay. Why, of course they took whatever was given generally to the army. He thought great credit was due to the hon. and gallant Baronet for the manner in which he had brought this question forward, and he ought not to have been met by having the prerogative of the Crown thrust down his throat; for if an injustice was done to any body of officers what appeal had they beyond those who made the order if it was not to the House of Commons? He wished to warn the present Secretary of State for War, and those who might hereafter hold that position, that the Warrant of 1858 was breaking down, and they were getting inferior classes of surgeons; indeed, it was very difficult to get any at all.

Major JERVIS said, it should be borne in mind that the House voted all the supplies, and took a certain sum from the army and made the necessary provision for them. The Guards, however, were a separate and self-administering body, and that was the great point in the question. If they made it incumbent on any body of officers to look after the medical charge of their men, certainly they had a right to have something to do with the appointment of the surgeons. If they had for assistant-surgeons young men who had been, as it were, brought up amongst them, and in whom they had confidence, it was reasonable that they should wish them to be promoted and to keep them amongst them.

Sir ROBERT ANSTRUTHER, in reply, insisted on the hardship of bringing parties under the operation of the warrant when the noble Lord himself admitted they had never seen it. He had not the least wish to interfere with the prerogative of the Crown in this matter, but he begged very respectfully to submit to the noble Marquess and the Commander-in-Chief, not as a question of right but of justice, that the action of the warrant should simply not be retrospective. He thanked the noble Lord for having agreed to lay the papers he required on the table.

Motion *agreed to.*

Address for, "Copies of the Warrant or Order of 1860, under which a change in the system of promotion amongst the Medical Officers of the Brigade of Guards is to be made:"

"And of any Communications from the War Office or the Horse Guards to the Officers commanding the three regiments of Guards, intimating the proposed change of system to the Officers affected by it."—(*Sir Robert Anstruther.*)

IRISH SOCIETY.

MOTION FOR PAPERS.

Mr. KENNEDY rose to call the attention of the House to the recommendations contained in the Report (1854) by the right hon. Henry Labouchere, Sir John Patteson, and George Cornewall Lewis, Esq., Commissioners appointed to inquire into the state of the Corporation of the City of London, namely—

"We recommend that the Irish Society be dissolved, and its charter be repealed by Act of Parliament; and that its property be vested in a new set of trustees, whose number and character should be defined in the Act. We recommend, further, that the trustees be appointed by the Lord Chancellor of Ireland, and that he have power to fill up vacancies as they occur from time to time. A general scheme for the guidance of the trustees in the management of the property ought, as we have already stated, to be laid down by the Act. but as it may be difficult to define once for all every portion of a scheme of this kind, and as it may be desirable, as circumstances alter, to alter the provisions of the scheme to meet them, power should be given to the Lord Chancellor of Ireland to modify or vary the provisions of the scheme within certain limits."

The hon. Gentleman alluded briefly to the history of the Irish Society which had its origin in the plantation scheme of James I., who in 1609 negotiated with the London Corporation for conveying to the Irish Society the whole of the county of Londonderry including Coleraine and Derry with extensive fisheries. This arrangement was confirmed by charter in 1613, and the Irish Society continued to hold and manage the estates vested in it. This Society consisted of a Governor, who was the only member of it who continued in office for more than two years, a deputy Governor and twenty-four assistants elected by the Court of Common Council from the freemen of London. He argued that the constitution of the Society precluded the possibility of a useful or uniform management of the property of which the society were trustees. The London Corporation had no beneficial interest in the estate, and their duties in connection with the society were limited to the election of its members. The property to which the Motion referred was what is known as the Indivisible Estate, and was distinct from that divided in 1614 between the twelve London companies and assigned to them in fee. From the earliest times the management by the Irish Society was called into question. As early as 1615 James I. complained of the slow progress of the plantation; and in the reign of Charles I., the charter of the Society was withdrawn in consequence of its disputes with the Crown. The Society, however, obtained a new charter in 1662 which reconveyed the Indivisible Estate, consisting of the city of Londonderry, the town of Coleraine, certain lands and fisheries, all producing, in 1854, an annual rent of about £10,000. Grave abuses crept into the management of this property—the bare cost of which amounted to nearly half the income. The great grievance, however, was the withholding of suitable building leases. Originally, the Society granted leases renewable in perpetuity of the property within the walls of Londonderry, but leases of property outside the walls were restricted to a term of sixty-one or seventy-eight, and latterly of eighty years; but on a condition in operation until ten years ago to the effect that no lease should be renewed until three years of its expiration, a condition which, of itself, was sufficient to account for the backward state of Derry and its comparative want of progress in improvement. Several inquiries had been made into the management of the Irish Society, and all the reports were adverse. The Municipal Corporation of England Commissioners said they knew of no pretext for continuing the municipal supremacy of the Irish Society. The Irish Corporation Commissioners reported they had been unable to obtain the necessary information from the Irish Society, but that it appeared from the evidence of the Secretary given before the House of Commons Committee in 1824, that while the society had an income of £7,000 a year from Derry and Coleraine, their expenditure for public purposes was only £500. The Commissioners who last reported on the Society were the right hon. Henry Labouchere, Sir John Patteson, and Mr. George Cornewall Lewis, and after hearing full evidence they reported that the Irish Society should be dissolved, and its trusts declared by Act of Parliament; and that new trustees be appointed by the Lord Chancellor of Ireland. He (Mr. Kennedy) trusted that those views expressed by men so eminent would command the respect of the House, even if they failed to command that of the Society; one of whose Governors (Alderman Humphrey) admitted that the Society found "Englishmen were not the best people to manage Irishmen." What he had already stated would, he felt, be sufficient for the object of his Motion; but he might fairly contrast the past and present condition of Belfast and Londonderry. Of these towns Derry originally had the advantage. Its port was superior to that of Belfast, but the latter town has completely outstripped it in commerce and population; Belfast being at present a population of 149,500, while that of Derry is only 23,375. And there could be no doubt that the difference was attributable to the fact that in Belfast suitable building leases were granted, and its trade fostered by those who had its management in their hands. In making his Motion he had a second object in view, and that was to elicit an expression of opinion from Irish Members opposite, who resided in the neighbourhood of Derry, and were conversant with the management of the Irish Society. The hon. Member concluded by moving for the Return of papers of which he had given notice.

Lord CLAUD JOHN HAMILTON, in seconding the Motion, said, that as the representive of a large body of the people who were affected by the management of the

Irish Society, he would ask how the Society had performed the duties which they were expressly instituted to fulfil, and which were expressly set forth in their charter of incorporation? He believed they had directly violated their trust in not laying to the city of Derry and borough of Coleraine lands intended by the charter for them, by the mis-appropriation of the revenues to the twelve London companies, of which they are themselves members, by payment to themselves as trustees, and by an unnecessary and extravagant expenditure which they termed "management." With regard to the retention of the lands by the Society, that was a subject so wrapped up in legal difficulties that he did not wish to enter upon it; but it had been a lasting grievance in the minds of the corporation of Derry, because the effect was to withhold from them the revenues to which they were entitled, and thus driving them to contract loans for public works, resulting in a heavy debt, which still hung over the city. The conduct of the Society towards the corporation of Derry had been oppressive and arbitrary. By the charter of incorporation it was generally understood that the income derived by the Society from the lands was to be applied to public purposes and not to mere private gain. Up to the year 1831 the Irish Society were in the habit of finding themselves in possession of a surplus, which they constantly divided among the twelve London companies. Mr. Alderman Humphrey, before the Royal Commission of 1854, said that instead of devoting their revenues to the improvement of Derry and Coleraine, the Society unfortunately found a sum of money at their banker's, which they divided among the twelve London companies, giving £500 to each. Lord Langdale and the House of Lords declared that this was illegal, and added that if the Society were to do their duty they never could have a surplus. The constitution of the Society could not be defended, one great objection to it being that members remained so short a time in office as to take little interest in the affairs of the Society, and were replaced by new men, who knew nothing of them. The corporation of Londonderry had introduced a Bill to provide for the longer continuance of the members of the Society in office, but they were opposed by the corporation of London, and that of Londonderry being the weaker of the two it was beaten. A deputation from the Society was required by the charter to pay an annual visit of a month to Ireland to look to the management of their estates; and they did devote a week to the accounts; but the remainder of the month they devoted to a tour through Ireland, and little was heard during the week after their return to London than the grandeur of the Giant's Causeway, the splendour or the squalor of certain streets of Dublin, and the unrivalled beauties of the Lakes of Killarney. From 1824 to 1832, there was a single item in their accounts amounting to £3,779 for tavern expenses—namely, costly banquets and entertainments at the expense of the citizens of Derry. Through these and other extravagancies the expenses of management for years had exceeded half their receipts. Then as to the mode in which the Society granted their leases it was most unjust, and was a complete barrier to improvements and investment of capital in Derry. In the year 1847 a Standing Order was passed that no determinable leases should be renewed till within three years of their expiration; and that no leases should be granted in perpetuity. He understood, however, that these Orders were now rescinded, but as an instance of their present mode of dealing with their tenants he would give the House one specimen. A Mr. Stewart Gordon applied to the Society to grant him a lease of some land which he had reclaimed at Derry, and they consented on condition that he should build four houses on it. Well, he built three, and died, and the Lord Chancellor ordered his representatives to finish the fourth. At last they obtained the draft of the lease, and one of the clauses provided that the lessee should not assign or sublet any one of these four houses, so that he must clearly occupy all four. Another covenant was, that should the lessee become insolvent or bankrupt the lease should be null and void. In other words, that the outlay for the houses should go into the pockets of the Society. Well, this draft lease was sent back to the solicitor of the Society, who was asked whether he had not made a mistake, and his answer was that the lease was in the invariable form of leases granted by the Society. This took place in the year 1863. The Society refused to grant an equitable lease, and the consequence was that the representative of Mr. Gordon took the case to the Court of Chancery, and it was in the Court of Chancery at the present moment. These were a few instances in which the Irish Society had abused their power and broken their trust. He trusted that the facts stated and the papers asked for would induce Her Majesty's Government to take the matter in hand. The recommendation of the Royal Commissioners was that the Society should be dissolved, new trusts prepared, and that the trustees should be nominated by the Lord Chancellor. This would place unlimited political power in the hands of the Government, a power which, looking at their proceedings with regard to the dockyard labourers, they would be sure not to exercise. The question, therefore, was how was this property to be settled? As one of the "boys" in Parliament, if he might suggest a course to the Government, he would say, "Follow the first two of the recommendations of the Royal Commission as regarded annulling the Society and revoking the charter; sell the property, and apply the money to the purpose of liquidating the public debts of Derry and Coleraine. At present there was a harbour debt of £150,000; pay that, and make Derry a free port for the benefit of the whole north-west of Ireland. There was a bridge debt of £90,000; pay that, and let Derry have a free bridge. There was a corporation debt of £100,000; pay that, and so free the citizens from the heavy rates now imposed upon them. He trusted that the Motion would be the means of drawing the attention of the Government to the subject, and that they would deal with it in such a manner as to confer a great boon on 35,000 of Her Majesty's subjects.

Motion made, and Question proposed,

"That there be laid before this House, Statements of the Receipts and Expenditure of the Honourable the Irish Society for twenty years, from February 1845 to February 1865, in following tabular form [which is there given], and other Papers."—(*Mr. Kennedy.*)

Mr. Alderman LAWRENCE said, that great misapprehension prevailed respecting the constitution of the Irish Society, the benefits which it had conferred upon Ireland, and its present position. The Irish Society was established by the Corporation of the City of London at the request of James I., who desired them to take the management of certain devastated lands which had previously belonged to the O'Neills, and other powerful Irish families. The Livery companies of London were called into council by the corporation, and advanced the money which was required to bring those estates into cultivation, and the controlling authority was placed in the hands of a body who had full power to carry out their operations. He maintained that the prosperous condition of Ulster, as compared with the other provinces of Ireland, was mainly due to the operations of the Society. The noble Lord the Member for Londonderry had complained that the Society had violated their trust, and had misappropriated the funds committed to their management. But who were the parties complaining? No such complaints had ever been made by the tenants, or by the corporation, or by the Harbour Commissioners of Londonderry; on the contrary, they had repeatedly agreed to resolutions thanking the Society for the benefits which they had received from it. The noble Lord also charged the Society with arbitrary and oppressive management, and said that everything connected with it was in an unsatisfactory state. Now, if anyone had a grievance he could bring it before the corporation of the City of London or the Crown; to whom, and to whom alone, the Irish Society were responsible. This was not a Motion simply to obtain particulars and papers, but was an attempt to confiscate the property of the Irish Society. That was what the speech of the noble Lord the Seconder of the Motion amounted to. He said, "Abolish the trustees, sell the property, and pay the debts which the inhabitants of Londonderry have incurred." That was the principle of the Fenians, which it appeared had now extended as far North as Londonderry. He thought it would be most extraordinary if the House should put itself in motion with the view of obtaining information to facilitate the confiscation of the estates of the Society. The Livery Companies of the City of London having advanced the money which was needed by the Society, the estates were after a time divided amongst them; and some of them, amongst others, the Goldsmith's and Haberdasher's Companies, disposed of their shares; and although the lands in Londonderry and Coleraine were not divided, they were just as much the property of the Companies as were those which had been apportioned amongst them, and to which they obtained indefeasible titles. The noble Lord had cited the judgment of Lord Langdale in the case of the Skinner's Company *v.* the Irish Society, but he had omitted to notice the remarks which were made by Lord Lyndhurst in the same case when it was carried to the House of Lords. Lord Lyndhurst refused to say that the purposes of the trust were so vast and considerable that they could never be satisfied; and he declared that the Society were bound to carry out the purposes of their charter, and that they were themselves the judges of what those purposes were. They might spend the whole of their income upon the improvement of their lands, or might divide it amongst the companies of the City of London. No one could call them to account except the corporation of London, or the Crown. The Irish Society, instead of endeavouring to accumulate profits to divide among the Livery Companies, had been in the habit of expending annually considerable sums upon the improvement of the towns, the assistance of educational establishments, and other measures for the promotion of the comfort and well-being of the inhabitants of Londonderry and Coleraine. At Londonderry they had subscribed £2,100 to the Water Company which supplied the inhabitants with water free of expense, and they had contributed largely to the cost of the bridge, and had established a sinking fund, which in a few years would make it free. The Society had induced the Government to relieve them from the payment of £200 a year to the Governor of Culmore Fort to abolish that sinecure office, and to give up to them the lands attached to that fortress; and although they had to pay £12,000 to the Government, they had devoted all the money saved, and all the profits received from the land to public improvements. A large sum of money had been spent in legal expenses in protecting the salmon fisheries of the rivers Foyle and Bann, but the proceedings which had been undertaken were absolutely necessary in order to protect the rights of the Society. It had divided its benefits impartially amongst the various conflicting interests, which were all anxious to monopolize its grants. Any one who knew Londonderry and Coleraine twenty or thirty years ago would be surprised at the enormous improvements which had since taken place. There were steam-boats running to Liverpool and Glasgow almost daily, and the Transatlantic steam ships called at the mouth of the river. The hon. Member for Louth, the Mover of the Resolution, had compared Londonderry to Belfast, and asked why had not the former progressed as fast, and become as large, as populous, and as wealthy as the latter city; but the hon. Gentleman had not considered that the geographical position of the one gave it great advantages over the other, and Belfast was only 158 miles from Liverpool, whereas Londonderry was 245 miles distant. He looked upon the present Motion as one for a roving sort of Commission, and believed that it was levelled at the destruction of the Society, and the prevention of any further improvements in the two places. The real object of this Motion was to get possession of the property of the Society, and divide it among certain bodies in Londonderry. It was tenant-right under a new form, an attempt to seize the property of the landlords, and divide it among the tenants. The promoters of the Motion desired to obtain information which they had no right to ask for—such as the terms on which the leases were held, and when they expired. It was not likely that the tenants would desire to make their holdings public, and it was not fair to call upon them to make such disclosures. It had been stated that the members of the deputation which annually visited Ireland spent one week on business, and three weeks on pleasure. It was true, that after the business was finished, many spent a few weeks among the Lakes of Killarney, but that was not done at the expense of the Society; all who did so paid their own expenses, and so Ireland derived some pecuniary benefit from their visits. The Irish Society had found it impossible to manage their property so as to give satisfaction to everybody; but that was equally the case with regard to landlords in England where such peculiarities did not exist, as were to be found in Ireland. The Society had done its utmost to promote the interests of the country, and he trusted that the House would not, by assenting to this Motion, give any encouragement to those who sought to cast a censure upon its management, and to deprive it of the property which had been intrusted to its care.

SIR FREDERICK HEYGATE said, he believed the Irish Society to consist of gentlemen of high honour, who were anxious to discharge their duty in a proper manner. They were, however, unacquainted with the management of large landed property in Ireland, and they fell into the error of dribbling away their funds in small donations which did more harm than good to the recipients. He found that during the course of last year their donations were 165 in number, varying from £1 to £200. A great deal of good might be done if this money, instead of being dribbled away in small sums, was applied in a more useful manner. He was glad that the subject had been discussed in that House, and it was right that the Irish Society, who had nothing to conceal, should know that the complaints of the inhabitants of Derry and Coleraine were founded on the conditions in the leases granted by the Society. Their complaints were that the tenure of the holdings was not sufficiently long, that the conditions on which leases were granted were onerous, that the trustees as a body had not sufficient local knowledge, and that they were appointed for too short a period. He thought, however, the good folks of Londonderry would laugh at the statement of the hon. Member for London (Mr. Alderman Lawrence) of the great things the Irish Society had done for the improvement of their city. They did not owe these things to the Society, but to their own industry and enterprize.

MR. CHICHESTER FORTESCUE did not rise to enter into the merits of the controversy between the Irish Society and their tenants, but merely to observe that he understood that the Irish Society had ever desire to give as much information as possible respecting the receipts and expenditure, and some important parts of the Return which his hon. Colleague in the representation of Louth (Mr. Kennedy) had given notice of his intention to move for would be produced, but the Society naturally objected to give the case of every particular tenant, and of the grants and renewals of leases. He hoped the hon. Member would agree to accept the information offered, for when it was in their possession they would be better able to judge of the question before them.

SIR HERVEY BRUCE thought that the hon. Member for London (Mr. Alderman Lawrence) had made a mistake in saying that the property of the Irish Society was private property with which the country had no right to interfere. He agreed with the Chief Secretary that there was something inquisitorial in the part of the Return to which he referred, but he was glad that the remainder was to be given. He could not admit that the Irish Society had made the improvements with respect to the supply of water referred to by the hon. Member for London. He had himself been one of a deputation to the Society on that subject, when their request was not only refused, but they were received in a manner rather discourteous. The complaint of the people of the North was not as to the charities of the Society, but as to the manner in which the estates were managed. He fearlessly asserted that the management of the estates of the Irish Society was not satisfactory, and was not in accordance with usage in Ulster. Though the Society held their estates in trust only, they did not deal with their tenants in the same liberal spirit that would be shown even by private individuals.

MR. PEEL DAWSON said, that in the main part of the Motion he fully concurred. The revenue of the Society amounted to £14,000, and was mainly held by the Society as trustees for local improvements. He did not think that in the management of their estates the Society had given sufficient encouragement to building leases in Londonderry. Another complaint had reference to the Society as a governing body, as there were only two of its officers who were permanent—one was the Governor, elected for life, and the clerk, who held office during pleasure. None of the other officers remained in office for more than two years. This part of the question was, some years ago, brought under the consideration of the corporation of London; but they positively refused to re-construct the Society on a more permanent basis with respect to its officers. He could confirm the statement that a great deal of irritation prevailed in the North of Ireland as to the management of the Society's estates. From his knowledge of the locality, he could endorse most of the recommendations of the Commissioners of 1854, although he must express his dissent from that part of those recommendations by which the transfer of the trust to the hands of the Lord Chancellor for Ireland was proposed, a functionary who from his position must necessarily be a strong political partizan.

SIR GEORGE GREY understood the substantial portion of the Motion would not be objected to, omitting that portion referring to the particular tenants and the tenure under which they held. The Motion might, therefore, be put in the amended form.

MR. RUSSELL GURNEY said, that the Irish Society were anxious to afford every particular in their power with reference to the nature of their trust and the manner in which their powers had been exercised. That information would, he believed, be fully contained in the particulars relating to their receipts and expenditure, pointing out how much had been expended for the benefit of Ireland, how much for the expenses of management, and the particular items of that expenditure. The standing orders of the Court might also be given from time to time. He thought, however, that a great misapprehension existed as to the nature of the trust. Reference had been made to a suit carried on for many years, and decided first by the Master of the Rolls, and afterwards carried into the House of Lords, and from those decisions it was inferred that the Irish Society were the trustees for the benefit of a particular part of the North of Ireland. That was not the case. They were trustees for the Livery Companies by whom the money was originally advanced, coupled with this condition—that before applying any portion of the funds for the benefit of the Companies, they should apply such part of the funds as they thought fit for the benefit of those parts of Ireland in which they held property. It was distinctly laid down by the Master of the Rolls that the Society had an absolute discretion as to what the amount so to be applied should be. The ultimate trust was for the Livery Companies, by whom, in the reign of James I., the sum of £60,000 had been advanced. It would be a violation of the trust to apply the funds for the purpose of paying off the debts which certain towns had incurred. He did not propose to enter into the question of the general management of the estates of the Irish Society. He merely wished to set the House right as to the nature of the trust vested in that Society, and at the same time to express in its behalf a desire to furnish the fullest information as to that trust and the manner in which it had been exercised.

Mr. BRADY said, that after having given the subject the most careful consideration, he felt satisfied the original object of the trust had not been duly carried into effect.

Motion *agreed to.*

Statement *ordered,* "of the Receipts and Expenditure of the Honourable the Irish Society for twenty years, from February 1845 to February 1865, in following tabular form [which is there given], and other Papers."

"And Copy of all Standing Orders of the Court from time to time made, from 1845 down to the present time, which either have or had any reference to the granting or withholding the grant of leases or renewals of leases, with the date at which each such order was made."—(*Mr. Kennedy.*)

METROPOLIS WATER SUPPLY.

MOTION FOR A SELECT COMMITTEE.

Mr. THOMSON HANKEY: The question of the water supply of London, affecting, as it necessarily does, the daily comfort and essential well-being of at least 3,000,000 of our fellow-subjects, is one which might almost be considered as one of national interest; but certainly to us who live in this metropolis it can hardly be doubted that it is one of paramount importance, and I therefore hope that it will not be thought useless if I ask the House to grant me their attention for a short time whilst I state the reasons which induce me to ask for a Committee to take into consideration the question of the present condition of our water supply for London and its immediate vicinity. It is now about fifteen years since any serious inquiry into this subject has taken place before this House. The whole question was then very fully investigated, and legislation took place by which the then existing Water Companies who had, and who continue to have, a monopoly for the supply were placed under fresh regulations and required to lay out considerable sums of money for improving both the quality and increasing the supply. I am not going to find fault with the way these arrangements were then carried out, nor in a general way do I question either the quality or the quantity which, as a whole, is daily poured into London; but whilst I admit this in a general way, I am prepared to contend that the distribution is not satisfactory, nor are the prospects at all satisfactory for the future, nor are the poorer classes as well supplied with an abundant supply of that most essential ingredient to their health and comfort, as might be the case under more improved arrangements, and such arrangements as are generally made now in most of the large towns in England. I will divide what I am about to state into two parts—1st, as to the present mode of distribution; and 2nd, as to the future prospects of supply. First, as to distribution—the great object is, of course, to secure the largest quantity or a regular supply to every house at the smallest amount of cost. Sir William Clay, formerly a Member of this House, and who was then a

Chairman, I believe, of one of the large Water Companies in London, and who will be admitted to be a good authority, writes in a little pamphlet on this subject in 1844—

> "That any person who will take the trouble to ascertain the utmost quantity of water which an individual requires day by day for all possible purposes of cleanliness and comfort, will find that a supply of twelve gallons to every member of a household will leave a surplus abundantly sufficient for other purposes in a large or small family."

In 1848 or 1849, before the last Parliamentary inquiry took place, the quantity of water supplied daily by the ten London Companies was about 45,000,000 of gallons—the population being then rather under 2,000,000. That quantity afforded a supply of about 22 gallons per head on an average for each individual. The present supply according to a notice which I hold in my hand from the Registrar General for the months of January and February last is 88,500,000 of gallons, which I call in round numbers 90,000,000—though I believe, taking the whole years' supply, the average will be nearer 100,000,000; but assuming 90,000,000 for any present purpose, with a population of 3,000,000 this would show an actual supply of about 30 gallons per head on the average for every individual. The total number of houses supplied is 430,000—the average population per house, 7. To what, then, can we attribute, with such a supply, a prevailing opinion, which I know to exist, that in very many parts of London, especially amongst the poorest districts, the supply is not so ample or so regular and constant as every one would desire, and as is really very essential for their health and well-being. I believe that it is mainly owing to the mode of supply being intermittent and not continuous, as the supply is now given in almost all the large towns which have lately improved their water supply. By the intermittent mode of supply, I mean a supply not direct for use from the service pipes, but into casks or cisterns in every house. These cisterns are supplied from the mains (which are always charged so as to afford a supply of water in case of fires) by service pipes to every house, the owner of which is willing to pay the water rates (which are not, I believe, in any case excessive) for a short time in every twenty-four hours, for six days in the week, varying, I believe, from half an hour to two or three hours. No supply from the mains is given on Sundays; consequently every house, in order to have a constant supply of water, must have cisterns the size of which, I believe, is not limited, but which must be large enough to hold water for two days' consumption, or otherwise there will be no water for use on a Sunday. Say, however, that each house has cistern-room enough for only thirty-six hours' consumption; there will, then, necessarily be a storage of water in houses to a total extent of probably not less than 100,000,000 of gallons. The evil of these cisterns must be very great, and they would be perfectly unnecessary if there was a constant supply of water always available from the main pipes. But this evil is not the only objection; it is the great desire of all consumers of water to have water of the softest quality—in other words, as free as possible from that combination of lime and salt which renders water what is commonly called hard, and ill adapted for use with soap. But the softer the water the more it is unfit to be kept in leaden vessels, which is the most common material of which cisterns are made. No one can for a moment doubt that, unless there is some unknown and serious objection, it is most desirable to have the purest and most constant supply of water direct from the fountain of supply with as little storage as possible. What, then, are the objections to a continuous supply which was clearly contemplated by the Act of 1853? For there is a clause in that Act requiring every Company to give continuous supply after 1857, on the application of a certain number of the inhabitants of every district. The objections are, I understand, that water would be constantly at high pressure in every house, and might cause serious inconvenience in case of bursting of pipes; and also, that if such a power of unlimited use were granted, it would be impossible to prevent great waste, and that general carelessness of the interests of the Water Companies would involve great additional expense to the Companies, and consequently in the end increase of evil to the consumer. I believe both these objections to be ill-founded. In the first place, I believe that no town where a continuous supply is now afforded would revert willingly to the old plan, which is the existing plan now in London; and secondly, where there could be no possible motive to waste, it would be more easy to enforce regulations which would prevent it. At present, without a regular system and careful attention to the maintenance of ball-cocks to every cistern, there may be great waste in every house—and there, doubtless, is great waste in that way—and everybody is more anxious to have a good supply in their cistern, than they are careful to use it afterwards or to prevent its waste, about which, if sufficient remains for their direct wants, they are perfectly indifferent. There is no such risk or annoyance experienced with respect to gas, of which every house paying for gas has a constant supply. There is no inconvenience felt from escape of gas, at least, not to any material degree; because everybody has a direct interest to prevent its escape or waste, and every house has the means immediately of cutting off the entrance of gas into their house by turning off the supply from the external pipes. I believe that the cause of gas and water are parallel in all respects. This is, I think, a fair subject for inquiry. I wish to inquire whether, if a continuous supply of water were given, and such a quantity used as would be equal to fifteen gallons a day (whilst Sir William Clay says twelve is sufficient), the total quantity consumed would probably exceed 45,000,000 gallons for the 3,000,000 inhabitants, and if it would not thus show an abundant surplus of water for all other purposes out of the 100,000,000 gallons daily poured into London? If we admit, however, that the present supply is not more than sufficient for the demand, it then becomes a matter of most serious importance to consider what I have called the second branch of my inquiry—namely, how is the future supply to be obtained? for if the present population goes on increasing at its present ratio, and the 3,000,000 of inhabitants require the whole of the present supply of 90,000,000 to 100,000,000 of gallons per day, what will be done when, in the course of ten or twenty years, the population may amount to 4,000,000 or 4,500,000 of persons? Of the present supply about one-half is obtained from the Thames; of the remainder, half is supplied by the New River Company, and the remaining quarter by the other three smaller Companies in the east and south-east of London. Those who have paid any attention to the question of the present condition of the River Thames must be satisfied, I think, that the water of that river cannot be further abstracted without injury to other towns claiming an equal privilege with the metropolis for its use. I have understood that the New River Company do not consider that they have any means easily within reach which will enable them very largely to augment their supply of water, and I believe that the same may be said respecting the three other Companies to the east of London. The existing ten Companies have, since the year 1852, largely augmented their works, and at a cost of little less than £4,000,000, without any adequate advantage to their shareholders. I mean not commensurate in a pecuniary point of view with the large augmentation of capital. It is not reasonable to expect that these large mercantile Companies will be willing to lay out large sums of money solely for the public benefit. If they were willing, however, could the object of obtaining a greatly increased supply of water from such means be effected? This is a fair subject, surely, for inquiry; for if it is not practicable, it is then high time to inquire from what other source we could obtain that which we should all admit is absolutely necessary to be obtained in some way or other. Many Members may have read an ingenious and able pamphlet on the subject of the Water Supply of London by Mr. Bateman, than whom there is no higher authority, I believe, in England on such questions. He proposes to bring the supply, which he considers will be absolutely required before eight or ten years are past, from one of the watery mountainous districts of North Wales, and now drained by the valley of the Severn, and a little to the west of Shrewsbury. I am not proposing my present inquiry with any wish to advocate Mr. Bateman's scheme—that may well stand or fall on its own merits—his knowledge on the subject is too notorious to leave it doubtful that any scheme of his will be well and patiently considered whenever the public are satisfied that the present supply of water for London is deficient. If proved, however, to be deficient, this, and any other scheme having a kindred object, ought to be inquired into. I think I have shown grounds enough to justify me, then, in asking for an inquiry. I ask it solely on public grounds. The question is one in which we are all interested, and if the inquiry is entered into with the view of ascertaining, first, what are the deficiencies complained of, and secondly, whether they are capable of a practical remedy, I do not think that the time of any Committee which the House may appoint will be otherwise than usefully employed.

Motion made, and Question proposed, "That a Select Committee be appointed to inquire into the Water Supply of the Metropolis."—(*Mr. Hankey.*)

Mr. AYRTON said, that his motive for calling the Speaker's attention to the thinness of the attendance in the House when his hon. Friend rose was, that if that subject was then to be proceeded with there might at least be something like an audience to hear the discussion. His hon. Friend had made an interesting but by no means conclusive speech. Having no connection with any of the Water Companies —and he trusted he never should, for he held it to be very inconvenient for Members representing metropolitan constituencies to mix themselves up with commercial speculations—he took a dispassionate view of that question, and thought the House would not advance the interests of the inhabitants of the metropolis by acceding to his hon. Friend's Motion. When a subject like that was mooted within the House, it was generally the case that there was some enthusiastic person outside who had drawn the hon. Member's attention to the subject for some end of his own, and who had some private interest to serve; and before his hon. Friend sat down he disclosed what might be called the *causa causans* of that proceeding, inasmuch as he had told them that a certain engineer was anxious to bring water into London from the head waters of the Severn. Without entering into the merits of that scheme, he thought the population on the banks of the Severn would have a great deal to say to it before they allowed their sources of supply to be cut off from them and their river to be turned into a dry channel for the sake of the metropolis. Why, it was but a few Sessions ago that the people of this metropolis were called to resist a scheme to carry the head waters of the Thames to the dwellers by the Severn —that scheme was resisted successfully; and was it to be supposed that the people in the Severn Valley would not equally resist this attempt to rob them? But his hon. Friend, keeping that project at first in the background, had enlarged upon the merits of a constant supply, as contrasted with a supply by means of cisterns. Now that question had been fought out with the utmost zeal and vigour between the advocates of the rival systems and theories before the Act of 1852, dealing with the water supply of the metropolis, was passed. The arguments against the system of constant supply were numerous and conclusive, and the House recognized that fact by sanctioning the opposite system. £4,000,000 having been spent in carrying out the principle adopted, after full investigation, in 1852, his hon. Friend thought it would be a wise and economical proceeding now to reverse their decision, and throw upon the inhabitants of the metropolis, who, after all, really had to bear the cost of these projects, the enormous expense incident to such a change. His hon. Friend had started the novel and extraordinary theory that there was no practical difference between the passage of water and of gas through pipes; but every one who thought upon the subject would see that there was no comparison between the two. The hon. Member was impressed with the fact that water and gas were equally distributed by pressure, but he took no account apparently of the fact that the arrangements and machinery of the Water Companies were all calculated to meet certain requirements, and that a greatly increased strain might burst their pipes or render them powerless for the object in view. The hon. Member said he only asked for a Committee. As a metropolitan representative he (Mr. Ayrton) was quite ready to undertake the responsibility on behalf of the inhabitants of the metropolis; but he entirely objected to have the responsibility of so serious an investigation cast upon metropolitan representatives and Members of the House of Commons without a very serious case being first made out, without some substantial cause of complaint being shown. Under the existing statutes twenty inhabitants anywhere in the metropolis who might be dissatisfied with the supply of water had only to present their complaint and a solemn inquiry would be held under the authority of the Board of Trade. But no such step had been taken, no petitions had been presented; and it was merely upon the suggestion of two or three persons who had spoken to the hon. Gentleman about water that he proposed to embark in this serious undertaking, affecting the taxation of the citizens largely, and all the ramifications of their social interests. Inquiry by a Committee, he believed, would be insufficient for the purpose, and he greatly feared it would end in the launching of some kind of speculative movement. A Committee would have no engineers, no scientific staff at its disposal. It was liable, therefore, to be overreached by persons who came before it with views and motives of their own. Of these, though his hon. Friend would be the last to encourage them, he feared he would be the victim, and therefore he trusted that the Secretary of State would not acquiesce in the course proposed.

Mr. WATKIN said, he did not agree with the hon. Member for the Tower Hamlets. His argument was, that this inquiry should not be granted, because fourteen years ago what he called a settlement of the water supply of the metropolis had been arrived at. No doubt fourteen years ago a certain settlement was come to on this water question—that was to say, a Select Committee sat to consider certain Bills promoted by private Companies, and they passed certain resolutions. But was the London of 1852 the London of 1866? The question of metropolitan gas had been referred to a Select Committee, and the question of metropolitan water was much more pressing than that of gas, and certainly justified and demanded inquiry as much. A Bill was before the House last year embodying a project, which was opposed on the ground that the volume of the Thames was now so diminished that not a drop of water could be spared. There was certainly a danger that the water of the Thames would before long become insufficient for the healthful supply of the increasing population of the metropolis. The question was not whether Mr. Bateman's scheme should be adopted, but whether there should be an inquiry with the view of ascertaining the best scheme for obtaining a supply of water. If the Committee met upstairs to-morrow, and recommended any plan for supplying the metropolis with water, it would be six or seven years before this new source of supply came into operation. Manchester and Glasgow had set a bright example in this respect, and the Government would be incurring a great responsibility if they did not look ahead in this matter.

Mr. Alderman LUSK said, he could not admit that the metropolis possessed a satisfactory supply of water; and if London went on increasing for the next twenty years as it had increased during the last twenty years, he, for one, did not know what the inhabitants would do for water. The question was one of great importance, and the House was very much indebted to the hon. Member (Mr. Thomson Hankey) for bringing it forward.

Sir GEORGE GREY said, that if any substantial complaint had been made as to the quality or quantity of the present water supply, his hon. Friend (Mr. Thomson Hankey) would have made out a fair case for the appointment of a Committee. His hon. Friend had not, however, rested his Motion on that ground, but had admitted that the supply to the metropolis was ample for the wants of the present time. But then it was contended that in twenty years' time, if the population went on increasing at its present rate, 1,000,000 or 1,500,000 would be added to the inhabitants of the metropolis, and that then the present sources of supply might be insufficient. But as his hon. Friend admitted that the present supply was ample, and the quality good, it seemed that, at present, the only thing that inquiry was wanted for was to determine whether the supply should be constant or intermittent, and whether Mr. Bateman's plan was a good one. His hon. Friend said he did not wish the Committee to inquire fully into Mr. Bateman's plan; but, if so, it would be better not to inquire into it at all, for without a searching inquiry a Committee would not be able to say whether it would be safe to act upon it. As to any plan of getting a supply of water from a distant place, if there were any well-founded apprehensions of a limited supply, public Companies would be formed, plans would be prepared, Bills would be brought in, they would be referred to Committees, and ample evidence would be taken upon them. He thought the House was not now in a condition to inquire into such a project as that of Mr. Bateman (though he did not mean to say it was not a good one), or to appoint a Committee. If any complaint were made as to a deficient supply or distribution of water, and if that were brought before the House by petition or authentic information, he should consider it his duty to advise the House to act upon it. By the clause of the Act which had already been pointed out, it was provided that, if at any time there should be a complaint as to the quantity or quality of the water, such complaint might be brought under the notice of the Board of Trade by a memorial signed by twenty of the inhabitants, and the Board of Trade might, at any time within one month after the receipt of such memorial, cause an inquiry to be instituted. His right hon. Friend the President of the Board of Trade was not at present in his place, and he did not know whether any complaint had been addressed to the Board; but, as he had not heard anything on the subject, he presumed that, to say the least, those complaints must have been very infrequent. The subject was, no doubt, an important one; but under the circumstances which he had just stated, and having regard to the number of Committees now sitting, and to the advanced period of the Session, he would advise his hon. Friend not to press his Motion. If he thought there were grounds for an inquiry, he could bring forward a similar Motion at the beginning of the Session. He might observe that in 1856, four years after the passing of the Metropolis Water Act, a Report on the subject was called for by the First Commissioner of Works, and a very full Report was made as to the course taken by the different Water Companies. It is stated that all the requirements of the Act of 1852 had been in all essential respects fully and satisfactorily complied with by the Water Companies, but that the provisions for a constant water supply would not come into operation till 1857. That was the last official Report on the subject. If his hon. Friend thought that a further Report of the same description would be desirable, means could be taken with the view of having one laid before Parliament.

Mr. THOMSON HANKEY said, he had no other object in bringing the matter forward than the public good, and after what had been stated by the right hon. Gentleman he would not press the Motion.

Motion, by leave, *withdrawn.*

COMPULSORY CHURCH RATE ABOLITION BILL.

LEAVE. FIRST READING.

The CHANCELLOR of the EXCHEQUER: Sir, I rise to move for leave to bring in a Bill for the Abolition of Compulsory Church Rates.. In doing so, I shall not have occasion to trouble the House at any length. It may be in the recollection of the House that during the debate on the second reading of the Bill for the Abolition of Church Rates, I presumed to offer certain suggestions which it appeared to me, from the state of opinion in the House and the kind of progress which had been made, if not towards a union, at any rate in the way of an approximation towards a union of sentiment, might possibly so far prevail as to offer the hope of a conclusion to a long and vexatious controversy. What followed in that debate made me believe it would be my duty to put these suggestions in the form of clauses; and by the kind aid of my hon. and learned Friend the Attorney General I have been able to do so. When the suggestions which I had so laid before the House assumed the form of clauses they were submitted to my colleagues; and they were of opinion that if there was any fair prospect of these clauses meeting with—I will not say the unanimous approbation of this House—but with so large a share of approbation as that they would be likely to become the basis of a settlement, they should then be introduced as a Government measure. At the same time, it was far from the wish of the Government in coming to that conclusion to add to the subjects of protracted controversy which we have on our hands this Session. It is obvious that we are quite sufficiently charged with matters of that description, and in laying on the table of the House the Bill which I am about to ask for leave to introduce, anxious as we are to proceed with the measure, we must remind the House that our proceeding with it in the present state of public business must necessarily depend on the manner in which it is received, and on the pressure of the demands on our time which may be caused by more urgent and important subjects. However, I have communicated individually with Gentlemen on the other side of the House whose declared opinions on the subject appeared to make it proper that they should be informed of the course the Government proposed to take. I have communicated with my hon. Friend the Member for Stoke (Mr. Beresford Hope), who took a part in the debate on the second reading of the Bill to which I have referred, and whose language on that occasion was such as to lead to the hope that a settlement might be come to. I communicated also with my hon. Friend who introduced the Bill for the absolute abolition of Church Rates (Mr. Hardcastle), and likewise with another hon. Member whose absence from this House I deplore on personal as well as public grounds. I allude to Mr. Morley, in whose removal from Parliament I think we have experienced a serious loss, not only because of the respect in which he is held for his intelligence and his talents, but also on account of the singular manner in which it is given him to unite decided and pronounced opinions on those subjects which most interest Dissenters, with a character and mode of treatment essentially conciliatory, and a disposition never to enter into controversy, except for some real and vital object. Both my hon. Friends the hon. Member for Bury (Mr. Hardcastle) and Mr. Morley, after seeing and considering the clauses of my Bill, came to the conclusion that my proposition ought to be entertained, and after consultation with their friends, made a communication to me, the substance of which I understand to be this:—In a spirit of peace, in the disposition to sacrifice all that could consistently be sacrificed for peace, those who have been prosecuting the measure for the absolute abolition of church rates would accept this measure. Of course, I do not understand them to state that in the event of the failure of this attempt they would feel precluded from following up the object which originally they sought to attain. I could not understand or expect that by this concurrence on their part in offering a contribution to what they consider to be the cause of peace, they undertook to abandon their former line of action if what they believe to be the well-meant efforts of the Government should prove abortive. Having said so much as to the circumstances under which I bring this Bill forward, I will now state the nature of the clauses and the points in which they differ from the suggestions I made on the second reading of the Bill of my hon. Friend. The first clause provides that from and after the passing of this Act no suit shall be instituted or proceeding taken in any Ecclesiastical or other Court, or before any justice or magistrate, to enforce or compel the payment of any church rate in any parish or place in England or Wales. That provision will be the basis of the whole of the subsequent enactments. The second clause is one similar in its general aim to a clause in the Bill of the hon. Member for Bury. It provides for the payment of debts contracted on the security of the church rates to be levied under the system which now prevails. The third clause relates to the same subject. It provides that, notwithstanding anything in this Act, any church rate made at any time before its passing may be collected and recovered in the same way as if the Act had not been passed. The fourth clause provides that, notwithstanding anything in this Act, it shall be lawful in any parish wherein there shall be no sufficient trust fund or endowment adequate for the maintenance of the Church and churchyard and of the fabric and services—subject, however, to the disability named at the conclusion of the Act—for the parishioners to assess a voluntary rate upon the owners or occupiers of property within such parish for any purpose for which church rates may now lawfully be made. By Clause 5 it is provided that the inhabitant householders and occupiers of land within any ecclesiastical district, not being a parish, shall have a similar power. The provisions in these two clauses are not intended to introduce any element of compulsion, but merely to define the class of persons who may enter on a discussion or proceeding touching a voluntary rate. In Clause 6 there is a provision to the effect that on any discussion or difference of opinion with respect to a proposal for giving effect to the provisions for making a voluntary rate, if a poll be demanded, all the votes shall be taken in writing in a book or schedule having a heading, in which there shall be a statement that the persons voting are willing to pay their respective shares of such voluntary rate as may be determined upon by the majority of votes at the poll then being taken. The persons voting are to sign their names or marks in the book or schedule. I think it would not be correct to say that the provisions of this clause do, in fact, make the payment of the church rates compulsory. The next and most important clause is that which provides a compensation or counterpoise, if I may so call it, to the first provision of the Bill, abolishing the compulsory process. And here I will state the difference between the Bill as it stands and the suggestions on the subject which I tendered to the House on the occasion to which I have alluded. These suggestions were in two branches. One of them, which appeared to receive the universal and unqualified assent of the House, was that persons who did not think fit to take part in this process of supporting the Church services and the churchyard by a voluntary rate should likewise be excluded from taking part in any proceedings relating to the voluntary rate, or in offices connected with its distribution, or in questions which might arise from such distribution. That was so obviously rooted and grounded in the whole nature of the proposal that there did not appear to be the smallest difference on the subject. My hon. Friend the Member for Bury (Mr. Hardcastle), acting on behalf of those who are opposed to church rates, assured me that there was no feeling of jealousy with regard to the abandonment on their part of all title to interference with what would cease to be their affair, but that there was an anxiety among them to give effect to such provisions as contemplated the absence of such interference. But in the suggestions which I made there were one or two points of another description. I contemplated that, inasmuch as the so-called "accommodation" in the Church and in the churchyard would, under the Bill if it became law, be provided by the contributions of Churchmen only—I had better say by contributions payable only out of the voluntary rate—those who did not contribute ought to be made liable to an extra charge for any use they might be disposed to make of the accommodation obtained by means of that rate. I thought that in equity any just objection could not be taken to that proposition. And I am bound to say that no such objection would be taken on the part of those in whose interest, or by whose desire, the abolition of church rates has been particularly urged. But upon looking further into the matter there did appear to me to be something of an invidious character in any attempt to apply practically such provisions; and I was the more inclined to abandon them because those persons whom I consulted, and who might be supposed to contemplate the question from the point of view most sympathetic with the Established Church, were inclined to set no value upon them. I therefore willingly abandoned them, and no trace of them is to be found in the Bill—no extra demand for any accommodation which non-payers of the rate may be entitled by law to obtain either in the Church or churchyard will be found in this Bill. The clause which relates to the subject of disability is to this effect:—Those persons who either decline or neglect to pay the voluntary rate shall, after the lapse of a certain time, "be deemed to have elected to become, and shall be, disqualified and ineligible for the office of Churchwarden for ecclesiastical purposes." That is the first effect which non-participation in the voluntary rate shall have. But we have been careful to provide that such disability should not extend beyond its legitimate purpose. There are many functions now committed to the hands of Churchwardens by law from which it would be very invidious and unwarrantable to attempt to exclude persons not contributing to the church rate. The whole matter of parish charities is an example, because it is one in which the greatest interest would be naturally felt. The whole of the duties of Churchwardens, with the single exception of the disposal of church rates and the proceedings connected with them, will remain untouched by the Bill, and consequently we have the expression here used, "for ecclesiastical purposes," inasmuch as in every parish where the voluntary rate does not include the whole of the community there would be a Churchwarden, by a distinct election of the inhabitants of the parish, who would be authorized and empowered to discharge all the other duties connected with the office of Churchwarden. The clause went on to say, that the person not contributing would not

> "Be entitled to vote at any meeting of the parishioners or inhabitants in vestry assembled of the said parish or district upon any question relating solely to the election of any Churchwarden for ecclesiastical purposes, or of any chapel-warden, or to the repairs, re-building, ornaments, ministers, or services of the church of the said parish or district, or to the care or maintenance of the churchyard of the said parish or district, or to any voluntary rate assessed or proposed to be assessed for the purpose aforesaid upon the owners or occupiers of property within such parish or district under this Act, or to the application or disposal of any monies raised or to be raised by any such voluntary rate, and no such person shall be entitled to demand as of right that any seat or portion of the church be allotted, assigned, or appropriated to him by the Churchwardens."

The only other material provision in that clause is that it shall be lawful for any persons who have declined to take part in the business of the voluntary rate upon change of mind at any period to pay or tender payment to the amount of any voluntary assessment made during the three years last preceding; and upon such payment he shall henceforth be entitled to all the powers with respect to voting and participating in the proceedings with respect to church rates, as if he had voluntarily paid from the beginning his share of the asssessment. There is, I think, nothing else material in the Bill, except a definition necessary for the special purpose of the measure, on account of the division of duties in consequence of the two kinds of Churchwardens. This Bill will, I hope, be in the hands of Members to-morrow morning; but, nevertheless, owing to the great interest felt in the subject, I thought it desirable to state its substantial provisions to the House, and at once call attention to the important, though I think beneficial, changes introduced into it, as compared with the original suggestions which I offered in the church rate debate on which the Bill was founded. I abstain on the present occasion—and I think the House will approve my doing so—from all argument on the subject. I confine myself to placing those provisions in the hands of the House. My desire is that the Bill should assume in a subsequent stage as little as possible of a controversial character. It is an offering made in the spirit of peace—an offering accepted, on the authority of the hon. Member for Bury, by a very large portion of those who have been engaged in this controversy, and, being made in the spirit of peace, I sincerely trust that the attainment of peace may be its destined end.

Motion made, and Question proposed,

"That leave be given to bring in a Bill for the abolition of Compulsory Church Rates."—(*Mr. Chancellor of the Exchequer.*)

Mr. NEWDEGATE said, he believed the right hon. Gentleman was sincerely endeavouring to reconcile that which had been the subject of controversy for so many years, and as a member of the Church of England, felt grateful to the right hon. Gentleman for the attempt. It was his intention to postpone to the 30th of this month the Bill which he had himself brought in, so that it might stand after the measure introduced by the right hon. Gentleman. Such a proceeding on his part was nothing more than was due to this intervention of Her Majesty's Government to settle the question. Having considered the subject, however, for many years, he feared that there was danger in the proposal of the right hon. Gentleman. He feared that, by this proposal, a minority in a parish might acquire power to sanction a manner of conducting the services of the Church which was disagreeable and offensive to the majority; and that the means of introducing variations of the services in the different parishes would be obtained. One argument in favour of church rates among Churchmen was this—that if a congregation disapproved the manner in which the services were conducted, they had the remedy in their hands by withholding the rate. This Bill would considerably impair that power. He deprecated anything which would encourage variations in the service of the Church, and also the domination of a minority over the majority of a parish.

Mr. BERESFORD HOPE thanked the Chancellor of the Exchequer for the excellent spirit in which he had subordinated political feeling at this anxious time to a desire to settle this long vexed question. He would enter into the scheme with the utmost desire to see in it some settlement based upon the release of those who for any reason did not wish to pay church rates. A short time ago he made a similar suggestion himself by recommending the insertion of the word "conscientious," so that relief might be given to all, whether Churchmen or Dissenters, who did not wish to pay the rate. That was the early policy of the "Exemptionist" party. As, however, the chief obstacle to a settlement on exemption principles was the objection of Nonconformists to what they called "ticketting," which they thought involved in the term conscientious, he no longer pressed it. With regard to the Bill of his hon. Friend, he must strongly and clearly insist on one consideration. He hoped that after the persons who did not wish to pay church rates had absented themselves, and those who wished to pay had assembled in the vestry, the church rates should, as much as possible, minus the Courts of Law, assume the same character which church rates used formerly to bear—in other words, that, while there should be no bias beforehand to compel people to pay church rates, there should afterwards be no bias the other way, no attempt to force out of their old way those who chose to pay them as they had heretofore done. In describing the purport of the 4th clause, the Chancellor of the Exchequer had stated that the new form of rate would come into operation in parishes in which no other "sufficient" provision existed for the sustentation of the Church. Now, was not such a hint so thrown out almost a pledge from the Government to take into consideration what ought to be a sufficient provision; and did it not give the House an opportunity of striving to amend the unjust laws which the jealousy of the last generation had imposed upon the liberality of persons who were willing to devote a portion of their substance to religious purposes? He referred to the series of laws commonly known as the Mortmain Acts. All were aware of the absurd excitement which was raised by Alderman

Guy's foundation of the hospital that had been such a benefit to London, which had led to the last and worst of those laws; but had not the time now come when the desirability of relaxing them might be taken into consideration for the benefit of Nonconformity as well as of the Church? In his opinion, no relaxation of the church rate law would be complete without a consideration of this question, more especially as Parliament would, if it passed this Bill, recognize the desirability of a sufficient substitute for church rates being provided. Would not that recognition be barren of results unless means were given of easily providing such a substitute? There were the Exchequer Loan Fund, for instance, and certain societies chartered by Act of Parliament to advance money upon land for good and profitable objects, and he would suggest that some provision might be made under which a proprietor of land —whether he was tenant in fee or tenant for life — might borrow money from the Exchequer Loan Fund or some other society, and place it in the hands of trustees for the benefit of the church of the parish within which the land was situated, such land being declared for ever free from church rates. Such a mode of procedure would have an advantage over the method of saddling the land with a rent-charge for ever, because the land might afterwards pass into the hands of persons holding different religious opinions, and something analogous to the church rate grievance might in such an event arise. If, however, the money were settled upon trustees, it would belong for ever to the Church, while the land would for ever be free from church rates. Such a system, if it were to be generally adopted, he believed afforded the best solution of the church rate question, because it would give a sufficient amount to carry out the objects for which church rates at present existed. In conclusion, he begged to thank the right hon. Gentleman for bringing in this Bill, and to express a hope that a long day would be given before the second reading in order that the country at large, the clergy in particular, who were so interested in it, as well as Churchmen and general Dissenters, might have time to read and digest its provisions.

Mr. CANDLISH thought it was a matter of congratulation that this proposal had been recognized on both sides of the House as one likely to settle this long and much-vexed question. He believed there would be a general disposition upon both sides of the House to accept the measure proposed by the Chancellor of the Exchequer. He wished, however, to ask the right hon. Gentleman a question. A parish in the borough which he represented (Sunderland) had an Act of its own under which the church rate was levied, and he wanted to know whether this Bill would supersede and override not only the general law of the land but also a special Act such as he had referred to?

Lord JOHN MANNERS said, that if the right hon. Gentleman had introduced this Bill, and the debate had then terminated, he probably should not have presumed to say anything on the subject; but after what had fallen from the last speaker (Mr. Candlish), he thought it incumbent upon him to say, on the part of some hon. Gentlemen, at any rate, on that side of the House, that they were not at present disposed to accept the statement of the hon. Gentleman that the measure met the views of those who took the side of the Church in regard to this question. The hon. Gentleman seemed to assume that the measure would necessarily receive the support of Gentlemen who sat upon that side of the House. Now, he rose for the purpose of saying that, as far as he could form an opinion from the statement of the Chancellor of the Exchequer, he did not think the measure would be regarded on the Opposition side of the House as a satisfactory compromise of the question. Of course, he said that with great reserve, for he had not yet seen the measure, and was only speaking on the first impression derived from the right hon. Gentleman's statement. The right hon. Gentleman the Chancellor of the Exchequer had terminated his short speech with a sentiment in which he was sure every Gentleman on that side of the House would join. The right hon. Gentleman said that he proposed this measure in the interests of peace, and that he trusted peace would be the result of it. All must concur in that wish; but he would remind the right hon. Gentleman that peace might be obtained in two ways—namely, by capitulation and by compromise. He had not had the advantage of seeing the draught of the Bill, but the Chancellor of the Exchequer had informed the House that the measure had been accepted by Mr. Morley, upon whom the right hon. Gentleman passed a high, and, doubtless, well deserved eulogium. He had, however, had the advantage of reading yesterday a speech delivered by Mr. Miall on this question. Whether Mr. Miall had seen the draught of the Bill he could not, of course, say, but that Gentleman seemed to have no hesitation whatever as to the course which he and his friends would take in reference to this measure. Mr. Miall accepted the Bill as a settlement which was entirely satisfactory to the Liberation Society, and told Churchmen that if they chose to regard it as a compromise he would not quarrel with them about the phrase, though he reminded them that the whole of the substantial fruits of victory remained with the Liberation Society. That being the deliberate opinion of Mr. Miall, he was not surprised to hear that Mr. Morley, and the hon. Gentleman the Member for Bury St. Edmunds (Mr. Hardcastle), had accepted the measure. If his fears were correct, it would bring about a peace of which they who had hitherto maintained church rates would have no cause to be proud. He would not prolong the discussion, but he wished at that stage of the proceedings to protest against the assumption that hon. Gentlemen sitting on that side of the House would be obliged to support the measure. He greatly feared, indeed, it would turn out to be a measure which, while keeping up some semblance of the church rate, would in reality destroy the whole substance of it.

Mr. THOMAS CHAMBERS said, he agreed with the noble Lord (Lord John Manners) that this was not a compromise, as it abolished church rates in the only form in which they were recognized and could be enforced by law. If he were a Dissenter, he should say this was not a compromise of the question, but the winning of it. As a Churchman, however, he must express his regret not that church rates were to be abolished, at which he rejoiced, but that they were to be abolished in the particular form proposed by this Bill. Church rates, as they have hitherto existed, had, at all events, one advantage—they compelled every man, according to his pecuniary ability, to subscribe towards the maintenance of the Church. The abolition of church rates would throw the burden of the maintenance of the Church exclusively on the friends of the Church; they would have to support it by voluntary contributions, and that would be the result of voluntary church rates. It was now proposed to abolish church rates by a Bill which set up an apparatus that would present to the minds of the people the idea that they were still maintaining the church by a rate, while the Bill absolutely locked the door of every court into which a person could go to enforce a rate. No matter whether it was sought to do so under a local Act or under the general law, all courts were to be closed. The Dissenters did right to rejoice at this arrangement if it were right that there should be no church rate; but what of the Church people? The hon. Member for Stoke (Mr. Beresford Hope) rejoiced; and hon. Members on both sides of the House accepted the proposal as one made in a spirit of compromise; but where was the benefit of this supposed compromise? The Dissenters were relieved by the Bill from the payment of church rates; everybody who did not want to pay them, whether Dissenter or not, was relieved, and had a right to rejoice; but who was benefited? Suppose it passed—what was done? Instead of a single-clause Bill abolishing church rates, we had a Bill which kept up the form of compulsion without its force. We lost all the advantage of the compulsory, such as it was, rate, and he could not see that we gained anything. This was the objection which, on the part of the Church, he felt to this sort of compromise. For years he had advocated a compromise, but one of a different form. He had said that the maintenance of the fabric, as a public building, might be thrown upon a public rate, and the expense of the worship on the worshippers. That would be a real compromise of the church rate question; but this was not a compromise—the whole tax was abolished and abandoned; but it was thought necessary and desirable to keep up the form of compulsion when the force was gone, and to keep up the name of a rate when the thing itself was abandoned. To this scheme he, as a Churchman, totally objected. A vestry was a meeting of rated inhabitants; but now it would become a meeting of subscribers; and what, therefore, was the use of passing a Bill of many clauses to enable the friends of the Church to do what they could do equally well without an Act of Parliament — namely, to meet together and make a subscription? No doubt the Chancellor of the Exchequer earnestly desired to effect a compromise; but the real truth was church rates were abandoned and Dissenters had won the whole battle. For the sake of the Church, he rejoiced at that result, but he wished Church people would agree with him in thinking that the form of compulsion should not be kept up when the force was gone. By such a scheme they would keep none of the advantages and yet retain all the disadvantages of a rate; they would have a thing called a rate which would be no rate at all, which there would be no power to enforce, and which would be nothing but a subscription. Still worse would it be if the hon. Member for Stoke could carry out his plan, have the laws of Mortmain repealed, and have an immense sum raised to endow the Church, and pay all its expenses; the Church would die. It lived by the voluntary efforts of its friends and supporters; and in proportion as it was endowed and its expenses met by payment in advance, secured in the funds or in any other way, in that proportion would its energy and force be diminished. The hon. Member for Stoke ought to know this as well as any one, for there was no more liberal friend of the Church, and he should have a deep conviction that in proportion as the voluntary liberality and energy of Church people were roused on the part of the Church was the Church living and doing good, making great efforts and doing its work; while in proportion as you stifled its energies by endowment and the ostentatious employment or, as in this Bill, the pretence of legal force, you destroyed the Church. That was the reason he objected to the retention of useless and mischievous forms by the Bill, as abolishing a compulsory church rate, and so far as it did that, he heartily approved of the measure; but as an attempt to make a voluntary subscription look coercive, and to give to spontaneous liberality the aspect of a tax, he totally objected to its provisions.

SIR ROBERT PEEL: Of course, it is premature to discuss now the proposals which the Chancellor of the Exchequer has submitted; but I must express my dissent from the observations made by the hon. Gentleman who has just sat down (Mr. Thomas Chambers.) He says that, on the part of the Church, he looks with apprehension on the proposals of the Chancellor of the Exchequer. I am rather inclined to concur with the remarks of the hon. Member for Stoke (Mr. Beresford Hope.) I care not whether the Liberation Society, or any other society, has been working for the abolition of church rates. I think the House will concur with the hon. Member for Stoke in looking upon the proposals of the Chancellor of the Exchequer as proposals made in a spirit of conciliation, with the view of promoting the common object all must have in view—the settlement of this long-vexed question. For ten or twelve years I have invariably voted against all Bills introduced by a private Member for the abolition of church rates:—I have always maintained it to be the duty of the Government to take up the question and that it would be in vain for any private Member to attempt to settle it. Now my right hon. Friend has submitted a Bill and I cordially approve the course he has taken; and I trust the House will support him in the object he has in view. In the borough I represent we have had a most painful church rate case. Although I am a strong Churchman, I have felt that nothing could be more odious — nothing could give rise to worse feelings than the case I allude to, in which a Roman Catholic was called upon to contribute a few pence or a few shillings to the Established Church. I discourage to the utmost of my power legal proceedings to enforce payment of church rates. The hon. and learned Gentleman the Member for Marylebone has said that the Courts of Law will be closed against any attempt to enforce payment. I rejoice at it. I may say that nearly £2,000 has been spent in prosecuting the gentleman I have named, a tenant farmer, because, as a Roman Catholic, he conscientiously refused to contribute to the maintenance of the Church of England in Tamworth. Before the right hon. Gentleman answers the question which has been put, I wish to ask whether, if a Dissenter does not pay church rates, he can, in a country parish, claim, as a right, interment for his family in the churchyard of the parish church. [The CHANCELLOR of the EXCHEQUER intimated assent.] I think that unless a person contributes to the maintenance of the churchyard of the parish he ought to have no claim whatever to bury members of his family there. [*Expression of dissent.*] Well, that is my opinion; but there may be differences of opinion on the subject. I merely wish to ask the Chancellor of the Exchequer whether a Dissenter would claim a right to bury, because I think it open to objection that unless a person has contributed steadily—say for three years—to the maintenance of the Church and churchyard, he should have a claim to bury his family in the parish churchyard. I rose also to express my concurrence with the hon. Member for Stoke, and to thank the Chancellor of the Exchequer cordially for undertaking the settlement of a question of this character, which will put an end to that unhappy strife which has occurred in too many places, will do more than almost any other measure could do for the peace of the country districts, and will save them from the heartburnings that church rate cases have occasioned. I do hope that the House will accept this measure in the spirit in which the Chancellor of the Exchequer has submitted it, and that the Bill will be carried successfully through all its stages.

MR. BAINES regretted that the noble Lord the Member for North Leicestershire (Lord John Manners) should have introduced the word "victory" in reference to this subject, having hoped that no victory would be spoken of but that of justice and peace; for, while the measure was one of simple justice, and Churchmen would sacrifice but a small amount by the abolition of the rate, it would bring the Church an amount of peace, independence, and vigour of action which would be of immeasurably more value than all she resigned. The Bill would remove the double injustice of requiring Dissenters, under the name of religion, to pay a compulsory rate, which was contrary to their principles, and also to pay for the maintenance of a form of worship of which they did not approve, while they maintained that of which they did approve; and this injustice could not be removed without the Church reaping fruit in the accession of valuable strength. He was confident that the Church would raise more voluntarily than she had done by church rates. If the Bill were carried, there would be no attempt on the part of Dissenters to interfere with the administration of the funds to be raised by the Church under its provisions: such interference would be an impertinence and an injustice, and he would discourage it to the utmost. He really did not understand the remarks of the hon. and learned Member for Marylebone (Mr. Chambers), because if the courts were closed against the enforcement of a rate the form of compulsion would no longer exist. It was, indeed, possible that in some places a kind of moral compulsion might be attempted; but he hoped it would not be so, and it would certainly be known even in the remotest village that legal compulsion no longer existed. He could not help thinking the suggestion of his right hon. Friend (Sir Robert Peel), with reference to the exclusion of Dissenters from burying in the churchyards, was not consistent with his generous and liberal nature. [Sir ROBERT PEEL: I only asked the question.] He begged the right hon. Gentleman's pardon—he had understood him to suggest that they should not be buried there. He joined with those members of the Establishment who had spoken in favour of this proposal in hoping that a measure of real justice and universal peace would be carried in the spirit in which it had been introduced by the right hon. Gentleman.

MR. AKLAND felt grateful to the Dissenting body, so far as it was represented in that House, for the very handsome manner in which, as it appeared to him, they had met this question. But he merely rose to put a question to his right hon. Friend. He understood him to say that the Bill provided for the continuance of existing engagements where churches had been rebuilt and expenses incurred on the security of rates. The main difficulty would fall on the country clergy; but he knew that many of these looked forward to this settlement with hope and thankfulness. The question he wished to put to his right hon. Friend related to prospective engagements, whether there was anything in the Bill inconsistent with some such arrangement as this—where it was necessary to rebuild the church of a country parish, that the parishioners assembled in vestry should concur in rebuilding it, and that possessors of landed property, in conjunction with the next in succession to the entail, might charge their estates temporarily with a certain amount for the purpose of rebuilding such a church; and also whether it would be competent to the vestry to raise money for that purpose on the security of a voluntary rate?

MR. READ asked, whether the Chancellor of the Exchequer could not also embody in the Bill a clause for the abolition of the compulsory payment of certain Ecclesiastical dues, such as visitation fees, synod fees, and sundry other charges for which Churchwardens were personally liable?

MR. CUBITT asked, if the Bill was only applicable to rates for the Church of an Ecclesiastical district or to the rates for the mother Church as well?

THE CHANCELLOR OF THE EXCHEQUER: I have to answer very briefly the questions which have been put to me. I must, in the first place, say I have not the same horror of shutting up any description of Court that seems to be entertained by my hon. and learned Friend the Member for Marylebone. My hon. Friend the Member for North Devon (Mr. Akland), asked whether it would be provided in the Bill that charges already imposed by local Acts should not be affected by the scope of the Bill? That certainly was the intention of the Bill, and I hope its language will be found to cover such cases. My right hon. Friend the Member for Tamworth (Sir Robert Peel), for whose cordially expressed support of the measure I feel very grateful, asked whether Dissenters and their families, not paying church rates, would continue to be entitled to interment in the churchyard? The answer is, that there is no disability created by this Bill of any kind, except such as are expressly cited and set forth in the Bill—namely, those relating to the power of taking a part in the management of the rate, in the election of Churchwardens, and in the title to demand an assignment of seats in the Church; in no other respect is any right now existing touched by the Bill. The hon. Gentleman opposite (Mr. Cubitt) asked whether a double rate would be levied in Ecclesiastical districts and for the mother Church? I certainly believe that in the processes contemplated by the Bill no levying of a double rate will take place. The hon. Gentleman behind me (Mr. Akland) asks whether the Bill contains any provision to enable possessors of landed property, or the persons having life interest in such property, together with the heir of entail, to charge their lands temporarily for purposes connected with the re-building of the church? There are no such clauses in the Bill. I see no objection in principle to give powers of that nature, but I confess I have considerable doubt whether it would be entirely akin to the object of the Bill. It would certainly raise a number of separate issues entirely different from the main issue, and would be much better dealt with in a separate form. The hon. Member for Norfolk (Mr. Read) has asked whether it would not be possible to abolish the fees paid by the Churchwardens at visitations? but I apprehend that the Churchwarden is at present authorized to charge these fees upon the church rate, and the consequence will be that these fees will be paid like all other charges provided by the Bill to be paid out of the rate.

Mr. BRIGHT: I wish to suggest that in this Bill an end should be put to another imposition which I think is much less justifiable than what are called church rates, and much more offensive, and that is the collection of what are called Easter dues. In a portion of Lancashire there have been proceedings of a most offensive character carried on against persons who refused to pay those dues, and dues of the smallest amount, of a penny, or twopence, or threepence from each house. And these dues are not levied by a vote of the parish, but at the will of a clergyman of the parish, and on that account I think they are more offensive than church rates themselves. It seems to me a pity that some clauses should not be introduced for abolishing Easter dues into a Bill the object of which is to abolish church dues. I give no opinion at present on the Bill itself or its details, because I did not know anything of its provisions until I came into the House this evening; but surely if gentlemen outside, to whom reference has been made, who have been charged with conducting the agitation against church rates are satisfied with the Bill, it is not very likely that I should take it upon myself to express any discontent with it.

Motion *agreed to.*

Bill for the abolition of compulsory Church Rates, *ordered* to be brought in by Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Milner Gibson, and Mr. Attorney General.

Bill *presented*, and read the first time. [Bill 143.]

TRANSUBSTANTIATION, &c., DECLARATION ABOLITION BILL—[Bill 82.]

(*Sir C. O'Loghlen, Sir John Gray, Mr. Cogan.*)

SECOND READING.

Order for Second Reading read.

Mr. COGAN, in moving the second reading of this Bill, said, he hoped it would meet with the general approval of the House—indeed, he should not have expected that any opposition would be offered to the measure had he not seen on the paper a notice by the hon. Member for Peterborough (Mr. Whalley) to move that the Bill be read a second time that day six months. As, however, on the first reading the Chancellor of the Exchequer expressed the acquiescence of the Government in the Bill, and as the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole), with that conciliatory manner which always characterized him, notwithstanding the strong views he entertained with regard to certain principles, also assented to it, he trusted that the hon. Gentleman would not disturb the unanimity of the House by persevering in his opposition. The Bill proposed to abolish the declaration now required to be made by certain high functionaries—he believed only the Lord Lieutenant and Lord Chancellor of Ireland—on assuming office, that certain doctrines held by Roman Catholics as part of their religion were idolatrous and superstitious. It was peculiarly offensive to the Lord Lieutenant on entering upon office in a country where the great majority of people were Catholics, and surrounded by members of his Privy Council and Law Officers, many of whom professed that religion, should be obliged to make such a declaration. No one would pretend that the interests of Protestantism could be in any way served by it, and it was calculated to excite feelings of hostility and strife which every good subject should seek to allay. Its original object was to exclude persons professing the Catholic faith from those particular offices; and as the supporters of the Bill did not wish by a side-wind to remove this ineligibility—although in a country allowing freedom of religious opinion the holding of any offices under the Crown should not be limited to persons holding a particular creed—the Bill contained a proviso that nothing contained in it should be construed as giving Roman Catholics a right to fill the office either of Lord Lieutenant or Lord Chancellor of Ireland. The simple object of the measure was to remove a declaration which was at once offensive and useless, and he hoped that, in the interests of peace, conciliation, and Christian charity, it would receive the sanction of the House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Cogan.*)

MR. WHALLEY complained of a question of such importance being brought forward by a private Member, and not on the responsibility of the Government. The same course had been taken with regard to the Oaths Bill and the Scotch Episcopal Bill, although these questions lay at the very root of the Constitution. However, he did not intend to move the Amendment of which he had given notice; and the reason why he did not do so was because the Government and the right hon. Gentleman opposite (Mr. Walpole) had acquiesced in the principle of the measure. He had not altered his opinions, and he would, with the permission of the House, shortly make known what his views were. The Declaration against Transubstantiation was adopted as the best and only test against Romanism in the time of Charles II., and as such it had been regarded for 200 years. If it was needed when it was established, 200 years ago, nothing had occurred since to render it unnecessary. Romanism was still the same, and Protestant Jesuitism was rampant amongst us. He would relieve his own conscience in the matter by challenging the Government to consent to the appointment of a Committee to inquire into the Fenian movement. Evidence would be given before such a Committee to show that that movement was neither more nor less than a deliberate organization, in accordance with all the antecedents of the Roman Catholic Church—to gain the objects of the Roman Catholic hierarchy by force, if necessary, by means of a bargain with the Government, in pursuance of which this and similar little Bills were to be given as the price of keeping the Fenians in check. The country at large was in most profound ignorance as to the state of these most important questions in that House. They believed that hon. Gentlemen opposite were sufficiently watching the Government, and that his interference was almost impertinent. All the energies of the Pope were directed to the destruction and injury of this country. Let them suppose the occurrence of an European war, and that our army and navy were affected with foreign allegiance to the extent that they contained Roman Catholics. ["Oh, oh!"] He had last Session challenged the Secretary for the Colonies to state whether he had not received from Sir George Grey, the Governor of New Zealand, a dispatch informing him that the war in that colony was organized and sustained by Roman Catholic priests—and the right hon. Gentleman had not denied that such was the case. He had since received letters from dignitaries of the Church and others in New Zealand assuring him that all that he then asserted was perfectly true, and that the losses which we sustained, and the disgrace which befell our troops, could be attributed to nothing so much as to the direct organization upon Riband and Fenian principles, of the natives in rebellion against our authority. He did not wish to offend the hon. Gentleman who had moved the second reading of the Bill, by calling his religion impious, but it had in all past times been associated with allegiance to a foreign power which under circumstances of difficulty might be fraught with the greatest danger to this country. He was not called upon to defend the bulwarks which had been erected against that danger; it was for the hon. Gentleman to show that they might safely be abolished. [The hon. Member spoke amid continued interruptions and noises.].

MR. CHICHESTER FORTESCUE said, that he would not enter upon the question as to the share which the Fenians had in the war in New Zealand; but he wished to say, in answer to the hon. Member for Peterborough, that the Government most cordially supported the Bill. In reply to the objection that the introduction of the measure had been left to a private Member, he must observe that this Declaration against Transubstantiation was so utterly indefensible and devoid of foundation that it required but the touch of any Member of the House to make it fall to the ground. The only wonder was that the proposal for its abolition should not have been made long ago, and that the Lord Lieutenant of Ireland and other officers of the highest rank in Ireland should have been so long compelled on entering office to stigmatize, in terms which amounted to nothing short of contempt, the sacred doctrine of a Church to which many Gentlemen of the highest rank in the country and Privy Councillors sitting round the same table with himself adhered. The Government were about to issue a Commission to inquire into the whole question of oaths and to report as to which it was desirable to do away with or to amend; but this particular Declaration was so simple and indefensible, that the Government had no hesitation in giving the Motion before the House their support.

MR. WHITESIDE observed, that the hon. Member for Peterborough (Mr. Whalley) whose observations against the Ministers were always delivered from that (the Opposition) side of the House, always supported them by his vote. The present mode of legislation deserved, he thought, the notice of the House. This form of Declaration had been made for some centuries by the Lord Lieutenant of Ireland, and therefore he thought it was the duty of the Government to have considered this question. But the Secretary for Ireland said that it did not matter who touched a subject of this kind; and, although a Commission on Oaths was pending, the right

hon. Gentleman maintained that this Declaration should be abolished in the meantime, so as to relieve the Commissioners from considering whether any test should be applied to the case of the Lord Lieutenant. The inference was that, if the test was not to be applied to the Lord Lieutenant, a Roman Catholic ought to be allowed to fill the office as well as any other person.

THE CHANCELLOR OF THE EXCHEQUER rose to ask indulgence for the hon. Member for Peterborough. The right hon. Gentleman (Mr. Whiteside) had just said that the hon. Member's speeches against the Government were all very fine, but that he always voted with the Government. That was a most singular case of political ingratitude. The only critical division which took place before that on the Reform Bill was one which was well and judiciously selected on the other side —namely, that on the Parliamentary Oaths Amendment Bill. It was sought to mutilate and spoil the oath to be taken by Members of Parliament by the addition of words to the effect that no foreign Prince or Potentate had or ought to have any power in the courts of this country. Why nobody ever said or could say that they had. In the division list there were two names recorded, singularly enough, side by side—those of "Whalley, J. H.," and "Whiteside, Right Hon. J." With respect to what the right hon. Gentleman had stated as to the duty of the Government, he had only to observe that the Government proposed to deal with the whole question of oaths by a Commission, and they could not, therefore, deal with this portion of it. But when the hon. and learned Member for Clare (Sir Colman O'Loghlen) brought in his Bill, as he had a right to do, and asked them—Would they support it?—they had no hesitation whatever in saying that they would, and that they wished the measure every success.

MR. NEWDEGATE wondered what the Commission which the Government were going to appoint would have to do, for the Government had settled the Parliamentary oaths, and were now about to sweep away this Declaration. Without denying that the hon. Member for Peterborough (Mr. Whalley) generally voted with those who wished to defend the Protestant Constitution of the country, he must say that he knew no Member who, whether from accident or incapacity, did so much disservice to the cause he advocated as that hon. Member. The hon. Member had suddenly withdrawn his notice in opposition to this Bill, and when he rose on a question of this sort, the hon. Member invariably played into the hands of his opponents. The expression of "damning with faint praise" was well known, but he was not aware of any advocate who damaged a cause so effectually by his support as the hon. Member for Peterborough. [*Laughter.*] Though the House might treat the matter with levity, it was not lightly thought of out of doors, and he had presented 122 petitions that night against the abolition of the Declaration under consideration. By those who believe in the Roman Catholic tenets, the Protestant Constitution of this country was regarded as a heretical establishment, and one that ought to be swept off the face of the earth; but he (Mr. Newdegate) was surprised at the indifference with which it was treated by the Protestant Members of that House. By the opinions which he had expressed that evening, the hon. Member for Peterborough had cut the ground from under his feet. The hon. Member ought not continually to repeat that the religious opinions of different sects were, in his opinion, of no political importance. He was sorry to be obliged to make this observation, but he warned the hon. Gentleman that if he were a Protestant, and were sincere in his adhesion to the Protestant faith, he was damaging the interests of that religion, misrepresenting the opinions of the Protestant people of the country, and bringing into contempt in the House feelings which were deep and sincere. He (Mr. Newdegate) thought that it was but reasonable that the High Officers of State, the direct representatives of our Protestant Sovereign, who was bound to the Church of England, should express their adhesion to the substance of the articles of the Church of England, and that was in reality the substance of the declaration. It was right, too, that the same declaration should be made by the Lord Chancellor of Ireland, who had not only to decide on many questions relating to ecclesiastical jurisdiction, but also enjoyed the dispensing of considerable ecclesiastical patronage.

Mr. O'BEIRNE reminded the hon. and learned Gentleman the Member for Belfast (Sir Hugh Cairns) that a reference to the second clause of the Bill would show that his fears were groundless, and that he laboured under a misapprehension. As a Roman Catholic Member, he acknowledged that the hon. Member for Peterborough had done his religion essential service, and to that fact must be attributed the silence with which the Members of the Roman Catholic persuasion received the extraordinary charges in which the hon. Member so frequently indulged. When the hon. Member attributed the war in New Zealand to the combinations of the priesthood at Maynooth, such statements could only be attributed to a fevered brain.

Mr. WHALLEY, amid cries of "Order!" denied that he had made any such statement.

Mr. O'BEIRNE was speaking within the recollection of the House, by whom it would be remembered that the hon. Member stated that he had received letters informing him that the New Zealand war was attributable to the machinations of the Roman Catholic priests, many of whom had been educated at Maynooth. As far as Parliamentary usage would permit him to do so, he challenged the hon. Member to prove his charges; and if he thought he could do so, to move for a Select Committee, before whom he could adduce his proofs.

Mr. WHALLEY rose to reply, but was called to order by the Speaker.

Bill read a second time.

Motion *agreed to,* and *committed* for *Monday* next.

SEA COAST FISHERIES (IRELAND) BILL.

On Motion of Mr. Blake, Bill to amend the Law of Ireland as to the Sea Coast Fisheries, *ordered* to be brought in by Mr. Blake and Mr. Brady.

Bill *presented,* and read the first time. [Bill 147.]

INDIAN PRIZE MONEY BILL.

On Motion of Mr. Monsell, Bill to legalize the payment and distribution of Indian Prize Money by the Treasurer or Secretary of Chelsea Hospital, and to amend an Act for the consolidating and amending the Law relating to the payment of Army Prize Money, *ordered* to be brought in by Mr. Monsell and Mr. Stansfeld.

Bill *presented,* and read the first time. [Bill 146.]

House adjourned at Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, May 9, 1866.

MINUTES.] — Public Bills — *Resolutions in Committee*—Pier and Harbour Orders Confirmation.

Ordered—Pier and Harbour Orders Confirmation.*

First Reading—Pier and Harbour Orders Confirmation * [148].

Second Reading — Clerks to Justices [53], *negatived;* Veterinary Surgeons [121]; Burials in Burghs (Scotland) * [132]; Court of Chancery (Ireland) [19], debate [16th March] *resumed*, and *further adjourned.*

Considered as amended — Public Companies * [35], debate *resumed.*

DEVONPORT ELECTION.

House informed, that the Committee had determined,—

That John Fleming, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Devonport.

That William Ferrand, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Devonport.

That the last Election for the Borough of Devonport is a void Election.

And the said Determinations were ordered to be entered in the Journals of this House.

House further informed, That the Committee had agreed to the following Resolutions :—

That John Fleming, esquire, was, by his Agents, guilty of bribery at the last Election for the Borough of Devonport.

That William Ferrand, esquire, was, by his Agents, guilty of bribery at the last Election for the Borough of Devonport.

That it was proved that Frederick Harris' Thomas Down, William Cragg, and others, to the number of seventy-one, were bribed by payments of ten shillings each after the Election; but that such bribery was committed without the knowledge or consent, and against the strict injunctions of the sitting Members.

That the several sums of ten shillings, by which the above-named Electors are reported to have been bribed, were given to them on account of having voted for the sitting Members in compensation for the time alleged to have been lost by attendance at the Election.

That it was further proved that the authorities in the Devonport Dockyard allowed half a day to all Voters in the yard for the purpose of recording their vote, and paid wages for such half day, irrespective of any work done by such Voters.

That the Committee desires to record its opinion that the payments above referred to of ten shillings to each Voter have been customary at former Elections for the Borough of Devonport.

That, beyond this, there is no reason to believe that corrupt practices extensively prevailed at the last Election for the Borough of Devonport.

Report to lie upon the Table.

COMMITTEES—ASCENSION DAY.

Ordered, That no Committees have leave to sit To-morrow, being Ascension Day, until Two of the clock.—(*Mr. Chancellor of the Exchequer.*)

CLERKS TO JUSTICES BILL—[Bill 53.]

(*Mr. Colvile, Sir Henry Hoare.*)

SECOND READING.

Order for Second Reading read.

Mr. COLVILE, in moving the second reading of this Bill, said, that the measure was in itself small and unpretending, but it had this merit, that it would, if passed, tend to maintain the dignity of the law, and render pure the stream of justice. The clerks to magistrates stood in a very anomalous position. The whole question of the advisers to our unpaid magistracy required consideration fifty years ago; the rural magistracy were few and far between, their butlers were generally their clerks, and their only legal advisers "Burns Justice;" the increase of population and the consequent increase of crime had altered this, but the position of the clerks had not kept pace with the requirements of the times. The clerk to the magistrates was charged with very responsible duties, he was the legal adviser of the justices to whom he acted, and yet he had no freehold in his office, and he was liable to be discharged at the pleasure or caprice of the magistrates. Now, the House had imposed on these clerks very important duties. They were compelled to make Returns to the Home Office under no less than seventeen statutes, some of which were of a very important nature. The position which he held was this—that these clerks should be paid by salary; that they be attorneys of a certain standing, should not be removable from their office except for misbehaviour, and that they should have no direct or indirect pecuniary inducement to recommend commitments to the justices whom it was their duty to advise. He was aware that there was an organized opposition to his proposal, the justices clerks had, like other trades, their union, and had determined to oppose his Bill; they had sent a form of petition to all the Petty Sessional divisions, 433 in number, but only thirty-one petitions had been presented against his Bill; this spasmotic action might keep the matter in its present position a little longer, but there was a strong feeling entertained by the ratepayers that the present system of unpaid clerks, with the inducement which they had to recommend commitments, greatly increased litigation, and that they were thereby made the sufferers. All fees taken by magistrates were more or less a tax on the working classes of the country. The hon. Member referred to the evidence taken by the Royal Commission which sat in 1845, to inquire into the state of the criminal law in support of his view that the prosecution by magistrates' clerks was a highly indecorous proceeding which led to frivolous prosecutions and gave rise to the obvious remark that they had a direct interest in advising commitments. He also referred to the evidence given before the Public Prosecutions Committee. Amongst the witnesses was the Lord Chief Justice, who said he was of opinion that the clerks to the justices could be made useful agents to conduct public prosecutions; but unless the clerks were put on salaries that plan would not do. Lord Campbell said it was of the last importance that the magistrates' clerk should have no interest in the prosecution to bias his mind, and no advantage, directly or indirectly, in the case in which he gave his advice. He also read letters from gentlemen holding official position in England and Wales, in favour of his proposal. On the passing of the Municipal Act, it was provided that the clerks to magistrates in boroughs should not prosecute any person sent to gaol by the borough magistrates. It seemed an anomaly that a clerk to borough magistrates, and a clerk to county magistrates, should live side by side of each other in a town that one could prosecute, the other could not. Was the integrity of the one greater than that of the other? He had inquired in the larger boroughs, and found that no practical inconvenience had arisen from that enactment. The town clerk of Birmingham said that the prohibition of justices' clerks conducting prosecutions in the borough had not caused any inconvenience whatever. The town clerk of Leeds stated that no inconvenience had arisen in that borough from the clerks of justices being prohibited from conducting prosecutions of prisoners committed for trial by the borough magistrates. They were not, then, to suppose that the prohibition would cause any inconvenience in counties. No person should be personally interested in a matter that came judicially before him. There was a provision in the Coroners' Act to prevent coroners from acting as solicitors in any case brought before them in their capacity of coroner. If the Bill should go into Committee he would endeavour to remedy some other grievances connected with the magistrates' clerks. On many occasions the magistrates' clerks, either by themselves or their partners, actually practised before the bench to which they acted as clerks; and every one must admit that was a most indecorous proceeding. It was exceedingly improper that the magistrates' clerks should, either by their partners or in person, defend persons committed for trial by the magistrates under whom they acted. This measure was only a step in the right direction; but he hoped that before long another step would be taken, and the recommendation of the Committee on public prosecutions would be carried out. He hoped they should have as magistrates' clerks gentlemen of legal standing, and that they should have public prosecutors to conduct the prosecutions intrusted to them fairly and impartially.

Motion made, and Question proposed, "That the Bill be now read a second time"—(*Mr. Colvile.*)

Mr. GOLDNEY moved that the Bill be read a second time this day six months. The only allegation in the preamble was that inasmuch as by the 5 & 6 *Will.* IV. c. 76 it was enacted that it should not be lawful for the clerk to any justice for any borough in England or Wales to be employed in the prosecution of any offender committed for trial by the justices to whom he acted as clerk, it was expedient that the same restriction should be imposed on clerks to justices in counties. But he would observe that no analogy could be drawn between the position of clerks to borough justices and clerks to county justices. The position of the former was regulated by the Municipal Corporations Act, which statute enacted that they should not prosecute prisoners committed by their own bench; but it should be borne in mind that that Act was passed during a time of great excitement, and it was then thought desirable to take steps to prevent political bias from being imported into prosecutions. Two Committees had sat in reference to this matter, and the witnesses all agreed that the magistrates' clerks were the most efficient persons to carry on prosecutions; and the danger was that if they were prevented from carrying on prosecutions the business would fall into the hands of a low class of attorneys, and the cases would be inefficiently put before the Courts, and facilities would arise for compromising felonies, and for committing other irregularities. According to the evidence given before the Commission, only one or two complaints a year had been made to the Treasury with reference to prosecutions conducted by magistrates' clerks. Those complaints generally came from rival attorneys, who probably felt some jealousy in the matter, and he believed the present proposal originated in the same quarter and from the same feeling. The hon. Member had talked of an organization of justices' clerks, but he had heard of no such organization, nor had he received any petition or communication, except a letter from a gentleman in Devonshire, who objected to the Bill as likely to be injurious to the profession and to the public at large. The present scale of fees was so low as to offer no inducement to respectable attorneys to undertake prosecutions, and though magistrates' clerks, from their familiarity with the work and the number of cases conducted by them, made them to some extent remunerative, there was no ground whatever for the imputation that for the sake of so small an emolument they would advise magistrates to commit persons for trial improperly. Indeed, summary convictions were more remunerative than committals. The justices, moreover, so far from objecting to the practice, actually encouraged it, as otherwise prosecutions would fall into the hands of an inferior class of attorneys, and extortion might be practised, and the ends of justice frustrated. Cases occasionally occurred of persons being reprehended for touting for prosecutions, and this Bill, if passed, would render such cases very much more frequent. Some of the witnesses examined in 1855 suggested that justices' clerks should be paid by salary instead of by fees, which course had been rendered optional by a subsequent Act ; but not one of them questioned the propriety of justices' clerks conducting prosecutions, and the general tone of the report was that any scheme which did not provide for the efficient conduct of prosecutions must necessarily be defective. Believing, therefore, that to adopt this restrictive measure without making other provision for the proper conduct of prosecutions would be attended with very injurious results, he begged to move that the Bill be read a second time that day six months.

Mr. Goldney

Mr. STEPHEN CAVE said, it seemed to him that the passing of this Bill would tend very much to increase the evils which the hon. Member was anxious to prevent, and would lead in many instances to extreme inconvenience, and even to the miscarriage of justice. Extreme accuracy being required in criminal cases, it was very important that prosecutions should be prepared by attorneys of the best practical knowledge and experience, and clerks to justices had, as a general rule, these advantages more than other attorneys. Again, it was of great consequence that the depositions should be accurate and full. Justices were not obliged to do more than was necessary to justify their committing a prisoner, and justices' clerks, if forbidden to prosecute, would have no interest in taking down more than barely enough to justify a committal ; whereas now they had a direct interest in making the case as complete as possible, otherwise they would incur the censure of their counsel, and possibly of the court also. It was also very useful for the attorney to become acquainted with the demeanour of the witnesses, and a Queen's Counsel of great experience in criminal cases had related to him a case of murder, in which there would have undoubtedly been a failure of justice, had not the clerk judged from the demeanour of one of the principal witnesses before the justice that he was not to be relied upon, and been prepared with additional evidence accordingly. In important cases it was often necessary that justices' clerks should be present to give assistance and information to counsel, and if forbidden to prosecute, and yet obliged to be present, additional costs would be incurred. The costs allowed in prosecutions being very small, respectable attorneys would rarely undertake them; but justices' clerks having several cases, it was worth their while to do so, especially as they were able to copy the depositions on their briefs, instead of paying for copies. Mr. Greaves, who was second, perhaps, to none as an authority in such matters, and who authorized him to say that he disapproved this Bill, recommended that justices should ask the prosecutor if he intended to employ an attorney, and if not, should themselves appoint their clerk if he were an attorney ; for, after forty years' experience, he was satisfied that justices' clerks conducted prosecutions quite as well as they could be expected to do, considering the low scale of allowances, and he had, as a general rule, found less desire to press a case unduly by them than by independent attorneys. It was true that this practice was forbidden in boroughs, but in large boroughs, such as Leeds, which had been mentioned by the hon. Member, attorneys of high standing were appointed to act as public prosecutors, and to do exactly what magistrates' clerks did in counties. There was less necessity, however, in boroughs, because the cases being tried there the attorneys were at home, instead of going for two or three days together to a distant sessions or assize town ; but, looking at results, were there not far more cases in boroughs than in counties of scandalous practices by low attorneys competing and bargaining with policemen for prosecutions, and even such unseemly occurrences as two counsel rising to conduct the same prosecution ? He should rather prefer altering the law with respect to boroughs than assimilating that of counties to it. If cases were unduly committed it was the fault rather of the justices than of their clerk, and it was not a practice likely to prevail to any extent, as it seldom failed to call forth strong observations from the prisoner's counsel and from the court itself. It had been said that the clerk should be paid by salary, but it should be remembered that this did not touch the point, because the conducting prosecutions was beyond his duty as clerk for which the salary would be received. On these grounds he thought this measure uncalled for and likely to be mischievous, and he therefore seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Goldney.*)

Mr. EVANS regretted that he could not on this, as on most occasions, concur with his hon. Friend and Colleague, who had moved the second reading of the Bill. His experience convinced him that the present system was the best that could be adopted under present circumstances. At the same time he should quite approve the payment of justices' clerks by salary, and of their undertaking prosecutions as a part of their duty ; but this Bill seemed to him to begin at the wrong end. It had been his duty as Chairman of County Sessions to endeavour to ascertain the opinion of the magistrates concerning this Bill, and there was almost an unanimous opinion that the Bill would do more harm than good. The same opinion, he was informed, prevailed in Nottinghamshire. They said that in some districts there were no respectable attorneys willing to conduct prosecutions, the remuneration being so small, and the Bill would, therefore, throw the work into the hands of an inferior class of practitioners. In boroughs the case was very different, as there were plenty of qualified attorneys ready to prosecute. He did not wish to take up the cudgels for the magistrates' clerks, but he thought it right that he should notice one matter, and that was with regard to the depositions, and he must say that there were very few cases that had come under his notice during nine or ten years experience of the subject in which it appeared on the face of the depositions that there ought not to have been a committal, and though prisoners were frequently acquitted, this arose from witnesses varying in their evidence and other causes. The Bill, he was persuaded, would make matters worse rather than better, and for these reasons he should vote for the Amendment.

Mr. PACKE said, he had acted as a Chairman of Quarter Sessions for upwards of thirty years, and he thought no case had been made out for the Bill. Had a foreigner listened to the speech of the hon. Gentleman (Mr. Colvile) he would have inferred that the magistrates were not present at committals, or had no voice in the matter, and that the prisoner was committed by the clerk. Now he never sat on the bench when the magistrates did not act on their own judgment, uninfluenced by the clerk. He was sorry the hon. Baronet the Secretary of State for the Home Department was not present to defend the magistrates from the reflections which had been passed on them. The clerks in his own county were paid by salary under the permissive law passed a few years ago, and he hoped and believed this system would be more extensively adopted. For he quite concurred in the opinion that it was better to avoid the possibility of suspicion, that the clerk advised the committal in order that he might obtain the fees for prosecuting. He did not, however, think a sufficient case had been made out for the Bill, and he should therefore vote against the second reading.

Mr. LEEMAN said, that for more than a quarter of a century he occupied the position of one of the clerks of the peace to one of the Ridings of Yorkshire, and he thought, therefore, he might claim to have had some experience in this matter.

When examined before the Commission on Public Prosecutions in 1855, he expressed an opinion in favour of justices being authorized to direct their clerks to see to the due prosecution of all cases sent to the sessions for trial, and he objected to the appointment of district agents at considerable salaries as unnecessary, the justices' clerks, in most instances, in the North of England being the principal solicitors in the towns where the Petty Sessions were held, and among the most respectable men in the profession. The ten years that had since elapsed had only strengthened these views, and he was convinced that the Bill, instead of improving the administration of justice, would seriously impair it. As to the pecuniary interest of justices' clerks in prosecutions, he need only remark that the sum allowed for the preparation of the brief and for a journey, sometimes of fifty miles, to the place where the trial took place, was only two guineas.

Mr. SCOURFIELD, as a member of the Commission of 1855, remarked that the evidence of the Lord Chief Justice was irrelevant to the question now before the House, his examination having been confined to the appointment of public prosecutors. While admitting the right of the hon. Gentleman to bring forward this proposal, he must say that it was inconvenient to deal with matters of legal procedure in this patchwork manner; and if an alteration were required in the administration of the law, he would rather see a Bill introduced by the responsible advisers of the Crown. In his eighteen years' experience as Chairman of Quarter Sessions, he could hardly call to mind a case in which improper motives could have actuated the committal, and so far from its being the vice of the age to prosecute people improperly, he believed that for one person who was improperly convicted there were 999 who were improperly acquitted, or, he should rather say, who were not brought under the cognizance of justice at all. The question of the appointment of a public prosecutor could scarcely be discussed on this occasion; but he was persuaded that the Bill would make matters worse in every respect, and he hoped that after the expression of opinion that had taken place, the hon. Member would not put the House to the trouble of a division.

Mr. DENMAN said, that as it had been stated that certain members of the Bar were in favour of the Bill, his opinion, as a barrister, who had practised for a great many years at quarter sessions, might not be unacceptable. He should certainly vote against the second reading of the Bill, for it provided no substitute whatever for that which, though it might be open to some abuses, was the only machinery that secured prosecutions in proper cases. Petty sessions being scattered all over the country, in places where no legal practitioners resided, it was evident that if there were not some person authorized to undertake the duty, there would, in a multitude of cases, be no one to conduct the prosecution until the case came on at the quarter sessions, and there would be seen a scandal which was even now occasionally witnessed—policemen, or attorneys with no knowledge of the case, scrambling for the prosecutor, and endeavouring to get the job into their own hands. The practice in boroughs, moreover, could not be cited as a model, for within his own knowledge persons had been appointed to conduct prosecutions who, though otherwise efficient, had in consequence of their entire ignorance of the case up to that moment committed mistakes, the ends of justice being thereby defeated. No substitute was proposed in this Bill for the present system, and believing that justice would in many cases be defeated were that system to be abolished without any other provision taking its place, he could not support the measure.

Mr. NEATE said, as no hon. Gentleman had said a word in favour of the Bill, except the hon. Mover, he hoped he should be allowed to offer one or two remarks. He thought that the present system of prosecutions was most defective, and that it was kept up for the mere sake of economy. It appeared to him that the magistrates' clerk—who was the person employed to prepare the depositions—was not the proper person to conduct the prosecution. The hon. and learned Gentleman the Member for Tiverton appeared to think that if the conduct of these prosecutions were not left in the hands of the magistrates' clerk there would be a failure of justice. It, however, occurred to him (Mr. Neate), that there was probably a failure of justice in some cases in consequence of the prosecutions being left in their hands. It was quite clear that if a scale of allowance was fixed in the different counties, which would give a sufficient remuneration, respectable attorneys would be found to conduct the prosecutions. There was no doubt that the whole system required revision. He, however, hoped that his hon. Friend would not press his measure to a division.

Mr. HENLEY said, he had listened with great attention to the remarks of the Member for Oxford to see whether he had any arguments to bring forward in support of the Bill, and he must say that he had not heard one single thing in its favour. The subject was to be looked at from two aspects—first, would it forward the cause of justice; and secondly, had the clerks of the justices recommended prosecutions for the sake of the fees? Neither of those propositions had been proved. It was impossible that magistrates would allow a prosecution to go on improperly in order that the clerk might get the fees, unless they were fools not to see it, or knaves sufficient to allow it, and he could not believe that the magistrates sitting in petty sessions were either the one or the other. He had been waiting to hear some case of corruption of this kind cited in support of the Bill, but nothing of the kind had been brought forward. During the great number of years he had had experience as a magistrate he did not recollect an instance of the sort coming within his knowledge. He had, however, known charges which had not been brought forward by magistrates' clerks, and that never ought to have come before the quarter sessions, preferred by others; and in every instance that they had come before him he had disallowed the expenses except those witnesses who had been bound over, and for whom he had felt some compassion. He found as a general rule that magistrates' clerks got up their cases better than other people, and if those gentlemen were prevented from prosecuting, none of the miserable cases which came before quarter sessions would have any person whose duty it would be to look after them, and the result would be that the unfortunate man who had been robbed would come gaping into court, and the chairman would have to grope through perhaps thirty or forty depositions, and to take his chance of sifting out the truth. Under such circumstances he should certainly oppose the second reading of the Bill.

Mr. KNATCHBULL-HUGESSEN said, allusion had been made to the absence of the Home Secretary during the discussion, but he could assure the House that his absence was inevitable, and that, if present, the right hon. Gentleman would have been ready to bear his testimony to the integrity and honesty which the county magistrates had always displayed in the discharge of their duties. It would be impossible for the Government to support the second reading of the Bill, and he hoped that after the expression of the feeling of the House, that the hon. and learned Gentleman who moved the second reading of the Bill would be induced to withdraw the Motion. The opinion of the House was so directly opposed to the Bill that he did not consider it necessary for him on the part of the Government to enter into a consideration of its merits.

Mr. COLVILE said, after the discussion which had taken place he would not press the Bill. He was quite satisfied with the result of the debate, and the knowledge he had obtained, that the House was in favour of paying clerks by salary. The Member for Chippenham had stated that the witnesses in the Committee on Public Prosecutions had declared that it was desirable that justices' clerks should prosecute. He would find this nowhere proposed, except when accompanied with the condition that the clerks should be paid by salary. If this was done, he himself would not object to such a proposal.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

VETERINARY SURGEONS BILL.

(*Mr. Holland, Mr. Newdegate.*)

[BILL 121.] SECOND READING.

Order for Second Reading read.

Mr. HOLLAND, in moving the second reading of this Bill, said, that its object was to prohibit any person from calling himself a veterinary surgeon who had not passed an examination at the Royal Veterinary College and obtained a diploma from that institution. There were at present 1,244 persons practising as veterinary surgeons under the assumption that they had obtained diplomas. There were 1,189, farriers who were acting as such who had no diplomas. Altogether there were 2,433 persons practising without any diploma against 1,144 regularly qualified practitioners. It was essential that an improved status should be given to veterinary surgeons, and he felt that a simple Bill requiring that every veterinary surgeon should be *bonâ fide* a member of the Royal College of Veterinary Surgeons would be of great value at the present time. He proposed that any person who fraudulently held out to the public that he was a veterinary surgeon should be liable on summary conviction to a penalty of not exceeding £5 and not less than £2. The Bill, however, was not to affect persons who should have assumed the title six months previous to its passing.

Motion made, and question proposed, "That the Bill be now read a second time."

Sir JERVOISE JERVOISE said, he was at a loss to understand why a man should be prevented from assuming the title of veterinary surgeon. He suggested that when in Committee some alteration should be made in its provisions, to make them apply to those who held themselves out as members of the Royal College of Veterinary Surgeons.

Mr. NEWDEGATE said, he believed this Bill was valuable as a means of promoting the education of the veterinary profession. He had been many years one of the Governors of the Royal Veterinary College, which was the principal school of the profession, and he could assure the House that great exertions had been made by the College to raise the scale of education in veterinary science. No obstacle had interposed more constantly, or tended more directly to defeat this attempt than the fact that the education after it was completed brought with it no distinction, so that the uneducated as well as the educated appeared before the public with equal claims so far as appearances were concerned, as many as chose, however unqualified, adopting the denomination of veterinary surgeons. During the recent visitation of the cattle plague, veterinary surgeons had been placed in a difficult position. They had had to treat a disease which was practically novel in this country—for this disease had not appeared in this country for one hundred years. The Royal Veterinary College was informed of the nature of the disease from the reports of Professors Simonds and Spooner, the former of whom had made inquiries on the Continent, not only last year, but the year before that, and they had done everything in their power to prepare the profession for the dangers they had to encounter, and also to warn the public. But the profession was in this position, they were bound not to discourage any attempt to find a remedy.

Although they knew that abroad no remedy had been found effectual, the public were loath to believe that the disease was incurable. This incredulity was very dangerous, and the more embarrassing, since the only method of dispelling it was to allow every experiment a trial, while the disease was rapidly spreading by contagion. The College, therefore, with the government of which the Speaker and he had for years been connected, promoted as far as they could every reasonable experiment. He was sorry to say that those attempts had not been successful; from the novelty and the nature of the disease mistakes had inevitably arisen; yet there could be no doubt that veterinary surgeons had been of great and general service to the country, since they had informed themselves of the symptoms of the disease as quickly as could be expected, and had thus contributed to the earlier adoption of those preventive measures which the Legislature had adopted. Everything connected with the visitation of the cattle plague had proved the necessity for increased information and improved veterinary capacity. Believing that one principal means of rendering these available to the country was to distinguish the possession of these in the person of those who had acquired them by education, he (Mr. Newdegate) trusted that the Bill before the House would pass.

Mr. H. A. BRUCE said, it was not his intention to oppose this stage of the Bill, but it would be necessary to make some amendments in it in Committee. He thought the Bill went too far in declaring that any one who called himself a veterinary surgeon without having the diploma of the Veterinary College should be amenable to the law. If, however, he assumed that he was a member of a College when he was not, that might render such a person liable to penalties. In the case of the chemists and druggists and the pharmaceutical chemists, it was made an offence to assume the name of pharmaceutical chemist, and if with regard to veterinary surgeons they added something to the title, such as Royal College, &c., it might form a reasonable proposition that for the infringement of the title the person so offending should be liable to a penalty. He did not, however, think that the state of veterinary science was sufficiently advanced to entitle the members of the College to a monopoly of the practice, especially as it had been proved that diplomas had been given to men whose knowledge of their profession did not entitle them to that distinction. Subject to those observations, he did not, on the part of the Government, object to the second reading of the Bill.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday*, 30th of May.

COURT OF CHANCERY (IRELAND) BILL—[Bill 19.]—SECOND READING.

(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [16th March], "That the Bill be now read a second time."

Question again proposed.

Debate *resumed.*

Mr. WHITESIDE suggested that this Bill should be postponed, as he had come prepared with the papers to discuss only the Common Law Courts Bill, which had been postponed.

The ATTORNEY GENERAL for IRELAND (Mr. Lawson) declined to consent to an adjournment.

Mr. WHITESIDE appealed to the House whether, under the circumstances, they ought to be compelled to proceed with this Bill. The previous night there were three Irish Bills on the paper—the Petty Sessions Bill, the Common Law Courts Bill, and the Court of Chancery (Ireland) Bill. He found when he got his Parliamentary papers that morning, that the first of these measures was withdrawn. The Common Law Courts Bill stood next, and this Bill third. The Common Law Bill contained 144 clauses, and certainly afforded enough matter for discussion to have occupied the day, but he now found that, without any reason being assigned, that Bill was passed by without a word of explanation. He had come down prepared to discuss that Bill, and not the Court of Chancery Bill; and on the grounds of fair play he appealed to the House not to allow a Member to be taken by surprise after such a fashion. He begged to move under the circumstances that the debate be adjourned, and he hoped the Attorney General for Ireland would accede to that proposition.

Mr. S. B. MILLER seconded the Motion.

Motion made, and Question proposed, "That the debate be now adjourned."—(*Mr. Whiteside.*)

The ATTORNEY GENERAL for IRELAND (Mr. Lawson) said, he distinctly advised his right hon. Friend last night that the Court of Chancery Bill would be proceeded with, if time allowed, to-day. He did not himself know until he received his paper the order in which the Bills would be placed upon it. The Court of Chancery Bill had stood over from the month of March last, and he must, therefore, press that the debate be proceeded with.

Mr. S. B. MILLER understood last evening the answer given was simply that the Bill would be proceeded with to-day, but nothing was said as to the order.

Mr. WHITESIDE said, if he were allowed a short time he would fetch the papers, and proceed with the discussion of the Bill.

Motion, by leave, *withdrawn.*

Question again proposed, "That the Bill be now read a second time."

Mr. WHITESIDE returned, and said that he had not been the cause of the delay that had occurred this Session in reference to this Bill. He had only objected to its proceeding after midnight, for he was not willing then to plunge into Chancery, as the subject was bad enough in the daylight, and it was too much to expect the House to enter upon its consideration after dark. The measure had been before the House for some two years past, and proposed to effect most important changes in the present state of things. The first part of this Bill consisted of twenty-six clauses, and dealt with the appointment of new officers. Under this Bill he found that seventeen new officers might be appointed; to judge whether any necessity had arisen for this addition to the staff it was necessary to see what the staff was. In Ireland there was one Chancellor, one Lord Justice, one Master of the Rolls, three Judges in the Landed Estates Court, and four Masters—in all ten. In England there was one Chancellor, two Lord Justices, three Vice Chancellors, one Master of the Rolls, and one Judge of the Probate and Divorce Court—in all eight. So that in England there were but eight judicial officers to do all the business of Chancery, while there were ten in Ireland. Surely that was enough; and why, then, was it proposed by this Bill to increase the number to seventeen? The Committee which some years ago was appointed upon this subject was presided over by the Attorney General of the present Government, and when he proposed in the Report to put in a clause in favour of creating Vice Chancellors it was distinctly negatived. Why, then, was this Bill introduced in direct opposition to the Report of that Committee? The Bill was certainly not introduced at the request of the Irish practitioners, nor had it been framed to meet the wishes of petitioners from that country. It was, however, thought desirable to assimilate the practice in the two countries, and as usual, therefore, a costly Commission was appointed to inquire into matters which had already been inquired into and satisfactorily reported upon. Upon the Report of these Commissioners the present Bill was founded, and the first proposal by way of assimilation was the removal from their offices of men who were perfectly competent to perform their duties. As far as he could ascertain, no Court existed for the Vice Chancellor to be created by the Bill, nor had the foundation stone even been laid of the offices for the other functionaries. There was a belief prevalent in England that Masters in Chancery were decrepit and worn-out old men, and at the time the inquiry was held the Irish Masters would have been only too glad to be paid off. The Commissioners, however, found that they were hale and vigorous gentlemen, and did not act upon that system. Indeed, the Masters had survived many of the Commissioners. In England these gentlemen might not be the most active and competent men, but the Masters in Ireland were now vivacious and energetic, and were as competent to perform their duties as any who might be put in their places. He maintained that fully three-quarters of the Bill before the House was unnecessary. They said that the Masters should have the jurisdiction and all the powers of a Court of Equity. The Master became a Judge, and what followed? There were four Judges, who did their duty perfectly well. The proposition was to pay off the existing staff, having salaries of £2,500 a year, and to appoint one Vice Chancellor in their place at a salary of £4,000 a year. He had a written statement from one of the Registrars of the Court of Chancery, who said that one Vice Chancellor would never be able to do the work of the four men whose office it was intended to abolish. If one man could do the work he certainly must be a remarkably clever man, but he did not believe that such a person could be found in Ireland. What more did the Committee do? Having provided that the Masters should be made Judges, they were not to be dealt with as Masters, but as Judges. It might be asked were no references made to them by the Master of the Rolls? He made very few, and to his honour it ought to be mentioned that there was one vacancy which he had not filled up. With respect to the Chancellor, there was one Master whom it was proposed to keep, and very properly—Master Fitzgibbon; and it was stated that the business was now done as cheaply and as well as it could be done. The Committee recommended that every equity Judge should dispose of the whole suit before him without any reference, and one of their resolutions recommended the practice of receiving evidence *vivâ voce* before the Judge who had to decide the case. That was a sound practice, and every facility ought to be afforded for the extensive application of that system. The proviso that the evidence should be taken by the examiners was vicious in principle, because the examiners had no power to decide what was legal evidence and what was not. The Committee recommended that the Lord Chancellor, the Master of the Rolls, and another Judge, or two of them, should be armed with extensive powers to regulate the practice and procedure of the Court so as to obtain economy, simplicity, and expedition, and should make general orders accordingly. Now, why was this recommendation not carried out? His idea was that nothing was wanted in the way of amendment to the present order of things but a good mode of procedure. The mode of procedure the framers of the Bill sought to introduce was vicious; it was actually proposed to introduce the old bill-and-answer practice, a mode of procedure which only one suitor had adopted during the last ten years. It had always been held that what was wanted was a process by which good equity might be obtained, at a moderate price; and that described the present state of the law in Ireland in that respect. The Commissioners inquiring into the subject had been ordered to see whether anything could be done to reduce the costs to suitors; but they had made no inquiries upon the subject at all, and the first result of their labours was a Bill proposing to increase the expenditure of public money, notwithstanding they went to work to see how much they could save the Exchequer. How did they propose to save public money? First, by creating seventeen new places; and when they had their new Vice Chancellor they would, no doubt, want a good grant for the building of a court for him to sit in; for, of course, they could not expect him to do the work in the humble places in which it was now done. He would strongly recommend the country gentlemen of Ireland to get into chancery as soon as possible, if they intended going there at all; because, if the matter in dispute affected a sum exceeding £250, it could be settled cheaply now; but if the Bill passed he could assure them they would have uncommonly little change out. He hoped that the Solicitor General for Ireland would in his reply particularly direct his attention to the question of costs. In his opinion the costs under the new system would be much heavier than they were under the old. In one year, ending November, 1863, the Bills in the Irish Court of Chancery were 676—in the English Court of Chancery 2,796, being in the proportion of 4 to 1. In one year the taxed costs in the English Court of Chancery were £720,739, in the Court of Chancery, Ireland, £124,087 being in the proportion of six to four in favour of England. In England the cash and stock paid into the Court of Chancery in one year was £8,552,220, and of money paid out £8,663,395. In Ireland the amount paid in was £335,175, and paid out £340,584. In fact, the figures proved that what might be considered as cheap in England might be enormously expensive in Ireland. He submitted that, as the question of costs was to be inquired into, and had not been inquired into, and as the Commission had not concluded their labours, it would be a most impolitic proceeding to pass the Bill. Another point on which the Master of the Rolls and the Commissioners had different opinions was as to the practice of compelling a plaintiff to swear that the facts in his petition were true to the best of his information. In England the course adopted was exactly the converse of that pursued in Ireland—everything being taken to be denied till it was proved, and, consequently, it was necessary to establish the case by evidence. The matter was thus stated by an eminent authority—

> "All statements made in a Bill or petition, being verified in the first instance, are accepted as true without further proof, unless denied. The English rule of practice, however, is the reverse; if the defendant does not answer in England when required so to do he is supposed to have traversed every averment in the Bill."

There could be no doubt that the practice of the Irish court in this matter was preferable to that of England. Many things, however, which prevailed in England might be introduced into the Irish practice by a general order, and he desired to know why such orders were not issued. He contended, further, that the new system proposed by the present Bill offered no guarantee that the expense involved by it would be less or only equal to the cost of the old one, which was both cheap and satisfactory to the country at large. The system which worked very well in the Landed Estates Court, under its present organization would be greatly altered if a Vice Chancellor were placed at its head.

[Notice taken that forty Members are not present: House counted, and forty Members being found present—

Mr. WHITESIDE resumed: He said, that the system of taking evidence by the Judge, and not by the examiner, *vivâ voce*, was less dilatory and less expensive than the system it had superseded, and many suitors sought aid at the Court of Chancery who could not have done so under the old system. He next dealt with the accounts, contending that it would be impossible that a Vice Chancellor would ever transact satisfactorily the business and accounts that were taken before four Masters in Chancery. A large amount of evidence had been taken upon this subject. The Solicitor General for Ireland was examined, and he said that the pleading, whether it was by Bill or petition, ought to be verified on oath. The plan he (Mr. Whiteside) advocated was to keep the Masters because they had them, and to make the appeals from their decision go, not to the Master of the Rolls, but at once to the appellate court. Mr. Lloyd, Q.C., during his examination, recommended some alterations in the mode of taking evidence, and the statements made by him showed the absurdity of the procedure part of this Bill. Mr. Rogers, Q.C., expressed an opinion that the examination of witnesses ought to be oral, and stated that he was satisfied that one Judge would not suffice to perform the necessary duties, but that two Judges at least would be required, unless matters of account were sent to be disposed of before a chief clerk or deputy. He next dealt with the appeals against the judgments of the Masters; the small number of them was surprising. From the 1st of January, 1851, to the 1st of April, there were but fifty. From January, 1861, to April, 1864, there were 134 appeals, but only forty-two reversed. The Return, in fact, showed that about ninety-nine out of one hundred of the decisions of the Masters stood and were not interfered with: and this constituted such abuse, according to the advocates of the present Bill, as to warrant their removal. The number of cases referred to for Masters in Chancery in 1865 was 475; the number of orders appealed against was twenty-three; number referred, sixteen; number varied or reversed, four; while three were not disposed of. Then, as to the chief clerks, the question of their employment was a vital one. He objected *in toto* to transferring such important duties to the chief clerks, and leaving them to investigate the accounts. What the Government proposed to do was to change a useful tribunal into an imperfect one. He wanted to hear from his hon. and learned Friend the Solicitor General for Ireland whether the chief clerks that it was intended to appoint were to be solicitors. He complained that the Commissioners did not examine the Judges and officers of the Landed Estates Court as to how accounts could be taken, for those gentlemen had enormous experience in reference to such matters; and he contended that a similar system to that which prevailed in that court should be acted upon in the Court of Chancery, instead of attempting to introduce into Ireland the chief clerk system, which, he believed, was anything but a success in England. He contended that this Bill was an unnecessary measure, and was objectionable in consequence of the clumsy way in which its object was attempted to be attained, and also in consequence of the large increase of expense which would be attendant upon it. He did not object to the assimilation of the legal systems of England and Ireland in cases where a decided improvement would be thereby effected, but he did object to the efficiency of the system of one country being impaired in order to assimilate it with that of the other. The right hon. and learned Gentleman concluded by moving that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Whiteside.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. S. B. MILLER rose to offer some observations in respect to the Bill, in the hope of satisfying the House—or rather, as the House was so small—the public, that the Bill might well be considered unnecessary, wholly irrespective of the consideration into whose hands the patronage might fall, supposing the measure should pass through Parliament. He must also express his surprise that the observations of the right hon. Member for the University of Dublin had not elicited some remarks in explanation of the principle of the Bill from the Irish Law Officers of the Crown. The Bill proposed to overthrow the existing constitution of the Court of Chancery in Ireland, and yet neither the Attorney nor the Solicitor General for Ireland rose to offer one single word in justification of such strange proceedings. The Reports of the Commissions which had been appointed to consider this subject were incomplete, inasmuch as they only reported as to the advantage of assimilating the legal systems of England and Ireland, without taking any notice of that far more important question of the expenditure of the public money, and of the costs of suitors, which was prominently made the subject of reference to them. The chief clerks in the Equity Courts in England were assuming a jurisdiction which they were never intended to possess, and in some cases had gone so far as to act in opposition to the rule that no money in which a married woman had an interest should be paid out till after the woman had been separately examined. He did not say that he should be prepared to oppose the Bill at a future stage, but he thought that the House should have additional evidence on the subject before it proceeded to dispose of such an important question. The only information they had upon the question was that derived from essays and proceedings in Chancery, written by various gentlemen in reply to certain written inquiries made of them. The working of the present system in Ireland had met, as far as he knew, with the general approbation of the public, and it had the further advantage of being cheaper and more expeditious than that of England, and therefore better adapted to the poorer country. Irrespective of the salaries of the proposed clerks and officers, it would be necessary to erect entirely new courts if the English system of administration were adopted in Ireland. In his opinion, as far as he had materials for forming it, the English system ought to be assimilated to the Irish, rather than the Irish to the English. He might remark that six out of the persons who composed the Commission of 1861 were pledged beforehand to the abolition of the Masters. That Commission consisted partly of English and partly of Irish Members, the English Members being ignorant of the Irish system, and the Irish Members being equally unacquainted with the English system. In conclusion he asked the House to stop the Bill in its present stage, in order that it might be seen how the matter stood with regard to the Commission now in process of completion. If there was a necessity for assimilating the practice of England and Ireland in this matter it should be by assimilating the English to the Irish, which was the better system. To alter the constitution of the court which had been in operation for sixteen years with satisfaction to the public and to the Judges, was a serious matter, and such a measure ought not to be entered upon without the fullest information and the greatest deliberation.

General DUNNE thought the Bill was a personal rather than a public one. He was of opinion that the present system of the Court of Chancery in Ireland worked in a very satisfactory manner. It was popular, and he had been informed that it was infinitely cheaper than any system which could be introduced from England. He hoped, therefore, that this Bill would not be allowed to pass without some explanation being given by the Government as to the necessity for the contemplated change in the constitution of the court. It was only a matter of common courtesy that the Law Officers of the Crown should explain to the House why the proposed system was better then the existing one. Irish Gentlemen who were distinguished by their legal abilities had in the strongest language condemned a great part of this Bill, and it could hardly be expected that hon. Gentlemen should vote for the Bill unless some attempt were made on the part of the Government to refute the arguments which had been advanced against it. In order to give the Law Officers of the Crown time to make the explanation which he demanded from them he should move the adjournment of the debate.

Mr. HENLEY could not wonder at the course taken by his hon. and gallant Friend. He himself had not the honour of being an Irishman, but it had fallen to his lot to serve for some eight or nine years upon Commissions connected with Courts of Law, receivers, and Ecclesiastical Courts, and, in company with his old colleague Sir James Graham, he had dragged to light, he would not say the misdoings, but the curious proceedings of English and Irish receivers, ecclesiastical registrars, and so forth. It was so marvellous a proceeding that they always used to say to themselves that there was no sport except rat hunting in a barn that could be at all compared to it. Well, he had sat listening with great patience to the statements made on the present Bill, which related to matters of great interest and importance ; and he had hoped at the conclusion of the able speech of his right hon. Friend (Mr. Whiteside) that the Law Officers of the Crown would have given some explanation on the subject to the House. It was due to the subject and also to his right hon. Friend ; but to leave the question in entire silence was not fair to hon. Gentlemen, and especially to laymen, who, like himself, were anxious to come to a right conclusion with reference to this matter. The House was in no position to come to a decision on the question, until they had heard what could be said in favour of the Bill. He thought, therefore, that his hon. and gallant Friend was quite warranted in moving the adjournment of the debate in order to give the Law Officers of the Crown an opportunity of making the statement which no doubt they would make, and which possibly might satisfy the minds of all hon. Gentlemen.

The SOLICITOR GENERAL for IRELAND (Mr. Sullivan) was most anxious to hear all that could be urged against the Report of the Commission before he addressed the House ; because the reasons adduced by the right hon. Gentleman the Member for the University of Dublin in favour of the rejection of that Report appeared to him to be so insufficient and inconclusive as not to require any reply. He wished, before making an answer, to hear what additional matters the learned Gentlemen opposite could bring forward in support of the argument of the Member for the University of Dublin. It had been assumed that his learned Friend the Attorney General for Ireland had moved the second reading of the Bill without making any statement as to its provisions. That was not the case. The Attorney General, while abstaining from matters of mere detail, which could be settled in Committee, explained the main features of the Bill—namely, the abolition of the Master's offices in Ireland, and the adoption of the English system. He would at the proper time show that this Bill was based on the Report of a Royal Commission, consisting of men of the highest eminence in both countries, who were supported by the unanimous opinion of all the men who, from their practical acquaintance with the Irish Court of Chancery, were best qualified to form a judgment on the subject. His hon. Friend the Member for Armagh had stated that the Master of the Rolls did not give evidence before the Commission.

MR. S. B. MILLER said, if he had made such a statement he had certainly done so by mistake.

THE SOLICITOR GENERAL FOR IRELAND (Mr. SULLIVAN) said, that no doubt it was a mistake, and a very grave one, for the Master of the Rolls was one of the first witnesses examined, and his evidence was strongly in favour of the Bill. He wished to call attention to the names of the Commissioners who had been treated in such an offhand way to-day. They were the present Lord Romilly, Mr. Blackburn, the present Lord Justice of Appeal in Ireland, Chief Justice Monaghan, Mr. Brewster, Mr. Napier, Vice Chancellor Wood, Baron Hughes, Sir Hugh Cairns, and the English Attorney General. Was not something more substantial than the arguments of the Member for the University of Dublin required to induce the House to overthrow the settled opinion of a Commission composed of such distinguished men as he had just named?

MR. WHITESIDE reminded the hon. and learned Gentleman that the question before the House was the adjournment of the debate.

THE SOLICITOR GENERAL FOR IRELAND (Mr. SULLIVAN) was then proceeding with his remarks when—it being a quarter to Six of the clock—

Debate *adjourned* till *To-morrow.*

PIER AND HARBOUR ORDERS CONFIRMATION BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade, under "The General Pier and Harbour Act, 1861," relating to Ardglass, Blackpool (South), Cowes (West), Dawlish, Dunoon, Foryd, Hopeman, Hornsea, Llandudno, Penzance, Plymouth (Hoe), Redcar, Scarborough.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. MILNER GIBSON and Mr. MONSELL.

Bill *presented,* and read the first time. [Bill 148.]

House adjourned at ten minutes before Six o'clock.

HOUSE OF COMMONS,

Thursday, May 10, 1866.

MINUTES.]—NEW WRIT ISSUED—*For* Kildare, *v.* Lord Otho Augustus FitzGerald, Treasurer of Her Majesty's Household.

NEW MEMBERS SWORN—Charles Capper, esquire, *for* Sandwich; Charles Edwards, esquire, *for* New Windsor; Sir Stafford Henry Northcote, baronet, *for* Devon County (Northern Division); Roger Eykyn, esquire, *for* New Windsor.

SELECT COMMITTEE—On Thames Navigation *nominated.*

SUPPLY—*considered in Committee*—CIVIL SERVICE ESTIMATES—Class III.—Law and Justice. Class IV. — Education, Science, and Art. Class V.—Colonial, Consular, and other Foreign Services.

PUBLIC BILLS—*Ordered* — Railway Companies' Securities*; Tramways (Ireland) Acts Amendment*; Poor Relief (Ireland) Law Amendment*; Solicitor to the Treasury*; Local Government Supplemental (No. 2).*

First Reading—Tramways (Ireland) Acts Amendment* [149]; Local Government Supplemental (No. 2)* [150]; Railway Companies' Securities* [151]; Solicitor to the Treasury* [152]; Poor Relief (Ireland) Law Amendment* [153].

Second Reading—Bankruptcy Law Amendment, &c. [106]; Fishery Piers and Harbours (Ireland) [93]; Labouring Classes' Dwellings (Ireland) [94]; National Gallery Enlargement [124]; Dean Forest (Walmore and the Bearce Commons)* [182].

Referred to Select Committee — Dean Forest (Walmore and the Bearce Commons)* [182]; National Gallery Enlargement [124].

Committee—Landed Property Improvement (Ireland)* [118]; Divorce and Matrimonial Causes* [102]; Burials in Burghs (Scotland)* [132].

Report—Landed Property Improvement (Ireland)* [118]; Divorce and Matrimonial Causes* [102]; Burials in Burghs (Scotland)* [132].

Considered as amended—Drainage Maintenance (Ireland)* [95]; Convicts' Property* [105].

Third Reading—Land Drainage Supplemental* [125]; Inclosure* [126]; Public Companies* [35], and *passed.*

ARMY—WAR OFFICE WARRANTS.

QUESTION.

MR. O'REILLY said, he would beg to ask the Secretary of State for War, Whether the following statement, which appeared in *The Times* of the 5th April, is correct:—

> "The Secretary for War recently established a branch of his department to codify and revise warrants and regulations issued from the War Office; he has appointed Mr. J. Norman Lockyer to the charge of this branch;"

whether this duty is part of that formerly discharged by Mr. Orde Marshall, recently superannuated at the age of forty-eight; whether, if so, he will state what pay and allowances are received by Mr. Lockyer for performing this duty; who performs the remainder of the duty formerly performed by Mr. O. Marshall, and what pay and allowance are received for its discharge, and what is the precise economy effected by these changes?

THE MARQUESS OF HARTINGTON said, he was afraid that he could not give his hon. Friend a full explanation of the subject without occupying too much of the time of the House. The short answer, however, which he might give was this. It was true that in December last such a branch was established, consisting of Mr. Lockyer and others, who would receive an extra allowance in addition to their pay. The duty was almost entirely a new one, and it was difficult to state precisely the amount of economy effected by the change, as it formed part of a larger system of reorganization which secured a saving of £4,000 a year. If his hon. Friend wished for a more detailed statement in regard to this branch he would enter into a fuller explanation on going into Committee of Supply.

IRELAND—REVALUATION OF PROPERTY.—QUESTION.

LORD JOHN BROWNE said, he wished to ask the Chief Secretary for Ireland, Whether he is able to state the estimated cost of the revaluation of Rateable Property in Ireland, which it is proposed by the Rateable Property Bill to carry out every fourteen years; whether the expense of those repeated valuations are to be charged on the local rates, and whether they are to be compulsory; whether he has any objection to a Return stating the total actual cost of the last general valuation of Ireland, and of its estimated cost at the time that the Act authorizing it passed through Parliament; and if he can state how many valuations, including those solely for Poor Law purposes, have been made for Ireland during the last thirty years? He also would beg to ask whether the right hon. Gentleman will postpone the second reading of the Rateable Property Bill until the production of such Return?

MR. CHICHESTER FORTESCUE said, in reply, that the estimated cost of the revaluation was £46,000. It was intended to take place once every fourteen years, and the expense would be equally divided between the local rates and the Treasury. He could not undertake to give the estimated cost of the last valuation, but he had no objection to giving a Return of the actual cost and also of the number of valuations made during the last thirty years. He was also willing to postpone the Committee on the Bill until the Return was produced.

LOTTERIES FOR CHARITABLE PURPOSES.—QUESTION.

MR. WHALLEY said, with reference to a Lottery publicly advertised to be drawn for on Saturday the 12th instant at Edinburgh, for the benefit of St. Vincent Roman Catholic School, to ask the Lord Advocate, Whether his attention has been drawn thereto, as being a violation of the Law respecting Lotteries; and what, if any, steps have been or will be taken by him to give effect to the Law in that behalf?

THE LORD ADVOCATE, in reply, stated that the statute under which such lotteries were punishable was one that permitted proceedings by a common informer. The course he had generally adopted in regard to these matters was to prosecute in cases where the lotteries were got up for private gain, but not in cases where they were promoted for charitable purposes. Whether that was a right distinction or not was a matter of opinion; but if it was not thought a proper course a common informer might at all times prosecute. It was right to say further that he did not think the law regarding lotteries should be made the subject of sectarian complaints. Lotteries, or at least what were said to be lotteries, were resorted to by persons of all denominations; but most of the complaints within his knowledge had been mainly directed against those for Roman Catholic purposes.

IRELAND—LAND IMPROVEMENT.

QUESTION.

Sir FREDERICK HEYGATE said, he wished to ask the Chief Secretary for Ireland, Whether the Government intend to adopt the recommendation in the Report of the Committee on Irish Taxation (1865), to the effect that

> "The advances for Land Improvement, &c., should not be limited to the sum of £8,000 upon any one estate; that the repayment of Loans should be extended over a longer period than twenty-two years; and that it should not be compulsory, when a loan is granted for a Farm Building, upon the proprietor to provide a house at a cost of £200?"

Mr. CHICHESTER FORTESCUE, in reply, said, the Government had adopted the first recommendation, that the advance should not be limited to the sum of £8,000, subject to the discretion of the Lords of the Treasury. As to the second, his hon. Friend the Secretary to the Treasury had introduced a clause giving the Treasury power to extend the repayment of loans to periods of thirty-five years in cases where the benefit the proprietor obtained was less than the percentage now charged on loans for twenty-two years; and with reference to the last part of the question, the hon. Baronet was, no doubt, aware that under the new Act loans would be granted for the erection of farmhouses as well as farm buildings, the present condition being that the value of the farmhouse built in conjunction with farm buildings should be one-third the amount of the loan made for such buildings.

IRELAND—COUNTY PRISONS.

QUESTION.

Sir ROBERT PEEL said, he wished to ask the Chief Secretary for Ireland, Whether the Inspectors General of Prisons have made any representation to the Irish Government with a view to the consolidation and Amendment of the Laws relating to county prisons in Ireland; and, if so, whether the Government proposes to legislate on the subject? He also wished to know when the annual Report of the Inspectors General of prisons will be laid upon the table? He strongly objected to the practice of postponing the production of these Reports till the end of the Session.

Mr. CHICHESTER FORTESCUE said, it was quite correct that the inspectors had made such representations to the Government, and the Government, with their aid, had prepared a Bill for the consolidation and amendment of the laws relating to county prisons in Ireland. If the state of public business gave him any hope of passing the Bill during the present Session, he should wish to do so, but he was afraid he could entertain no such hopes. He proposed, therefore, to introduce the Bill and lay it on the table before the time when the Irish grand juries met at the summer Assizes, so that it might be considered by them and by the country. The Report would be produced before the end of the Session.

THE COAL FIELDS OF THE UNITED KINGDOM.—QUESTION.

Sir ROBERT PEEL said, he would beg to ask the Secretary of State for the Home Department, Whether it would not be desirable to instruct the Director General of the Institution charged with conducting the Geological Survey of Great Britain and Ireland, by which mineral statistics are annually collected and published, to collect evidence bearing on the carboniferous system of the United Kingdom, the extent of the coal-fields, the thickness and quality, produce, and consumption of all beds of coal, and to Report thereon; and, if so, whether the Government would issue the necessary instructions accordingly?

Sir GEORGE GREY said, in reply, that Her Majesty's Government had anticipated the suggestion of the right hon. Baronet and had even previously to the notice of the hon. Member for Glamorganshire (Mr. Hussey Vivian) of his intention to move for a Commission on the subject, addressed a letter to Sir Roderick Murchison, who was at the head of the Geological Survey, with the view of ascertaining from him whether by means of that Department certain inquiries into the extent of our coal-fields could be conducted, and what would be the probable expense of such a proceeding. The answer to that letter led the Government to hope that full information on this subject would shortly be obtained.

SALE OF CATTLE AT MARKETS AND FAIRS.—QUESTION.

Mr. READ said, he would beg to ask the Secretary of State for the Home Department, If it is the intention of Her Majesty's Government to allow the sale of cattle at markets, fairs, and auctions in Great Britain after the first day of June?

Sir GEORGE GREY said, in reply, that as there were still three weeks to elapse before the expiration of the last Order, the Privy Council had not yet taken into consideration the question whether or not it would be necessary to make any alterations in the existing regulations. It was, however, certain that the unrestricted sale of cattle in open markets and fairs would not be permitted just at present. The nature of the restrictions to be enforced would be a matter for future consideration.

BANKRUPTCY LAW AMENDMENT, &c., BILL—[Bill 106.]

(*Mr. Attorney Gen., Mr. Sol. Gen., Sir G. Grey.*)

SECOND READING.

Order for Second Reading read.

The ATTORNEY GENERAL, in moving that the Bill be read the second time, said, that it was founded upon the recommendations of the Select Committee which sat in 1864-5, and was drawn up with the intention of reducing the whole of the bankruptcy laws of this country into one code, and also of effecting some very important alterations, both of principle and detail. As the plan proposed was intended to settle upon a sound basis the whole system of the law of bankruptcy in this country, it was necessary that the House should clearly ascertain how the question stood at the present time, and that they should take a retrospect of previous legislation upon the subject. The law of bankruptcy in England originated as far back as the time of Henry VIII.; and from that period down to 1705, in the reign of Queen Anne, it proceeded upon a principle which, whatever might be its defects, was in all respects consistent with itself—namely, that of regarding the bankrupt trader as criminal and fraudulent in contradistinction to other debtors. The law as it then stood was framed exclusively for the benefit of the creditors, and gave no discharge whatever to the bankrupt for any portion of his debts. The severity of that code was well illustrated by a clause in the Act of 21 James I., which provided that any bankrupt who could not prove to the satisfaction of the Commissioners that his debts were the result of unavoidable loss and misfortune was to be placed in the pillory and to have his ears cut off. In the year 1705, however, commenced a series of temporary Acts, which were renewed from time to time, but the general principle of which was ultimately made permanent in 1798. Those Acts were principally intended to prevent frauds by bankrupts; but they were the first in which was introduced the principle of the discharge of the bankrupt, for they gave upon certain terms a discharge to the bankrupt who had conformed to the law, and who did not appear to have been guilty of any criminal offence. That system continued in force without material alteration until the year 1825, when an Act was passed with the intention of consolidating all the previous Acts upon the subject, and some important modifications of the law were introduced. There must, however, have been something unsatisfactory in the operation of that Act, for it was repealed by another Act in 1826, and another consolidation statute was substituted. The most material difference in principle introduced by those Acts was, that they for the first time departed from the mode in which discharge had been previously granted; because from 1706 to 1825 nothing more was necessary for the discharge of the bankrupt than that he should have conformed to the law, and that a certain proportion of the creditors should consent to it, when his right to his discharge became absolute. A modification in that system was made in 1825-6, when it was provided that any creditor might oppose the granting of the certificate of discharge notwithstanding the assent of the other creditors had been obtained, and the Commissioners might then allow or disallow the discharge as they thought fit. No further alteration was made in the law until 1831. He should here state to the House that up to 1831 the Lord Chancellor appointed a separate commission for each bankruptcy, that the whole of the debtor's property was placed in the hands of the creditors' assignees, who administered it subject to no effective supervision, and that then in all questions of law or cases of abuse there was an ultimate resort to the Lord Chancellor. That was the system respecting assignees from the 13th of Elizabeth down to the beginning of the reign of William IV. By an Act passed in 1831, the present Court of Bankruptcy was first established, and in that year the system of the appointment of official assignees for London was first introduced, and this principle was afterwards, in 1842, extended to the country districts. It was thought expedient in that way to apply a remedy to the abuses which had sprung up through the system of creditors' assignees, who were often practically irresponsible, and who unquestionably had often been guilty of gross frauds. The principle of the official assignee system was that all the debtor's estate was collected by the official assignee, and it was then dealt with by the creditors' assignee, subject to official interference at every step, and almost everything to be done took the form more or less of a proceeding in court. In 1842 another very important change was introduced. The system of certificates discharging bankrupts by consent was abolished, and the matter was referred to the Court, which was judicially to inquire into the title of the bankrupt to receive his discharge, and a provision was introduced into the Act, that in determining that question the Court should not only see that the bankrupt had conformed to the bankruptcy law, but should have regard to his conduct as a tradesman before as well as after bankruptcy. In 1844 there was another alteration, a trader was then enabled on certain conditions to make himself bankrupt. And then, for the first time, it seems to have been considered by the Legislature that the bankrupt law should be directed to the relief of the debtor as much as to the benefit of the creditor. So matters continued until 1849, when what was called a Consolidation Act was passed, although, in point of fact, it was not a Consolidation Act, inasmuch as a great deal of the former law remained untouched: by that Act, however, some very important alterations were introduced. In the first place the censorial jurisdiction of the Court, as regarded certificates, was not only retained and enlarged, but a classification of certificates was introduced, under which the Court had power to examine into the conduct of the trader, and to ascertain whether his losses were due to unavoidable misfortune. If they were found to be wholly due to that cause, he was to have a first-class certificate; if only partially, a second class certificate; and if they were not owing in any degree to that cause, then his certificate was to be of the third class. The Court was empowered to refuse altogether in certain cases the bankrupt's certificate, to withhold from him, or to suspend for a limited time, protection against arrest, or to adjourn his examination *sine die.* It was worthy of notice that the Act of 1825 had introduced the principle of allowing a composition to be effected with the creditors, whereby the affairs of a debtor might be withdrawn from the administration of the Court of Bankruptcy, and this power was considerably enlarged and extended by the Act of 1849. It might be advisable for a moment or two to refer to the parallel legislation which had been going on upon a kindred subject, the case of insolvent non-traders, from the time of Queen Anne downwards. Almost at the same time that the principle of discharge by certificate was first adopted in relation to trader debtors, the legislation bearing upon the case of insolvent debtors commenced, the object of that legislation being to afford insolvent debtors relief from imprisonment by presenting a petition to the Insolvent Court. By that legislation an insolvent debtor was enabled to claim protection against personal arrest and imprisonment on giving up his existing property for the benefit of his creditors; and he was obliged to confess a judgment under which his future estate might be made available by an order of the Court for the payment of his debts—that was, theoretically, he did not obtain a discharge in respect of his future estate; but practically the result was during his life the same as if he had obtained such a discharge, although on his death his creditors were entitled to payment out of any property which he might have left. The distinction between traders and non-traders continued till the time of the Act introduced by Lord Westbury, when Attorney General, in 1861. By that Act the distinction between traders and non-traders was abolished, and non-traders who could not pay their debts became liable to be made bankrupts as well as traders; and the principle which had been introduced originally in 1844, when traders were first enabled under certain conditions to make themselves bankrupt, was still further expanded to the extent that any one was permitted to make himself a bankrupt without any conditions whatever being imposed. There was also another important alteration effected by that measure. That provision of the law which vested the administration of a bankrupt's estate in official assignees had proved very unacceptable to the mercantile community. It was therefore proposed to restore a considerable part of their former power to the creditors' assignees, to empower them to receive as well as to administer the more valuable parts of the estate, while the debts below £10 were placed under the care of the official asignee. By this means a double administration was established. The official assignee had to make his report to the creditors' assignee, who, in turn had to account to the official assignee. But by neither plan did the body of the creditors exercise any check, superintendence, or control over the receipts and administration. The working of this change was not found to be satisfactory. The great merit of the Act of 1861 was that it got rid of the distinction between traders and non-traders; but there were other matters on which it was not altogether successful. By that Act there was a further enlargement and expansion of what he (the Attorney General) had denominated "censorial jurisdiction." The Court of Bankruptcy was authorized to try a large class of cases which by one section of the Act were constituted misdemeanours. In addition a large number of mercantile offences were created, and of these offences the Court was empowered in considering the bankrupt's claim to his certificate to take cognizance, and to sentence him, if guilty, to a term of imprisonment not exceeding one year. The principal instances, he might add, of improper mercantile conduct were trading with fictitious capital, contracting debts without a reasonable expectation of being able to satisfy them, rash or hazardous speculation, and unjustifiable extravagance in living. These developments of the censorial jurisdiction were perfectly new in 1861, and were attended with considerable difficulty, inasmuch as they involved considerations of a retrospective character. Further provisions with respect to compositions were also introduced. But the system did not, on the whole, work well. Even the clauses relating to trustees, which seemed to work the best, were seriously defective. In the year 1864 his hon. Friend the Member for Southampton (Mr. Moffatt), whose services in relation to the subject he now took the opportunity of acknowledging, obtained the appointment of a Select Committee, who bestowed a great deal of time and attention upon the subject. That Committee made several important recommendations, and the object of the measure before the House was to carry those recommendations, almost without exception, into effect. One branch of those recommendations might, perhaps, appear not to have been absolutely followed; but the object of the Bill was to carry into effect the more important of the recommendations of the Committee. One of the recommendations of the Committee was that the whole of the bankruptcy laws should be brought together and consolidated. The fact that the law in relation to this subject was dispersed through a considerable number of statutes was undoubtedly extremely inconvenient. Whatever opinions, therefore, might be entertained concerning the changes which the Bill before the House proposed to effect, there could, he believed, be scarcely any difference of opinion as to the advisability of consolidating those portions of the law which related to this subject. It was unavoidable, under these circumstances, that the Bill should contain many clauses relating to existing enactments which it was not proposed to alter; and the number of them might prevent persons not giving very close attention to the subject from ascertaining what changes in the law it was really proposed to make. He would therefore inform the House of the nature of these changes; and first, as to imprisonment for debt. The leading recommendation of the Committee was that imprisonment for debt should be abolished. It would, he confessed, have given him pleasure to be able to state that a general concurrence of opinion existed upon that subject; but he regretted that even to this time a not inconsiderable portion of the mercantile community still clung to that small fragment of the old barbarous law of imprisonment for debt which remained upon our statute book, as if it were really useful. But he (the Attorney General) was satisfied that the effect of imprisonment, for any purpose useful to creditors, was already nullified. The House would recollect that arrest on mesne process was abolished in 1838, but arrest on final process still remained part of our law. The existing law, however, enabled every debtor to make himself bankrupt whenever he pleased, and by so doing to nullify whatever advantage the creditor might be supposed to derive from the power of imprisonment for debt. The Act of 1861 proceeded still further, and provided for an official visitation of prisons at short intervals, and for making all prisoners for debt bankrupt, whether they desired it or no. So, notwithstanding a very estimable witness had spoken of imprisonment for debt as a great constitutional remedy, he did not think the House would be of opinion that the remedy was of much value, or that creditors would lose any substantial benefit, if it were not suffered to remain. But it should not be forgotten that important considerations were connected with the principle of imprisonment for debt. It influenced the old law of bankruptcy more than anything else, and, as a matter of course, the moment it was determined to get rid of it, the various questions it was supposed to close were immediately thrown open, and it became necessary to deal with them from a new point of view. It was not a new recommendation, either of the present Bill or of the Committee of 1864, that imprisonment for debt on final process should be abolished. The Commission of 1832 appointed to inquire into the practice of the Courts of Common Law described in glowing terms the painful and pernicious effects of imprisonment for debt; and the Commissioners of Bankruptcy in 1842, recapitulating that description, strongly recommended the abolition of the practice. Nevertheless, all that had been done up to the present time was to deprive it of its practical value to creditors. He hoped that the House would feel that the time had at last come when the practice might be safely done away with; at all events, he proposed the change, and thought he could show that it was recommended by sound reason and expediency. The recommendation was based on sound reason, because nothing more ought to be desired than that the property of the debtor should be dealt with properly, and that the creditors should have proper and equitable remedies against it. To say in addition to this that punishment should be indiscriminately inflicted upon a debtor whether culpable or not was certainly barbarous. The abolition was also desirable on the ground of expediency, because it cleared the way and enabled them to place the law of bankruptcy upon a sound and satisfactory basis. Imprisonment for debt had led to enabling debtors on their own motion to effectually rid themselves of liability to their creditors; and it appeared to him that the moment an end was made of imprisonment for debt no necessity existed for permitting a debtor to rid himself of his liabilities purely at his own will and pleasure. Accordingly, the Bill proposed that creditors alone should put the law in motion against an insolvent person; and that from the moment imprisonment for debt was abolished no debtor should be permitted voluntarily to make himself a bankrupt. Desiring to show the actual consequences resulting from the present law he would quote from the evidence given by Mr. Commissioner Holroyd, who had said—

> "The consequence of retaining imprisonment for debt on final process has been that a multiplicity of petitions for adjudication of bankruptcy on the debtor's own petition are filed when there are no assets whatever, and these are resorted to mainly either for the purpose of being released from prison, or to avoid being put into prison. In most of these cases a certain expense is incurred without the least utility to the creditors. The following are the number of cases where there were no dividends in the years 1862 and 1863, and, therefore, where there were little or no assets; in 1862, 6,910 out of 9,663; in 1863, 5,630 out of 8,470."

This showed that the law had drifted so far away from sound principles that debtors were actually allowed to come into court without having anything to offer their creditors, or the wherewithal to do them the least justice. He (the Attorney General) apprehended that no good reason whatever could be offered in support of such a practice; and when the state of the law permitting it was abolished the true principle of the law of bankruptcy might be restored. The true principle was stated by Mr. Holroyd when he said—

> "I take the principle of the bankrupt law to be that a man has property to distribute. A commission of bankrupt being regarded as a species of execution, it was formerly considered to be no further authorized by the law than as a proceeding for the purpose of obtaining a fair distribution of the bankrupt's property among his creditors. If, therefore, a commission of bankrupt was issued by a creditor solely to serve the purposes of the bankrupt and not with any view whatever of benefiting the creditors, it was regarded as a sort of contempt of the Great Seal, or, in other words, an abuse of the process of the Court."

And it might be said it was not the debtor's right, and no debtor should have it offered to him so as to interfere, at his option only, with any legal rights a creditor might have. By getting rid of a vicious system which gave occasion to these consequences, they would get rid of the consequences also.

He now came to the subject of discharge, and the House would excuse him if he dwelt upon it at some length. He would remind the House of what he had already said with reference to the history of legislation in bankruptcy—that from its commencement in the reign of Henry VIII. to the fourth year of the reign of Queen Anne, 1705, there was no discharge whatever of debtors in bankruptcy, and that in that year it was introduced. The order of discharge was made dependent upon a certificate signed by a certain number of the creditors; and from that date till 1842 the law upon this subject remained stationary.

He would here state what he forgot to mention earlier—that it was not proposed by the present Bill to take away the power vested in the Judges of the County Courts of ordering a debtor to prison for a limited time, when it was satisfactorily proved that he was able to pay instalments ordered by the Court, and he refused to do so. Reverting to the point of discharge, having swept away imprisonment for debt, the first question that arose was, should there be any discharge at all? He knew that some Gentlemen, the hon. Member for Southampton (Mr. Moffatt) among them, had argued with great ability that there should be no discharge. He confessed that he had not been able, nor was the Committee, to arrive at such a conclusion. He was far from saying that reasons of considerable force might not be adduced against the discharge of any debtor; but his hon. Friend must be sensible that the general opinion of the country was not in favour of that conclusion; nor was the analogy of similar laws in other countries in its favour. He would now give some reasons why the House should not adopt it. In the first place, he doubted whether the result of adopting that extreme conclusion—enacting that no discharge should be granted, ought not to be the abolition of the law of bankruptcy altogether; for the question might be asked, under these circumstances—if there was to be no discharge of the debt, but the debtor was to remain liable to his creditor to all future time, why should the law interfere at all between the debtor and creditor? Because, it is not a contract between them that all the property of the debtor should be seized, his business broken up by the strong hand of the law, and that the creditors should take the administration of his estate into their own hands. That was the necessary operation of the bankrupt law; and the effect of this peculiar system of administration which the law had introduced was obviously in many cases—perhaps, not in all—to interfere most materially with the chances of his ever being able to pay his debts in full: whereas, if a man was permitted to retain his property in his own hands, submitting to such pressing demands as he could not avoid, and if he could keep his business going by hook or by crook, in many cases the turn of the wheel of fortune might be such as to enable him to pay everything—or at least to pay more than he could do if all he had in the world was taken out of his hands and the goodwill of his trade destroyed, he being at the same time required by law to give assistance to those who took away from him the administration of his own affairs. It was reasonable to say when the creditors obtained that property which was deemed a fair amount for the basis of a composition, that at the end of the time necessary for that operation the bankrupt should have his discharge in order that he might start again in the world. It was, no doubt, extremely important that the terms on which a bankrupt might obtain his release should not be made too easy, seeing that there were rights of creditors as well as rights of debtors, and it was for the benefit of the creditors that such a proceeding was instituted. If those terms were to be made easy the bankrupt would not exert himself so much as he otherwise might to discharge his liabilities, nor would his friends be so anxious to help him in that endeavour; they ought to be such that no man would wish to put himself in the situation they involved. But that was a question as to the terms of discharge; not whether a discharge upon any terms should be wholly refused. If discharge was not to be given at all to a bankrupt it would then be necessary to choose whether all his future property should or should not be vested in assignees. If it were to be so vested the debtor would, in the words of Mr. Commissioner Fonblanque, be subjected to "perpetual mercantile excommunication," he would be made a sort of outcast, an outlaw, incapable of ever doing anything for himself, and without any proportionate prospect in ordinary cases of benefiting the creditor. Unless he happened to get what was called a "windfall," he could never earn anything to pay his creditors, for he would have no motive, no inducement to work. He would be cut off from the means of earning anything, and any inducement to his friends to give him those means would be removed. But if the bankrupt's property were not to be so vested, it would be necessary to revert to the process called *cessio bonorum,* his future property being left free subject at the same time to the ordinary legal remedies. And then would arise the question, what was to be the position of the creditors. If the property were not vested in assignees there would be a kind of scramble among the creditors by which it might be made very probable that no one would get anything; and inequalities would be introduced between those who had proved on an equal footing, and received equal dividends out of the bankrupt estate. It would also be necessary to consider the claims of subsequent creditors. If a man were permitted to acquire future property, subsequent creditors ought to have their claims satisfied before those of creditors who got all the former property. All these considerations tended to the same conclusion—namely, that there should be some discharge. As he had before stated, it was not only the general opinion of the whole mercantile community of this country that on some reasonable terms discharge should be granted, but he believed it was in conformity with the general practice of all European States. It was quite true that it was not the general law of Europe that there should be exactly what we called a certificate of discharge; but there were powers given to a certain majority of creditors to make compositions, which amounted to the same thing, for when those compositions were made they put an end to the bankruptcy and discharged the bankrupt from his debts. It might perhaps be suggested that there was a step short of discharge which while it protected the debtor nevertheless allowed his future property to be got hold of—such a system as formerly prevailed under the Insolvent Court. That court had the means, if it thought fit, of taking in execution the future estate of an insolvent; though it was rarely exercised. There were very great objections to such a course. If a kind of sword of Damocles were suspended over the head of the insolvent, but were not actually to fall, it would be of no benefit to the creditors, while it was vexatious and harassing to the debtor. He had been informed on good authority that the working of the Scotch bankruptcy law tended to confirm that view. There, when a man became bankrupt, the creditors were able by a majority at the outset of the proceedings to determine whether the estate should be worked in bankruptcy, or sequestration as they called it, or whether it should be limited to *cessio bonorum*, and, like the Insolvent Court, leave the future estate liable; and as he was informed that the latter course was hardly ever adopted in Scotland, it tended to show that it was not thought of substantial value to creditors. The next question was, whether it would be proper to return to the old system, which was, to a certain extent, retained still in Scotland, of making the discharge depend upon the consent of a certain proportion of the creditors. But that system, when formerly tried in this country, had signally failed. The creditors were always tormented with the inquiry, whether they would enforce their power of keeping the debtor from the benefit of a discharge without the prospect of benefiting themselves. All sorts of experiments were tried upon creditors to induce them to sign, and a great many underhand agreements, which the law prescribed and rendered illegal, were nevertheless entered into; and, independently of these agreements, such canvassing was used, such pressure was put upon them, that it was almost as much as the comfort of their lives was worth to refuse to sign. The consequence was that consents were nearly always obtained or extorted; the system in that respect failed, and the Government therefore thought it right to recommend the House to adopt the advice of the Committee, and to endeavour to fix certain terms upon which the discharge may be obtained. Before he adverted to those terms he ought to say something with regard to the present system. It was a half-criminal, half-censorial system, which proceeded upon the assumption that Courts of Bankruptcy were to review the whole mercantile life of the individual trader, and the moral or legal propriety of the way in which he had carried on his business, and to decide upon questions such as whether he had spent too much money in household expenses, and a great number of other questions depending upon what he might call the laws of imperfect, not of perfect obligation, with regard to which the opinions of no two men were the same. The result had been an amount of dissatisfaction and complaint greater than that provoked by anything else in the whole law of bankruptcy except the attendant expenses. The evidence taken before the Select Committee on Bankruptcy in 1864 was full of expressions of opinion to the effect, among other things, that it ought to be part of the system of bankruptcy to enforce a strict code of commercial morality, taking cognizance not merely of matters which at law would constitute misdemeanors, but of everything else which, in the estimate of mercantile men, was otherwise than commendable in the merchant. But what was this mercantile law of morality? Where would they find the rules for thus measuring the conduct of individuals? How could they have a reasonable ground for believing that, in all cases, they could arrive at a satisfactory solution of matters in which men's prejudices, passions, feelings, and judgments were so strongly roused and affected? Things which solvent prosperous men were every day in the habit of doing without the least imputation on their characters or motives might become crimes if they were followed by failure. He would take an instance from the Act of 1861—the part which related to rash and hazardous speculation. Every day in the City of London a great deal of money was made by persons of high character and probity in speculations which nevertheless were frequently hazardous and in some degree marked by rashness. Not merely in London, but in other great cities, immense fortunes were made in speculations, which were highly applauded when successful, but which, if they happened to fail, assumed a very different aspect. Was it a sound principle that they should attempt to establish a judicature which, not proceeding upon the ordinary notions of criminal law, or estimating acts according to the legal character which they bore at the time when they were done, afterwards endeavoured to pass a species of semi-moral, semi-commercial judgment upon them, and to make the discharge or non-discharge of the debtor dependent upon the result? Experience showed the impossibility of succeeding in such an effort. Ever since the year 1842 that had been the very thing most complained of. Somehow or other the Judges had never managed to discover this commercial code of morality. One Commissioner or one Vice Chancellor had taken an entirely different view of the subject from another. A case had been cited as one of signal hardship, in which a young man having no monies of his own, but having very great confidence in a house of business to which he was under obligations, put his name to a considerable amount of accommodation paper; and afterwards, being called upon to pay, had no assets to do so, and his protection and discharge were absolutely refused. In the opinion of a very competent witness that was an extremely hard case. He (the Attorney General) did not know whether it was or not, but he did know that, according to experience, the attempt to discover a satisfactory rule for every particular case had been found impracticable. The Courts had endeavoured to do so, and they had broken down in the effort. They gave no satisfaction to the mercantile community, and certainly none to themselves. There could be little doubt that, while some traders got first-class certificates, the certificates of others were refused altogether whose losses had been suffered under circumstances not at all more censurable. He felt as strongly as any one that, when they had got at the real definition of a crime, it ought to be punished; but he thought it should be punished in the ordinary Courts of Law. It should not be treated as a crime on account of something that happened afterwards, and which had changed its aspect, but according to its character at the time; it should be treated like other crimes, not by what persons were pleased to call commercial tribunals, but by the ordinary tribunals of the land. When you get a crime of this kind, prosecute and punish it, and let it be a good reason for refusing the discharge in bankruptcy; but do not attempt to impose upon the Judges of any tribunal, you may create an arbitrary discretion to make these crimes or not, according to their own particular judgment of the moral complexion of each particular case. If they were to attempt to do so, they would fail to give satisfaction to every one, and in making the attempt they deviated from sound principle. The Committee recommended that, keeping in view the leading principle that discharge in bankruptcy was to be on the footing of a composition by law, they should fix a certain not inconsiderable dividend as a condition which, in addition to the absence of proved criminality, should entitle the bankrupt to be discharged; or in the alternative of there being no assets to pay that amount, should retain the hold of the creditors over the future estate for a reasonable and not too short period of time. The period they took was six years, by analogy to the Statute of Limitations, in case of simple contract debts. That was not so long a period as to make it equivalent to a life-long commercial excommunication of the bankrupt, and not so short as to make it a light matter to be subjected to the bankruptcy laws. After that time, if the legal composition had not been paid, then let the bankrupt obtain his discharge, provided there was no case of criminality proved against him in proper legal form, and that he had in all respects conformed to the law. It was impossible to fix any sum as the amount of the composition without its being necessarily open to the objection that it was an arbitrary amount. He had taken for the purpose what he considered would be adequate—the amount of one-third, or 6*s.* 8*d.* in the pound. They were not without precedents on this point in former legislation. For nearly a century, from 1732 till 1840, it was the law that a bankrupt, or an insolvent, or a person who had compounded with his creditors, and who became bankrupt a second time, should not get his discharge on a certificate unless he paid 15*s.* in the pound; and in 1844 and 1849 the Legislature made it a condition that a person who made himself a bankrupt should at the outset satisfy the Court that he had sufficient available assets to pay a clear dividend of 5*s.* in the pound to all his creditors after providing for the expenses of the administration of his estate in bankruptcy. While men were subject to imprisonment for debt, there was, of course, a strong objection to leaving a man in prison, or liable to be put in prison, till he had paid a certain amount; but when it was proposed to relieve men from liability to such imprisonment, there was no longer anything unreasonable in saying that the law would withhold from a bankrupt the control over his future assets for a period of six years, unless in the meantime he, or friends over whom he might exercise influence, could make up the dividend to 6*s.* 8*d.* in the pound. The effect of the proposed change would be to sweep away altogether all those small bankruptcies in which the debtor had no assets at all. Such cases would be left to the operation of the ordinary law of debtor and creditor, because there would be nothing to make it worth the while of the creditor to invoke the aid of the Bankruptcy Court; and, on the other hand, there would be no inducement for the debtor to go into that Court, if he knew that he would have to remain for six years subject to the law. Those debtors only who were able to pay the substantive dividend required by the Bill could be regarded as legitimate subjects for the operation of the relief offered by the bankruptcy law. There was one objection which he felt it to be his duty to take notice of, because there would be a good deal of force in it if it were not met by another provision. It was urged that the change might in some cases act as an inducement to persons contemplating bankruptcy to order goods on credit and increase their stock on fraudulent pretences, in order that they might have property to pay a greater dividend than could otherwise be got out of their assets. But that objection was intended to be fully met by other provisions of the Bill, which, if thought insufficient for that purpose, might be amended and made more effective in Committee; for if a trader ordered goods under circumstances which showed that he had no intention of paying for them, his act ought to be, and in this Bill was regarded as a criminal offence. They proposed to guard against that in the most effectual manner, because the person acting in that manner came within the category of those who had committed a crime and forfeited the right to a certificate. He thought, therefore, the objection was entirely met. There were those who held the opinion that the principle on which the Bill was founded went too far in the way of relaxation, and that persons guilty of fraudulent or reckless trading ought to be more severely dealt with, and that they should not abolish altogether that species of censorship which the Court of Bankruptcy now exercised over the conduct of bankrupts. He (the Attorney General) could not but think the most legitimate mode—he would not say of inflicting punishment, but of doing that which practically operated as a punishment—in such cases, was to interpose that disability which this Bill provided, by making it difficult for persons who had misconducted themselves to obtain their certificates; and if they put a man under six years' disability, which they would do if (as would generally happen in the cases contemplated) he could not pay the required dividend, they would subject him to an amount of inconvenience which would be no slight mercantile punishment—though punishment was not the object of the framers of the Bill—they sought to do what was just to the creditor without confounding debt with crime.

He would now pass to the other branch of the subject—that which related to the management and distribution of the bankrupt's property. It appeared to him that the principle which had been in operation previously to 1832—that of as far as possible leaving the creditors to manage their own affairs—was a sound principle. In order to remedy what were considered to be defects, official interference was then substituted for that principle; but he thought the remedy should have been sought for in a different direction. The Acts of 1849 and 1861 involved a confession of the error which had been committed in departing from the sound principle of allowing creditors to manage bankruptcies as they would their own affairs. The change made in 1832 introduced official interference and a confusion between judicial and administrative functions. A safety-valve for that confusion was therefore sought to be applied by means of the trust deeds, the arrangement deeds, and the other forms of composition introduced in 1849 and 1861, and under which a certain majority of the creditors had the power of withdrawing the case from the court, and of putting in charge of inspectors of their own choice under arrangements made by themselves. Now, to illustrate the working of that system, he would just refer to certain statistics furnished in the Return of the Chief Registrar of the Court of Bankruptcy for the year ending the 11th of October, 1865. This Return showed that during the year there had been in the Court in London, in the district courts in the country, and in the County Courts, 8,305 adjudications, of which 769 proceeded on the petition of creditors, 5,937 on the petition of the debtor, 1,091 by the registrars in prisons, and 500 on petitions *in formâ pauperis.* The total assets realized amounted to £856,955 9*s.* 8*d.* — £524,486 19*s.* 4*d.* by the creditors' assignees, and £332,468 10*s.* 4*d.* by the official assignees. It was estimated by good authority that, including all costs, no less than £370,000 odd was expended in collecting and distributing that £856,955; while the whole amount of the dividends was only £434,952 12*s.* 10*d.*, so that the expenses of collection and distribution amounted to 75 per cent on the sum divided. Now, what were the statistics referring to the transactions of trustees during the same period? While during that year the Courts of Bankruptcy and the County Courts acting in matters of bankruptcy divided only £480,000 at a cost of £370,000, the Return showed that under deeds of assignment, deeds of composition, and deeds of inspectorship, the gross value of the estates dealt with was upwards of £9,000,000. [Mr. Moffatt: That was for six months only.] Those figures spoke for themselves, and they strikingly showed that the attempt to supersede the direct control of the general creditors in the Court of Bankruptcy drove nearly the whole of the business elsewhere, and they proved also that the creditors were able to manage those matters themselves under their own trust deeds, and under their own inspectors. The House would have observed from the figures which he had quoted that a very large proportion of the petitions were presented by the debtors themselves, and he might observe that in 5,727 of the cases there was no dividend whatever.

Now, what was the remedy which occurred to the Government? It was a very simple one, and had been recommended by the Committee. It was one suggested by the facts, such as those which he had just mentioned, and one which, fortunately, was recommended by the experience of the system which had been tried in Scotland since 1856. Those facts and that experience told us that to put bankruptcy on a right footing we ought to assimilate it as much as possible to that deed system, which the mercantile world approved, and which worked well. The principles on which the deed system proceeded were three —that there ought to be an economical collection of the assets of the estates, a speedy and equal distribution of them, and a release of the debtor on the payment of a certain composition. There was not a principle in the law of bankruptcy which was not present in those deeds. The only difference between the two systems was that by one system the creditors dealt with the bankrupt's assets through trustees and inspectors who represented the creditors, while by the other an official assignee was brought in, who knew nothing about the bankrupt's affairs, and who, consequently, failed to deal with them in a mercantile way. The superiority of the former system was proved by figures. That was the law of bankruptcy in Scotland, and it was in all substantial matters the same as had prevailed in that country since 1856. The mode in which bankruptcy was conducted there, and which the Government proposed to adopt in substance in the present Bill, was this. The Court is to have as little as possible to do in the matter. You must go before the Sheriff or some other easily accessible Judge, in order to start the bankruptcy by seeing that the necessary original steps are taken, and you must be able afterwards to go back to the Court if appeals are required to be made on questions of law which deserve or require judicial interference; but you should only go to a judicial officer to superintend the mere procedure when you cannot start the proceedings without him, and afterwards you should only go to the court when some question of law is to be determined. That was the Scotch system. The Sheriff recognized the *primâ facie* claims of persons presenting themselves before him, not for the purpose of finally determining their status or their rights as creditors, but for the necessary purpose of choosing a trustee; who, when chosen, receives the proofs, takes the vouchers and the evidence, settles all questions of administration, receives the assets, and realizes and divides them. But the trustee does not do this without responsibility, and not without inducement to do the work well. He is fairly remunerated upon reasonable terms agreed upon between himself and the creditors, which terms vary in Scotland from 5 to 2 per cent. This gives the trustee an inducement to realize everything he can. Then the creditors name inspectors, under whose advice, control, and observation the trustee is to act. These inspectors have themselves no interest except that of the general body of creditors. Over all these is an Accountant in Bankruptcy, who exercises a general supervision, and to whom reports are made, and who interferes if he sees anything going wrong. That system had been tried in Scotland for a good many years; and what was the evidence as to its working? The Committee which was moved for by his hon. Friend behind him (Mr. Moffatt) examined several witnesses from that part of the kingdom who had the closest experience of the system—mercantile men, accountants, and officers engaged in the working of the system—and he believed that the testimony they all gave was consistent with that given by one from whose evidence he had selected certain answers. Mr. J. W. Guild was asked—

> "Will you tell the Committee generally how, in your opinion, the Act of 1856 has worked?"

He replied—

> "Remarkably well; most effectually."

He was then asked—

> "Do you think it has given satisfaction to the commercial community generally?"

His answer was—

> "Generally; indeed I may say universally. I use that term advisedly. I believe it has given the very highest satisfaction to the commercial community."

The next question was—

> "Have you the means of telling the Committee what proportion, on the average, of the amount realized is paid over to the directors in dividend?"

Answer—

> "I have."

He was then asked—

> "Will you be kind enough to give us any details upon that matter?"

He replied—

> "The average amount divided among the creditors, taking the experience of the first six years since the passing of the Act, is 78 per cent of the whole sum realized."

Of the gross assets? it was asked, and Mr. Guild replied that he referred to the gross assets. In answer to other questions he stated that he took the figures from the Returns of the Accountant in Bankruptcy and from statements made out by him. 21⅛ was the exact amount of the expenses and was thus made out—¼ per cent allowance to the bankrupt, trustees' commission 4¾ per cent, law charges 7 per cent, miscellaneous ordinary expenses, 2⅞ per cent, extra miscellaneous expenses 6¼ per cent. The law charges and the trustee's allowance were altogether 11¾ per cent. Such was the statement made by Mr. Guild, and what a contrast it presented to the figures relating to bankruptcy in England! But it seemed to understate the matter, because Mr. Esson, the Chief Accountant in Bankruptcy, who was in fact the head of the system in Scotland, told them that the average of the dividends given by Mr. Guild was much lower than that which was paid in ordinary cases, because it included cases in which the expense had been unusually high; and he said that if you excluded cases in which, from special circumstances, there was an extraordinary amount of expenditure, the figures were as follows—88 per cent dividend and 12 per cent expenditure. He thought the conclusion to be drawn from the experience of Scotland was obvious, and that the House would not hesitate to adopt the recommendation of the Committee that our system of administration should be in all essential particulars assimilated to that of Scotland—for that is what the Committee meant when it recommended the establishment of substantially the same officers in this country, and the sweeping away altogether of official assignees, and messengers, and all their train. That would effect a saving of five-sixths, at least, of the expense of the official staff under the present system.

While on this part of the question, he was naturally led to mention to the House what was proposed by this Bill with respect to trust deeds. The Government regarded the administration of bankruptcy and compositions by trustees as being all one thing rather than two matters essentially differing from each other, and therefore they thought it right to apply to trust deeds some of the same rules which would be applicable in bankruptcy, and the want of which had been found to be a serious imperfection of the present law. The main proposals on that subject were as follows :—First, that the debts of creditors claiming to rank under trust deeds should be required to be proved in the same way as debts are proved in bankruptcy; secondly, that all the property should be ceded ; and lastly, that persons should not have their debts discharged unless 6*s.* 8*d.* dividend were paid under the trust deed. There were also other provisions relating to trust deeds, the nature of which it was not at present necessary to explain to the House.

The last branch of the subject with which he should trouble the House was the only part of the case in which the Bill did not in all respects adhere to the recommendations of the Committee. He referred to the question of the Court. Now, before he stated what the Committee proposed, and how far the Bill agreed with or differed from their recommendations, he wished to ask the House to notice the effect of the changes which the Bill proposed on the work which the Court would have to do. In the year 1861, as everybody knew, the Government proposed to create a Chief Judge in Bankruptcy. It was thought by many that the want of a Chief Judge would lead to a failure with respect to several of the changes then introduced. Indeed, many mercantile men were still of opinion that it would be highly desirable to establish a Chief Judge in Bankruptcy. The other House of Parliament differed from this House on that subject in 1861, and as the point was not thought to be one on which it was right to stake the success of the measure, the opinion of the other House was acquiesced in. And he (the Attorney General) was bound to say that the present Lord Chancellor had not seen any reason to alter his opinion in regard to that matter. But, whether the opinion of the other House with reference to the Bill of 1861 was or was not a sound one was not now the question, because they did not propose the same system that was proposed in 1861. Under the Bill of 1861 the whole administration of bankruptcy was, as far as possible, brought into contact with the Court. Now the present Bill proposed to take altogether out of the Court everything except the determination of questions of law which arose between debtor and creditor, and ministerial acts which they did not repeat, though, in the first instance, it was necessary to perform them. Therefore, they had reason to believe that a Chief Judge would not be required. The real truth was that the main object and purpose of the Chief Judge under the Act of 1861, and the great reason why the existing system did not give satisfaction to the mercantile community, was connected with the censorial jurisdiction which it was now proposed to abolish. As long as the discharge and certificate of a bankrupt was to be in the discretion of the Court, which discretion was to be exercised on a general view of the whole mercantile life of the bankrupt, then no doubt the apparent differences between one Judge and another and the contrariety of administration operated as scandals to the mercantile community. It was, therefore, felt to be necessary that there should be one mind to reduce the system into order, and regulate it throughout. But now it was proposed to withdraw the administration from the Court, to put an end to the censorial jurisdiction, and to confer no criminal jurisdiction upon the Court. There consequently seemed no reason at all to doubt that the existing machinery would be amply sufficient to deal with the questions of law which from time to time might arise, but which he thought would not very frequently arise; because, in regard to most of the questions between debtors and creditors the law had been settled by a series of decisions, so that under the present system these questions did not arise to any considerable extent. Having thus explained the nature of the change which would be made, he (the Attorney General) would state what it was that the Committee recommended in 1865. They were in favour of sweeping away the Court of Bankruptcy altogether, with all its Judges, Commissioners, and officers of every kind, and of throwing the judicial business upon the ordinary Courts of Law. Under what arrangements and by what division of labour this was to done the Committee did not explain, but the principle was laid down that the ordinary courts were to be relied on. Now, if you abolish the existing Commissioners and Registrars, and all the other officers, you will have to pay them all life pensions, while you will be dispensing with those services which you have a right to demand from them. That kind of thing had been done somewhat too often, and it might be greatly doubted whether Parliament would not require to be satisfied by cogent reasons that it was necessary to pension those gentlemen for life without their rendering any services in return for what they received. On examining into the matter it appeared that as far as the official assignees were concerned the new system would supersede them altogether; but with regard to the Commissioners it was not obvious that they might not still usefully render to the public such services as under this Bill would be required of them, bearing in mind that the judicial duties were reduced to a minimum, and that the question resolved itself very much into one of administration. The Bill did not, however, propose to continue these Commissioners for ever. It was proposed to reduce their number in London to two, and to allow the Commissioners in the country gradually to die off, leaving the duties discharged in Scotland by the Sheriff to be eventually discharged by the County Courts, and by the Registrars in such of the bankruptcy districts in the country as experience had shown it would be convenient to allow to continue. The continuance of some of these Courts of Bankruptcy in the country would be a matter of mercantile convenience; and there seemed to be no reason, as long as they had the present officers to pay, why the mercantile community should not have the benefit of their services in the centres of industry where the chief Courts were now established. The County Court Judges already had very onerous duties to perform, and he thought they might safely retain the services of these officers, reducing them in number as opportunity offered. He ought to say that it had been suggested that one of the Vice Chancellors might be appointed to discharge practically the duties of a Chief Judge; but, if he (the Attorney General) rightly anticipated that the amount of judicial business would be very moderate, he thought it could be conducted by the Court of Appeal in Chancery. Such a course would be obviously preferable to that of annexing it to the Court of any one Vice Chancellor, because then it must take its turn with the other business; and it was desirable that the bankruptcy business should be disposed of as quickly as possible.

Having now explained this measure, he thanked the House for having listened with so much attention to his long explanation. He had only to add this—his hon. Friend behind him (Mr. Moffatt) had put on the paper a Notice of Motion that this Bill be referred to a Select Committee. He was sure his hon. Friend was as anxious as he (the Attorney General) was that this Bill should be made as perfect for its purpose as possible, and that being made as perfect as possible it should as soon as possible pass into law. If these objects were in the opinion of the House likely to be attained by referring the Bill to a Select Committee, he should be perfectly willing to agree to such a course being taken. Upon that point the Government desired to defer to the sense of the House as it might be expressed by those hon. Members who took an interest in and understood this subject.

Motion made, and Question proposed, "That the Bill be now a read second time." —(*Mr. Attorney General.*)

Mr. MOFFATT said, he would not trespass on the attention of the House by following the hon. and learned Attorney General through all the details of the Bill; but there were two or three important points to which he desired to draw the attention of the House. In the first place, he wished to point out the wide difference between the recommendations of the Committee and the provisions of the Bill. It was true that the recommendations of the Committee had been acted on in two or three very important points—such, for instance, as the abolition of the power of arrest for debt; but several other recommendations of equal importance had been disregarded. The Committee meant that there should be an entire abolition of the old administration of bankruptcy, and if there were one question more clearly defined than another by the evidence given before the Committee, it was that the whole system of the administration of bankruptcy had so excited the distrust and contempt of the mercantile classes by the delay, uncertainty, and malversation which attended all its proceedings, that every trader would rather suffer wrong and robbery from his debtor than have recourse to the Court of Bankruptcy. The only alleviation of that state of things proposed by this Bill was, not the adoption of the Scotch system, but only of a small fraction of it. The Committee recommended that the existing administration of bankruptcy should be abolished, that the Scotch system of one court of appeal should be adopted, that a Chief Judge in Bankruptcy, with one Registrar, or two if necessary, under him, should be appointed, and that the Court should be a Court of Record, and cheap and speedy in its operations. Those recommendations had been entirely disregarded. He would point out where, in his opinion, his hon. and learned Friend had entirely failed. The Scotch system was as bad as the English prior to the introduction of the present system by the Lord Advocate. But now in Scotland the trustee was made to give security in a fixed and definite manner, and besides this he was subjected to a constant supervision. This Bill followed the Scotch plan in a very feeble manner. There was, indeed, a power to take security, and there was the office of Comptroller, but this would be a nominal officer with scarcely any power of influencing the trustee. In fact, all the checks and safeguards of the Scotch system were wanting. The main value, indeed, of the Scotch system was the thorough stringency with which the trustee was held in hand. That, in fact, was the main question of bankruptcy administration. There was no need of a whole host of officials, but all that was required was a machinery by which the creditors could collect and distribute the assets. The Scotch system had been a success; but he could augur no success for the scheme now proposed with all its array of officials. What was the use of retaining all the Registrars, to be paid at the rate of £1,000 a year, to perform anomalous and uncertain duties? They would have nothing to do, for the trustees would transact all the business, and yet the Registrars were to be continued as well as the Commissioners. The Bill was constantly providing two officials to do the same business. There was no such official in the Scotch system as a Registrar; if there had been the system would not have worked so well, and he could not see anything to warrant their retention. If the Scotch system was to be adopted, let it be taken in its entirety. One deviation from that system was the non-appointment of accountants. The office of Comptroller would be a purely nominal one, and the object in proposing it seemed to be to create a place at £1,500 a year. He had not estimated the cost of all the new machinery, but it would amount to a heavy charge upon the assets of bankrupts. All the heavy fees now charged in bankruptcy were to be continued; there was scarcely a modification of them, and the Bill was a consolidation and continuation of the chief part of the existing system. The hon. and learned Gentleman said he had abolished the offices of official assignee and messenger; but that statement did not seem reconcileable with Clause 35, which proposed to continue all ushers. It came out before the Committee that these were gentlemen with nominal salaries of from £180 to £200 a year, but whose incomes in many instances amounted to £1,000 a year, owing to their appropriation of fees and perquisites which were to be continued. It was objected that it would be too expensive to pension off those gentlemen; but the Chancellor of the Exchequer ought to know that pensions need not come from the Consolidated Fund, because they could be paid out of the £1,350,000 of fees which had accumulated since the reign of William IV. Therefore, if it was necessary to get rid of officials, there was a means of paying them. His hon. and learned Friend had not said much about the efficiency of the officials it was proposed to continue; but a good deal of evidence on this head was given before the Committee. It was complained against the Commissioners that they disregarded public opinion, that they were irregular in their attendance at the Courts over which they presided, that they gave contradictory decisions, and that they neglected their duties in a thousand different ways. One Commissioner in the country, with a salary of £1,800 a year, attended his Court three or four hours a fortnight. All the witnesses complained of the law as it stood, and of its administration in the Courts; and no one could go into a Bankruptcy Court to see how the business was done, without seeing that there was abundant cause for dissatisfaction. The Court of Bankruptcy in London was described as being "the filthiest" of all the courts, and he believed it to be so. The Bill would not, as was represented, prevent men making themselves bankrupts, for Clause 104 simply said that no debtor should be entitled to petition for adjudication against himself, and they all knew how an I O U might be given as a merely colourable pretext for a petition; while Clause 126 adopted such collusion by declaring that no petition for adjudication should be dismissed, nor any adjudication annulled, by reason only that the petition or adjudication or act of bankruptcy had been concerted or agreed upon between the bankrupt, or any person on his behalf, and any creditor or other person. With such provisions in the Bill he had little confidence in its working. He was also a little disappointed with the provisions affecting the discharge of a bankrupt. He wished his hon. and learned Friend had shown that there was any reason why the law should step in and confiscate the property of a creditor. He maintained that the law had no right to interfere between a debtor and creditor in regard to the settlement of the claims of the latter, and this was exclusively a matter between man and man, between trader and trader, with which the law had nothing to do. Although the Bill took a step in the right direction, it proposed a scheme fraught with many evils, the most apparent of which was that it would induce a man to go on as long as he could pay 6*s.* 8*d.* in the pound. He had long been convinced that the only way to diminish business in bankruptcy, and to insure honesty, was to give an inducement to the debtor to be honest; but if he knew that he could be acquitted of a debt on certain conditions, after paying 6*s.* 8*d.* in the pound, he would take care to comply with those conditions, but would go on until he could pay no more than the required 6*s.* 8*d.* in the pound. The only satisfactory rule would be to offer inducements to every man to declare himself insolvent the moment he became so. Instead of doing this the Bill tempted a man to go spending 8*s.* or 10*s.* in the pound of the money of his creditors. This was essentially wrong in principle, and was a substantial invitation to fraud. The creditor had a right to the assets of the debtor to the full extent of the claim; and there was nothing in the recognition of this claim to prevent a man starting in business again, and maintaining his status in society. He would go so far as to allow a man who had paid 6*s.* 8*d.* in the pound to start again by giving new creditors a preference over those who were creditors before the bankruptcy. While thus giving every facility to a man to start again, it would be only proper to require that his accumulated profits should be liable for his previously incurred liabilities. He could not see that the Bill offered any inducement to a man to stop while he could pay more than 6*s.* 8*d.* in the pound, but it allowed him to go as long as he could make any arrangements to his own advantage. There was another point with respect to Scotland which his hon. and learned Friend seemed to have misunderstood, because he argued that, though they have the right there under *cessio bonorum*, they do not exercise it. But the reason was this — because they have that right the bankrupt's estates are more readily given up, and the law works more satisfactorily and more smoothly. There were cases occurring every day in which the insolvency was known to various members of the firm, but the fact was suppressed; but if the suggestions which he had made were carried into effect it would be the interest of the parties always to declare their insolvency as early as possible. He had hoped that the Bill which the hon. and learned Gentleman had brought in would have minimized the evils of bankruptcy by making it to the interest of the debtor to have recourse to bankruptcy without undue delay. That expectation had not been realized. He trusted, however, that they would be able to improve the Bill, and it was with that object that he had given notice of the Motion which now stood on the paper. He knew very well that in the present state of the public business they could not settle questions of this nature in debate across the House, and he would therefore persevere with his Motion that the Bill be referred to a Select Committee. While he acknowledged the great pains that had been taken with the Bill, he could not help expressing his disappointment that more had not been done.

MR. BARNETT quite agreed with the hon. Member for Southampton (Mr. Moffatt) that it would be wise to have this Bill referred to a Select Committee. Bills of this kind, which it was desirable to make acceptable to the commercial classes, should be watched clause by clause—a thing which it would be difficult to do if the discussion was carried on upon the floor of the House. He took it for granted that the wishes of the commercial community were in favour of a measure of this kind. He did not profess to be well versed in the Scotch law; but he had seen the rapid way in which bankrupt estates under that law were wound up in comparison with our tedious process. Nobody who had any acquaintance with the commercial body would gainsay him when he stated that the present Act was most unsatisfactory, and that persons were most unwilling to have recourse to it, owing to the great uncertainty and expense of the process. The subject of penal censorship attached to our Bankruptcy Acts was a difficult one, but he was disposed to assent to the view taken by the hon. and learned Attorney General. The fact was that circumstances very often occurred which made it desirable that some sort of penal censorship should exist. In consequence of reckless trading, over-speculation, and other reprehensible proceedings persons often got involved in difficulties, and he had seen the most miserable results produced from estates which if properly managed would have given very handsome dividends. The consequence of the present state of the law was often this—the bankrupt having got absolved from his liabilities started again in a commercial capacity; in the course of a year or two, perhaps, he was rolling in his carriage, while a number of persons who had suffered by his failure might never recover the injury which he had entailed upon them. Difficulties of this kind might, perhaps, be overcome by the measures now proposed for the continuance of the bankrupt's liability. He feared one could not help saying, after an experience of some years, that the moral sense of our commercial community was not higher than it used to be, and that it was absolutely necessary that every possible means should be devised to save creditors from undue losses at the hands of their debtors.

MR. AYRTON said, that having taken part in the preparation of the Resolutions of the Committee upon which the Bill was founded, and having examined the measure under discussion, for the purpose of ascertaining whether his hon. and learned Friend the Attorney General had done justice to their recommendations, he felt bound to say that he had formed a very different estimate of it from that which his hon. Friend (Mr. Moffatt) had expressed. So far from its being a feeble effort to give effect to those Resolutions, it was to his mind a very strong and very satisfactory effort. He should be sorry if it went forth to the public that the hon. and learned Gentleman the Attorney General had in any degree failed to give effect to the general spirit and scope of the Resolutions at which the Committee had arrived. These Resolutions were over thirty in number, and they only embodied certain general principles. To the first Resolution with reference to the administration of the estate of bankrupts, his hon. and learned Friend had given full effect. The Bill carried out all that was suggested by the Committee in that respect—it entirely withdrew the bankrupt's estates from legal supervision and control, and placed them at the disposition of the creditors, to whom they belonged, and by so doing relieved our Bankruptcy Law from the scandal of making the bankrupt's estates a godsend to the lawyers. The next great principle embodied in the Resolutions of the Committee had reference to the discharge of the bankrupt. His hon. Friend (Mr. Moffatt) differed from the Committee on that subject, and he was, no doubt, disappointed at the manner in which the Bill was framed; but then it was framed entirely in accordance with the conclusions of the Committee, which it carried out in spirit and almost to the letter. The next great branch of the subject was the condition of the courts by which the law was at present administered. Upon that point the Committee undoubtedly came to the conclusion that the existing courts should be abolished; but in doing so they expressed a general view, and he believed he was only stating their opinion when he said that they rather recorded a principle than undertook the practical task of dealing with the proposition which they enunciated. They did not undertake to deal with that proposition, and why? Because they knew it involved a very important question of finance — a charge upon the public; and they were aware that it was for the executive Government who would be responsible to take that subject into consideration. The Members of the Committee had, therefore, no right to complain that their Resolution had not been carried out in the Bill. It was enough if the Bill were so framed that it tended to the abolition of the existing tribunals, and the substitution of that authority which the Committee wished to see set up, and the Bill certainly contained ample provisions for these purposes. The Bill had been described as a long and complicated measure, involving a number of questions, which could never be properly examined, except by a Committee upstairs. The fact, however, was, as anyone would see who took the trouble of examining it, that a large portion of the Bill merely consisted of the reproduction of clauses of the existing law which were to be retained. He regretted that these clauses were not distinguished from the rest, but those who were familiar with the law of bankruptcy, would recognize many old friends in the clauses of the present Bill. If the Bill were so printed as to show what were old, what were new, and what amended clauses, the House would not regard the Bill as such a formidable work of legislation as it had been represented. If the Bill were referred to a Select Committee upstairs, it must either be sent to the Committee of last Session or to a new Committee. But as the Committee of last Session agreed to the Resolutions which had been substantially adopted as the basis of the Government Bill, and as they must rely upon the acumen of the Attorney General in carrying them out, they would practically have nothing to do. If the noble Lord the Member for King's Lynn (Lord Stanley), the right hon. Member for Calne (Mr. Lowe), and other Members of the Committee had any complaint to make of the Government Bill, they would have stated their objections on the present occasion. Then of what use would it be to refer the Bill to another Committee? Suppose they differed from the Committee of last Session, would the Attorney General consent to begin his work over again upon their recommendation? It would be only a waste of time to have a new Committee with a different set of ideas. Every Member who entertained an opinion on the subject would be just as much entitled to bring his views before them in a Committee of the Whole House, as if the Bill had not been sent upstairs, and nothing would be gained. Besides, the Bill was one of general application, and if there was any doubt as to the principle of the Bill, it would be much more satisfactory to the trading community that it should be solved by public discussions rather than by a private inquiry upstairs. Should there be any difficulty in setting aside an evening for the discussion of the clauses, he thought it might be considered at a morning sitting. The better plan would be for Members to put their Amendments on the paper, but he doubted whether half-a-dozen substantial questions would be raised during the progress of the Bill through Committee. In his opinion the Attorney General would neither do justice to himself nor to the labours of the Committee of last Session if he consented to refer the Bill to another Select Committee. If it were to pass into a law at all, the Attorney General must proceed with it at once, in which case he had no doubt it would be passed during the present Session with the general assent of Parliament.

MR. FRESHFIELD said, there could be no doubt that the present Bankruptcy Law was entirely inefficient. Arrangements were made in regard to all the larger insolvencies, which entirely removed them from the pale of the Court of Bankruptcy—they were in fact administered by private agency, and deprived of the protection of any adequate tribunal. The legislation of this country on the subject of bankruptcy during the last century had been very unsatisfactory. Up to the time of Lord Brougham's Act, 1 & 2 *Will.* IV., the law was administered by a Commission directed to about seventy members. They were a body who were at all events easily accessible, and they did their business, if somewhat rudely, upon the whole well and satisfactorily. Lord Brougham's Act established a Court of Review, consisting of three Judges; and there were likewise fourteen official assignees, besides registrars and other officers. That Court appeared at first to administer its law satisfactorily. The reason for that probably was that the official assignees then had to collect a large amount of money which had accumulated in the hands of assignees who had neglected their duties; and, being paid by commission, the work was exceedingly profitable to them. But the defectiveness of the law very soon manifested itself, and the result was that by common consent the Court of Review was first allowed to lapse and then abolished; the Commissioners were permitted to dwindle down to their present number—three; the official assignees also, he thought, dwindled to three; and their payment and that of the messengers being altered from payment by commission to payment by salaries, those officers ceased to discharge their duties well. Then came the legislation fusing, or rather confusing, the law of insolvency with the law of bankruptcy; and the Court of Bankruptcy became what might be called a bear-garden—a place alike odious and intolerable to the Judges themselves, to the practitioners, the suitors, the debtors, and the public. The result was that matters at last came almost to a deadlock. In that state of things a Committee was appointed last Session, which had made its Report; and, as he understood, the Government now sought to carry out that Report by the present Bill. The Report appeared to have had great attention bestowed upon it, and he only wished he could see in the draught of the Bill evidences of the artistic skill of the hon. and learned Attorney General; and he would venture to suggest to the Government that it would be a prudent arrangement to appoint from three to five persons who should act as a Committee, to whom Bills of that character should be submitted before passing the ordeal of a third reading. It was impossible for the House itself to deal with a Bill of that kind, containing more than 300 clauses, in a satisfactory manner. It was notorious that the Bill of Lord Brougham dragged on through the Session until just upon its close, and then clauses of the crudest and most discordant description were hurriedly inserted, until the measure lost all its reasonable homogeneousness. The same result would again follow if the House attempted to deal with the present Bill; and it would be impossible to make its provisions workable. He was sure the hon. and learned Attorney General would give them the advantage of all his great learning and ability in passing the Bill through; but he thought that valuable assistance would be better rendered in a Committee upstairs. He was not expressing merely his own opinion, but many persons interested in the subject had communicated with him on the point, and they had all declared their belief that it was impossible to put the Bill in a working condition without it underwent a calm and quiet consideration in a tribunal much more able to discuss its details than the House ever could be. After all that they had heard regarding the pressure of the other business before the House, they could not expect to have sufficient time to devote to the fair and proper consideration of that measure, and therefore he hoped the Attorney General would consent to its being sent upstairs to a Committee.

MR. CRAWFORD thought the observations made by his hon. Friend the Member for the Tower Hamlets (Mr. Ayrton) were really conclusive on that subject, and that the House was in a condition to deal satisfactorily with the measure. The object of the hon. Gentleman who spoke last (Mr. Freshfield) seemed to be to re-open the whole question in a Committee upstairs. The Bill appeared to carry out the principal recommendations of the Select Committee of last year, and nothing but delay would ensue if it were now sent to a Committee upstairs. He believed the general feeling of the mercantile community was that the Bill should be proceeded with as soon as possible, and that it should be passed, subject to such modifications as might suggest themselves to the House when they got into Committee.

MR. ALDERMAN LUSK thanked the Government, as a mercantile man, for bringing in this Bill, which he thought would effect an enormous improvement on the present system. Men seemed to have an inveterate tendency to get into debt, and the existing law seemed to facilitate the operation of that tendency as much as possible. The law was as bad as it was possible to be, and he thought this Bill would be an immense improvement upon it, and that the sooner they got it into operation the better it would be for the community. He hoped the Bill would not be referred again to a Committee, as it would be needless delay, causing this House to go over again on a future occasion the ground upon which they had already travelled. The measure was needed very much, and he hoped the Government would get it passed into law with all convenient despatch.

MR. BAZLEY said, that probably the provisions in the Bill for the conduct of the Court of Bankruptcy might be more extensive than judicious, but he saw nothing in the Bill which might not be corrected in Committee of the Whole House without being sent upstairs. The hon. Member for Southampton (Mr. Moffatt), in reference to the provision that a bankrupt should be compelled to pay 6*s.* 8*d.* in the pound before he could obtain his discharge, had taken the creditors' view of the subject; he (Mr. Bazley) thought the debtors' view ought also to be taken. There had been on that very day an unfortunate catastrophe in the City of London, and very great losses would ensue from the suspension of the business of our largest money-dealing establishment. Let them take the case of some person who, in his ignorance of how matters were, had deposited a very large sum of money in the hands of that establishment, involving not only his own capital, which established his *bonâ fides* in the transaction, but his creditors' capital as well, and he might be rendered unable to pay 6*s.* 8*d.* in the pound. It would be a very great hardship if he should be held to be ineligible for his discharge if he could not realize the amount required by the provision in the Bill, owing to having intrusted his money to a firm which was then enjoying the highest credit. If the Bill were considered by the Whole House, and a morning sitting were devoted to it, it would pass through Committee very rapidly.

MR. SAMUELSON also objected to the provision requiring the bankrupt to pay 6*s.* 8*d.* in the pound. There was no provision whatever for the protection of the creditors of a bank, and the effect of that would be that in such a case as that put by the hon. Member (Mr. Bazley), a man who, through ignorance or misfortune, might be involved in difficulties, would become pauperised and be simply a burden upon the country. He also believed it would be in the interests of trade that some arrangement should be made by which precedence should be given to the creditors subsequent to a bankruptcy so that they might be satisfied before the other creditors. There would, of course, be some difficulty about that, and it might involve a debtor being constantly subjected to judicial investigation in order to ascertain whether he possessed a surplus; but he felt convinced that unless the clause under which a bankrupt would not be freed from the claims of his creditors until after six years from the date of his adjudication were modified to meet certain circumstances, it would be utterly impossible to work it.

Mr. COWEN thought it would be very mischievous to refer the Bill again to a Committee, and that it would cause great and unnecessary delay. He strongly recommended that the measure should be proceeded with as speedily as possible.

Mr. LOWE thought the House had more than ordinary security for dealing with the Bill as a well-considerd measure. The subject was one which had been fully investigated by a Committee upstairs composed of some of the ablest Members of the House, among whom was the Attorney General. The Government had reviewed the decision of that Committee, and had, after mature consideration, adopted substantially the whole of their Report. To send back the Bill, therefore, to a Committee upstairs, which would not be the same Committee—for he did not suppose anybody who had had experience of the labour of the previous inquiry would be willing to undertake it a second time—and which would, in all probability, be a less informed tribunal than its predecessor, appeared to him to be a course which it was not expedient to adopt. The principles on which the Bill was based were, no doubt, debateable and difficult enough, but there was no good reason why a decision should not be pronounced upon them by the House. As to the drawing of the measure, hon. Members could not, he thought, pursue a better course than to place confidence in the Attorney General, who was much more likely to prepare the technical parts of it well than any Committee, because he possessed an amount of technical knowledge to which a Committee could scarcely pretend, and because he was a single individual and would feel a sense of responsibility in discharging the task which no one Member of a Select Committee would be likely to entertain. The House would by that means have a better chance of obtaining a good measure; and hon. Members had, in his opinion, reason to be thankful to his hon. and learned Friend, who, from his eminent position and great learning, so well deserved the trust which they might repose in him, for the pains which he had taken in preparing a Bill which was in some respects a very bold one, but which he hoped the House would address itself to passing with as little delay as possible, inasmuch as some amendment of the existing law was absolutely required.

Mr. LEATHAM said, that the Chambers of Commerce generally had expressed themselves in favour of the Bill, except as to a few points relating for the most part to the discharge of bankrupts, and the winding up of the estates of deceased insolvents. Those, however, were matters which could be considered and adjusted in Committee of the Whole House.

Motion *agreed to.*

Bill read a second time accordingly.

The ATTORNEY GENERAL said, he would fix the Committee *pro formâ* for to-morrow week, and he would then state on what more remote day he should propose to take the Committee. As he had collected, the opinion of the House was in favour of the Bill being dealt with in Committee of the House itself. That was also his own opinion. He should therefore propose that the Bill be so considered, leaving it to his hon. Friend the Member for Southampton (Mr. Moffatt) to recommend a different course if he thought fit.

Mr. MOFFATT signified his readiness to withdraw his Motion for referring it to a Select Committee, although he still, he said, retained the opinion that it might be made more perfect by the adoption of that course, and reserved to himself the right of renewing his Motion on a future occasion if he should think fit.

Bill *committed* for *Friday*, 18th May.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

TENURE OF LAND IN INDIA.

RESOLUTION.

MR. SMOLLETT said, he rose to call the attention of the House to the present condition of Land Tenure in the Presidencies of Madras and Bombay in reference to the supply of raw cotton, and to move a Resolution. He said, that a short time since a meeting had been held at Manchester, composed chiefly of commercial men, but attended also by a larger number of Members of Parliament than usually attended debates on Indian subjects in that House, and by many persons who had spent a considerable portion of their lives in India. No resolutions were passed by that miscellaneous assemblage, but the position of our Indian Empire was discussed in a debate which lasted two days, and in which the expediency of endeavouring to enlist the sympathy of the new Parliament upon subjects connected with India was strongly enforced. He (Mr. Smollett) did not attend that meeting; but, not having obtained his seat in that House until Easter, and having then looked through the Journal and Order Book he was, he confessed, somewhat surprised to find that though three months had elapsed since the new Parliament had met, not a single Motion having reference to India had been placed on the Notice Book. The truth he believed to be that gentlemen connected with trade and commerce had for the most part little or no knowledge of India or its requirements, while those gentlemen connected with that country who were present at the meeting at Manchester went down there he believed rather with a view to share in the splendid hospitalities of that city, to revel in venison and turtle, and claret, than for any more serious object. It was under these circumstances that he had given notice of the Motion to which he was about to invite the attention of the House; and he was glad to have an opportunity of doing so, because he was desirous, among other things, of knowing what was to be expected from the present occupants of office in the Indian Department. He felt perfectly satisfied that his hon. Friend the Member for Halifax (Mr. Stansfeld) did not wish to hide his light under a bushel; but he might nevertheless, he thought, safely prophesy that the House would very seldom hear the silvery tones of his voice while he continued to fill the office to which he had recently been relegated. So far, indeed, as discussions on Indian subjects were concerned, the Department of the Secretary for India was a perfect sinecure, and it would, he believed, soon become a refuge for the destitute. Those who were in that House in the last Parliament would recollect that it was the custom of Gentlemen connected with Manchester, and those who supported their views, to speak in terms of great disparagement of the administration of Indian affairs by Sir Charles Wood. They accused him, among many other things, of having obstructed the supply of cotton from India to this country, whereas he ought to have afforded facilities for its cultivation by enabling the people in India to get land for the purpose gratuitously and exempting them from taxation: and because Sir Charles Wood would not listen to their suggestions, because he had some faith in the principles of political economy and in the doctrine of supply and demand, his administration was covered with abuse. In the clamour against that administration, however, he had taken no share. The real state of the case was that for many years the Southern States of America had obtained a monopoly of the cotton supply. That monopoly suddenly collapsed in 1860; and it was absurd to apply every possible epithet of vituperation to our Indian Government, because within the two or three years which followed, India was unable to furnish us with 4,000,000 bales of cotton, the amount of the supply withdrawn from the commerce of the world, and which we used annually to receive from America. India did all which we could, under the circumstances, reasonably anticipate. She furnished us with 1,400,000 bales annually, or five times the quantity which we received from any other single region of the world. The men who blamed the Indian Government for the want of cotton were utterly misinformed in respect to everything connected with India. The same parties also found fault with Sir Charles Wood's administration in reference to the tenure of land, and blamed him for cancelling some well-devised resolutions of Lord Canning relating to waste lands, under the operation of which howling deserts were to have been converted into smiling cotton gardens. Now, what Lord Halifax did was to amend some ill-advised resolutions which Lord Canning passed before leaving Calcutta—for it was idle to suppose that howling deserts could be converted, as if by the wand of a magician, into smiling cotton gardens—indeed, many of these waste districts were wholly unsuited to the purpose under any circumstances. Nevertheless, the Gentlemen connected with Manchester who made these unreasonable complaints sometimes made valuable suggestions, and one was that they might be brought into direct communication with the cotton producers of India. They said that all they wanted was to get a good article, and that they were quite willing to pay a fair price for it. This proposition, however desirable, was not feasible; because, unfortunately, all the land in the Presidencies of Madras and Bombay from which the greatest amount of cotton supply was derived was the property of the Government, and the cultivators were but serfs paying to the Government a very onerous rent. In the Presidency of Madras, for example, the Government had possibly 100,000 farms; but a farm was not let to a single farmer as in this country, for the officials allotted annually, in small holdings, the arable portion of a farm, containing perhaps 2,000 acres, to 500 or 600 tenants, and every one of those allottees was answerable to the Government for the rent of his small occupation. That rent in former times had been fixed at the money value of one-half of the entire produce of the soil. The condition of these serfs had been very much ameliorated during the last fifteen years. From the year 1828 to 1850 he could state from his own knowledge that they were steeped in the deepest, the most helpless misery. The prices of the material they raised being then extremely low, they were in reality paying to the Government as much as 60 or 70 per cent instead of 50, on the value of their produce. This state of things had, however, very materially altered within the last fifteen years. Since 1850 prices in India had gradually risen, and the condition of the agricultural population had at the same time improved, and the cultivators probably did not pay now the Government more than 25 or 30 per cent of the value of their produce. But the smallness of the holdings still continued to reduce the population to a very humble and wretched condition. From data supplied by the Madras Government he found that in the year 1862-3 there were in that Presidency 2,200,000 persons paying agricultural rent to the Government; but the House would be very much mistaken if they supposed these tenants to be anything like the tenant farmers of this country; for out of that vast mass of tenants there were only 420 who paid as much as £100 a year; there were only 1,050 who paid between £50 and £100; there were only 5,600 who paid between £25 and £50; there were only 77,000 who paid between £10 and £25; 90 per cent of the whole number paid less than £10; and there were 1,200,000 of these occupiers of land who paid less than £1 a year. Here was an amount of agricultural pauperism. Agricultural destitution was made an institution in Madras. And these were the people whom the men of Lancashire wished to be brought into direct communication with in order to make contracts with them for cotton. The thing was altogether absurd. He had heard the hon. Member for Poole (Mr. Henry Seymour), who was not now in his place, suggest that these men should be allowed to purchase their holdings. If they did they would have to borrow the money. But they could not be allowed to purchase their holdings, because there were no boundaries; and to permit them to purchase their holdings would only be making that system permanent which he wished to see abolished. In 1862-3, Sir William Denison, then Governor of Madras, recorded his opinions on this subject. Sir William Denison was an Engineer officer not conversant with Indian agriculture, but he recorded in a minute how much he lamented to see such an immense number of small holdings in the province. He said that while that state of things existed it would be impossible that capital should be applied to the productions of the soil; but, while admitting the mischief of the present system, he had no remedy to propose. He suggested, however, that the Government should take into their own hands a number of these holdings, make model farms of them, and raise the products by implements of agriculture imported from Europe. He (Mr. Smollett) did not think these suggestions smacked of absolute wisdom. If adopted, they would only degenerate into great jobs. The proposal received no support from the Members of his own Government. Two Members of Council, Mr. Pycroft and Mr. Maltby, civilians of thirty-five years' standing, concurred with his Excellency in lamenting that the holdings were so small, and the more so, because the subdivision of the soil was annually progressing; but when they came to suggest a remedy they merely indulged in platitudes —that irrigation must be improved, roads cut through the country, schools introduced, and courts of law brought near to the serfs. Finally, they alleged that if the condition of the people was to be improved, rents must be lowered. Now, there was no way of improving the condition of the people but by putting an end to this most wretched system. He might be asked what he would substitute. First of all he would sweep away the present system and establish a system of village farms; renting out these farms to one person if possible, and, if not, to the heads of the community, instead of the rabble to whom the lands were let at present. The great advantage of renting out these farms would be this—instead of 2,200,000 small holders the Government would have to deal with a very much smaller number, and would be enabled to get rid of a great portion of the revenue collecting establishment. But was this plan of renting out the farms practicable? He contended that it was perfectly practicable. In point of fact, he had himself, during his official connection with India, carried out the system in a large tract of country, against the wishes of the Government, but with great success. He happened to have charge of a great estate for some years. It belonged to a gentleman (the Rajah of Vizianagram) who had recently occupied a seat in the Supreme Council of India. It was under the charge of the Madras Government for many years. His predecessor only collected £65,000 a year from it. The first year he took this great estate under his superintendence he collected £120,000, and it now yielded to its possessor £160,000. The Government censured him, but he treated their censures with supreme contempt. Now, although this renting system he had just described would be a great temporary improvement, still he believed that other and more desirable measures should be introduced. His opinion was that they ought gradually to introduce into India a permanent settlement—not such as Lord Halifax used to say he was in favour of, but such as Lord Cornwallis introduced into Lower Bengal in 1772; for Lord Cornwallis was a statesman very superior indeed to the Cannings, de Greys, and Lawrences of the present day. The principle of his settlement was the creation of a class of landed aristocracy, by uniting ten or twenty farms into one estate, and conferring it on one individual, burdened, indeed, with a heavy land tax, but still leaving a surplus to the owner. Under that system a body of proprietors existed in lower Bengal who were not only rich and powerful, but well affected to the Government, their interests being bound up with it; and the value of the land had greatly increased. In Madras, on the other hand, during the half century ending in 1850 the value of land deteriorated, though of late years rents had increased, and the cultivation of the land had extended owing entirely to the great rise in prices. He wanted to see the system existing in Bengal applied to the other Presidencies; and until this was done, it was idle to talk of bringing Liverpool merchants or Manchester cotton-spinners into direct communication with the cotton-growers of India. If, however, he was asked whether there was any probability of these reforms being carried out, he must admit that there was not the smallest chance as matters were now managed—not because they were not perfectly practicable, but because they required the presence in high places of some one understanding the subject, and of resolute will. But, unfortunately, all the authorities in India were adverse to the creation of property in land. There was nobody whom a Madras or Bombay official hated so much as a Native landowner, and he was never so happy as when engaged in hunting down the few individuals of this class left by previous Governments, confiscating their estates on some frivolous pretext, and adding them to the Government domains. In this they were hounded on by their superiors, and they found it, in fact, the surest road to promotion. To show the feelings that animated our rulers in the East, he might observe that during his residence in India Lord Harris was Governor of Madras. He did not wish to say anything disagreeable of that nobleman, who in private life was a man of the most estimable character; but on one occasion he had an interview with him to bring under his notice a gross injustice committed on some Native families of the district to which he had been appointed. Lord Harris received him with much courtesy, acknowledged that there was a great deal of truth in his statement, and that he to some extent sympathized with his views; but he added that he had come to India with the notion that it was our mission in the East to destroy all the native nobility and gentry. When an amiable nobleman in high position such as Lord Harris had got a notion of that kind, it was evidently no use arguing with him, and he accordingly withdrew. But if Governors held such views, what could be expected from their subordinates? Noble

Lords and hon. Gentlemen went out to India with no knowledge whatever of the country they were going to govern, and they consequently fell naturally into the same groove as their predecessors. Occasionally, indeed, there were Governors who had had a previous acquaintance with Indian duties. The present Viceroy, for example, Sir John Lawrence, had spent his life there. Such men, however, had generally been brought up with the same ideas to which he had referred, and they generally made the worst possible Governors. What, for instance, were the views of Sir John Lawrence? For the last two or three years he had been endeavouring to overthrow the system introduced by Lord Canning into Oude, a landlord settlement similar to what he was advocating, and which was one of Lord Canning's greatest and best measures. The Under Secretary for India would probably deny it, but Sir John Lawrence's wish had been to upset that arrangement. His object was to set the tenantry in Oude against the landlords, and put an end to the system by rendering it impracticable. Sir John Lawrence, who came from the "Black North," was a man who entertained some extraordinary notion of tenant right, and one of his ideas, he believed, was that the land should be the property of the peasantry, and that the landlord was a tyrant and oppressor—much the same notion as that which Irish tenants had of their landlords. That had been his "little game" for the last two years; and though his policy had been hitherto thwarted, he was an obstinate man, and would no doubt renew his attempts to carry it out at the first convenient opportunity. In that House, moreover, no attention was paid to Indian affairs. They had the Indian budget year after year, but nobody listened to it, and he thought the farce had better be discontinued. Every attempt was made by excluding Members of Council from Parliament to keep the House in the dark on Indian matters, and the Government endeavoured to keep out all debates on such subjects. The consequence was that the office of Secretary for India would decline in public estimation year after year, and a man of great debating power and talent would think himself thrown away in this Department, because he would find himself entirely shelved. He should not be surprised, some of these days, to see the appointment given away by public examination, and falling into the hands of some Competition Wallah on the Liberal benches. He thought the *personnel* of the Department had greatly deteriorated in the recent changes. Lord Halifax was a man of considerable attainments as a statesman; he was a man of great business capacity; he had a will of his own; and his administration as regarded India was generally a liberal one. But what was the case now? He had stated that Manchester men never came to the House to discuss Indian matters; but just before Easter a deputation from Manchester went to the India Office and had an interview with Lord De Grey to press upon him some most extravagant projects, which he hoped would never be listened to. What, however, was their reception? His Lordship received them very courteously, heard their story, told them that he had only just been removed from the War to the India Office, and was quite fresh to his duties. Lord de Grey admitted that he did not understand the subject they had brought before him, but said he would endeavour to get the matter up, and if he had time, and was in that office for another year, he hoped to be able to give them a more satisfactory reply in the year 1867. Meanwhile, he told them he had a Reform meeting to attend to, in order to stir up the country during the Easter Recess, and he must, therefore, bid them good morning; and with that intimation he handed them over to the Under Secretary, the hon. Member for Halifax. When things were arranged in that way, he really despaired of seeing any improvement in the Indian Administration. He felt that he had only done his duty in bringing this matter forward, and he should conclude by moving the Resolution of which he had given notice.

Mr. CRAWFORD seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "the great subdivision of the soil in Southern and Western India, consequent on the present system observed in the revenues settlement of the Madras and Bombay Presidencies, deserves the serious attention of Her Majesty's Government, with a view to its amendment,"—(*Mr. Smollett,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. STANSFELD said, he hoped his hon. Friend (Mr. Smollett), who had so good a right to address the House upon the subject before them, would not regard him as presumptuous if he ventured shortly to reply to his speech—the more so, because his hon. Friend would recollect that in point of principle the system of permanent settlement he advocated, but with all the details of which he might not agree, was put into force by the well-known despatch of July, 1862. Perhaps he might have left the duty of replying to the hon. Gentleman in the hands of one of the hon. Members for Manchester, as the hon. Gentleman had paid several somewhat dubious compliments to that city in referring to a meeting held there a short time since, which he appeared to be disposed to class among meetings where a great deal of talk took place without any valuable result being obtained. But with regard to his remarks upon Lord Halifax and Lord de Grey, he (Mr. Stansfeld) would acknowledge his obligations to him. His hon. Friend had correctly stated the question between Lord Canning and Lord Halifax on the subject of waste land; but with regard to his estimate of the speeches at Manchester, he must take issue with the hon. Gentleman upon that point. He had read the speeches made at the meeting with great care and interest, and he believed that, had some of them been delivered in that House, they would have assisted hon. Gentlemen to more fully understand the subject before them, and might even have affected the opinions of the hon. Gentleman himself. He should refer to the opinions expressed at that meeting by a well-known gentleman who was thoroughly competent to speak upon the subject—namely, Mr. Cassels. The hon. Gentleman spoke of the land in India as being Government property. He (Mr. Stansfeld) admitted that the hon. Gentleman spoke with an authority and a weight he could not pretend to, but that certainly was not the lesson he had been able to learn during the short period in which he had had the opportunity of studying the question; and he believed he was in a position to cite against the hon. Gentleman a Return made to that House in June, 1857, from the Revenue Department of the then East India House, which was signed by a gentleman whom the hon. Gentleman would himself acknowledge to be an authority on all questions of national economy, and more especially on all Indian questions—namely, the hon. Member for Westminster (Mr. J. Stuart Mill). He found in that report the following description of the land tenure of India:—

"Under the ryotwar system every registered holder of land is recognized as its proprietor, and pays direct to Government. He is at liberty to sublet his property, or to transfer it by gift, sale, or mortgage. He cannot be ejected by Government so long as he pays the fixed assessment, and has the option annually of increasing or diminishing his holding, or of entirely abandoning it. In unfavourable seasons remissions of assessment are granted for entire or partial loss of produce. The assessment is fixed in money, and does not vary from year to year, except in those cases where water is drawn from a Government source of irrigation to convert dry land into wet, or one into two-crop land, when an extra rent is paid to Government for the water so appropriated; nor is any addition made to the assessment for improvements effected at the ryot's own expense. The ryot, under this system, is virtually a proprietor on a simple and perfect title, and has all the benefits of a perpetual lease without its responsibilities."

That he maintained, upon the authorities he had cited, to be the state of the law in India, and the policy of Sir John Lawrence in Oude meant simply that he recognized the necessity of respecting those rights which were recognized by the several states he had to administer. The hon. Member (Mr. Smollett) had talked of the minute subdivision of the soil and of the agrarian poverty and barbarity to which it led; but he had by him three very useful books, which were prepared at the desire of the Governments of the three Presidencies in 1861, on the growth of cotton in India. The one having reference to the Bombay Presidency was written by Mr. Cassels, the gentleman to whom he had before alluded as having spoken at the Manchester meeting. What was his opinion upon these minute holdings? He said—

"There can be no doubt that, until European energy and enterprize are brought into contact with the Natives of this country, the progress of improvement will be slow and unsatisfactory. All, however, who know India are aware that European agency cannot successfully be employed in the actual cultivation of the soil. A quarter of a century has produced very little change in the circumstances which led Sir J. R. Carnac to say, 'Cotton culture holds out no inducement for any private person who knows what he is about to engage his capital in any speculation on a large scale.' The whole of the cotton experimental establishments abundantly tested and proved that Europeans cultivating the soil could never compete in economy or compensating results with the husbandry of the ryots. Generally speaking, the whole of the work of his farm is performed by the ryot and his family, and their labour is given with all the goodwill of self-interest and all the constancy of personal concern. It is as impossible to compete with such efforts by hired labour, as it is for the European to perform that labour himself under an Indian sun."

What was the actual state of those cultivating the soil under the zemindar system in the Presidency of which the hon. Gentleman thought so much? The subdivision of the soil was equally minute, and the ryot was much more impoverished than by the other system; whereas in the latter case, the peasantry became in some degree capitalists, and were in a far better position than those to whose level the hon. Gentleman would wish to reduce them. But, whatever might be the truth upon that point, and without having regard to what would be the best method of dealing with the land with reference to the cultivation of cotton, he would ask by what system of confiscation the hon. Member proposed to bring about the change in the tenure he advocated? [Mr. SMOLLETT said, no confiscation would be necessary.] He supposed the hon. Gentleman meant that confiscation would be unnecessary because the law was not as he had stated it to be. [Mr. SMOLLETT: Hear, hear!] But he (Mr. Stansfeld) would venture to affirm that no Secretary of State for India, nor the Governor Generals of India, nor the Governors of the Indian Presidencies, ever dreamt of interfering with the proprietary holdings of the peasantry of that country. The only way in which this aggregation of small farms into large holdings could be brought about, was by the system of twenty or thirty years' leases which tended in that direction. It was the fact that the permanent settlement system was being brought to bear, and that it would tend to accumulate the holdings in somewhat fewer hands, and in that respect the anticipations of the hon. Gentleman were likely to be realized. But one thing which the hon. Gentleman desired, it was impossible to do—they could not artificially create a landed aristocracy. The system of Lord Cornwallis of erecting such an aristocracy had been unfortunate in many of its effects. In conclusion, he might say that he entirely approved the Report of the Committee of the House which sat in 1848 to inquire into the growth of cotton in India, in which the system was recommended which had added so considerably to the means and to the comfort of the population of Madras. He believed further in the recommendation of the Committee of Bombay of 1846, who authorized the promotion of works of communication, of irrigation, and so on—works of which his hon. Friend appeared to think so slightly, influences which his hon. Friend had designated as platitudes—and he could not but think that if this country would unite its skill and capital with the industry and natural self-interests of the ryots, we should enable the future Government of India to be conducted more safely and more economically—we should enable the country to increase its own wealth, while it ministered to ours, and we should add greatly to the contentment and the prosperity of the 130,000,000 committed to our charge.

MR. SMOLLETT said he would withdraw his Motion.

Amendment, by leave, *withdrawn.*

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

SUPPLY *considered* in Committee.

(In the Committee.)

CLASS III.—LAW AND JUSTICE.

(1.) £17,850, Remuneration to Revising Barristers.

(2.) £658, Divorce and Matrimonial Causes Act.

(3.) £15,555, Compensations and Retiring Annuities under the Bankruptcy Act.

MR. GOLDNEY asked if this was in reality a payment out of the Consolidated Fund, and if it was, whether it was not repaid out of the Bankruptcy funds?

MR. CHILDERS said, that these payments were charges on the Exchequer, though the latter might be indirectly recouped from other funds.

Vote *agreed to.*

(4.) £52,512, to complete the sum for Criminal Proceedings in Scotland.

(5.) £32,880, to complete the sum for the Courts of Law and Justice, Scotland.

(6.) £630, to complete the sum for the Exchequer, Scotland, Legal Branch.

(7.) £14,511, to complete the sum for the Register House, Edinburgh, Salaries and Expenses of Sundry Departments, and the Accountant in Bankruptcy, Scotland.

(8.) £48,214, to complete the sum for Law Charges and Criminal Prosecutions, Ireland.

(9.) £3,877, to complete the sum for the Court of Chancery, Ireland.

(10.) £10,762, to complete the sum for the Court of Queen's Bench, Common Pleas, and Exchequer, Ireland.

(11.) £2,407, to complete the sum for the Officers of the Judges on Circuit, Ireland.

(12.) £1,031, to complete the sum for the Manor Courts, Compensations.

(13.) £1,888, to complete the sum for the Registry of Judgments.

(14.) £9,086, to complete the sum for the Registry of Deeds.

(15.) £100, High Court of Delegates.

(16.) £4,899, to complete the sum for the Court of Bankruptcy and Insolvency, Ireland.

(17.) £7,668, to complete the sum for the Court of Probate, Ireland.

(18.) £8,902, to complete the sum for the Landed Estates Court.

(19.) £8,500, Process Servers, Civil Bill Courts.

(20.) £420, Revising Barristers, Dublin.

(21.) £38,200, to complete the sum for the Dublin Metropolitan Police and Police Justices.

(22.) £550,046, to complete the sum for the Constabulary of Ireland.

(23.) £1,714, to complete the sum for the Fourt Courts Marshalsea Prison.

(24.) £14,790, to complete the sum for the Inspection and General Superintendence of Prisons.

(25.) £254,492, to complete the sum for the Prisons and Convict Establishments at Home.

(26.) £214,184, to complete the sum for the Maintenance of Prisoners in County Gaols, &c., and Removal of Convicts.

(27.) £15,684, to complete the sum for the Transportation of Convicts.

(28.) £145,466, to complete the sum for the Convict Establishments in the Colonies.

CLASS IV.—EDUCATION, SCIENCE, AND ART.

£520,530, Public Education, Great Britain.

MR. BENTINCK expressed a hope that the Government would not proceed with the Estimates in the then state of the Committee. He had been requested by the First Commissioner of Works, at about seven o'clock, not to bring forward the Motion he had upon the paper, because it was impossible for the Government to go into Committee of Supply. Other hon. Members were, he believed, under a similar impression; and, in addition to that, the obvious importance of the subject made the introduction of it to such a Committee little short of a mockery. He, therefore, appealed to the Government not to proceed with the Vote.

MR. HADFIELD supported the appeal. They had not a House present, yet they were voting away millions of money.

THE CHANCELLOR OF THE EXCHEQUER said, intimation had been given to those Gentlemen most interested in the Estimates under consideration as to the course the Government proposed to pursue; but after what had fallen from hon. Gentleman, he suggested that they should proceed with the other Votes; and perhaps an hour hence, at about half past ten, the state of the House would admit of their considering the Educational Estimate.

MR. BENTINCK said, the next Vote was of equal importance.

MR. CHILDERS asserted that when asked by several hon. Members what course the Government would pursue, he had most distinctly stated that at about nine o'clock the Government would take Supply. Still, if it were the wish of hon. Gentlemen he would consent to postpone Class IV.

MR. BENTINCK said, the Motion he had upon the paper dealt with Science and Art, and it was necessary, in his opinion, that that Motion be proceeded with before the Vote was considered. He, therefore, moved that the Chairman report Progress.

MR. CHILDERS hoped the Motion would not be pressed, and offered to go on with Class V.

MR. HADFIELD said, the Votes in Class VI, for religious purposes in Ireland, ought not to come on in the present state of the House.

MR. CHILDERS said, he believed every Member who complained of that Vote was present when he stated that he would take it to-night.

Motion made, and Question proposed, "That the Chairman do report Progress, and ask leave to sit again,"—(*Mr. Bentinck,*)—put, and *negatived.*

CLASS V.—COLONIAL, CONSULAR, AND OTHER FOREIGN SERVICES.

(29.) £3,200, to complete the sum for the Bermudas.

In answer to Mr. HADFIELD,

MR. CHILDERS stated, that out of £30,000 a year which the establishments at Bermuda cost, this country bore a cost of £4,000; but the Treasury had been in correspondence during the last few months with the Government of the Bermudas, and it was hoped that this Vote would be reduced next year.

Vote *agreed to.*

(30.) £2,513, to complete the sum for the Clergy, North America.

In reply to Mr. Hadfield,

Mr. CHILDERS said, that some explanation was due respecting it. This was a matter of a very old arrangement with the colonies of North America, under which certain of the rectors and missionaries were paid from the Votes of Parliament; but as their number decreased by death the Vote would be reduced.

Mr. HADFIELD thought that the taxing of England for the maintenance of clergymen in such a wealthy colony as Canada was a piece of absurdity, and he therefore objected to the Vote.

Mr. W. E. FORSTER said, that the country was pledged to this Vote during the lifetime of the present recipients of the money, and there was therefore no possibility of getting rid of it. With regard to the clergy in the West Indies, that did not at all apply to the present Vote. That, however, would be a very proper question to raise at some not very distant time when the statute under which certain payments were made would cease.

Mr. HADFIELD wanted to know in what manner the statutes would put an end to the claims in question. Would the successors to the present Bishops receive the same amount of money as was now paid, or would the payments cease with their death? There was a growing opinion both at home and abroad that it was time these things were done away with. They were mischievous, and produced a bad feeling in the country to which the clergymen were sent, although at the expense of England. He wished to have a clear understanding before going further that measures were being taken to put an end to these payments.

The CHANCELLOR of the EXCHEQUER said, it was very easy to give an answer to his hon. Friend. This was an expiring remnant of what was once a heavy charge, which had been taken away under Earl Grey's Government. The money was for the most part remitted in very small sums to missionaries in the North American colonies; it was on the faith of this provision that they had committed themselves to a particular line of life. The stoppage of these allowances was therefore felt to be a very great hardship, and, consequently, it was determined that the money should be continued to the present recipients till their decease. The amount was gradually being reduced, and did not now exceed £3,000, and the time would come when Parliament could cease to grant the Vote without breaking faith with a number of earnest and laborious men. With respect to the statute of which his hon. Friend had spoken, that had nothing to do with the Vote in hand.

Mr. CANDLISH was opposed to all grants of this nature, but where individual interests were concerned he would not, to give effect to his own views, consent to do a personal wrong.

Mr. AKLAND said, the money seemed to be received by the Society for the Propagation of the Gospel, and a Society of that kind was not likely to die.

The CHANCELLOR of the EXCHEQUER said, that they were only the agents through whom the money was paid.

Vote *agreed to.*

(31.) £1,000, for the Indian Department, Canada.

(32.) £17,178, to complete the sum for Governors and others, West Indies, &c.

Mr. BENTINCK said, he observed in the Estimates a sum of £1,500

"To make good the loss of emolument sustained by the Governor of New Zealand owing to his transfer from the more lucrative Government of the Cape of Good Hope,"

and he begged to ask for some explanation in reference to it.

Mr. W. E. FORSTER said, that Sir George Grey was in receipt of a much larger salary before he went to New Zealand; but he was sent there on the supposition that he was the most suitable person, considering the state of the country, to fill the office of Governor, and the sum of £1,500 was to compensate him for the loss he had sustained by his removal.

Mr. BENTINCK said, the salaries of both officers should have been stated, in order that hon. Members might be able to decide whether the sum to be granted was a proper amount.

Mr. CARDWELL said, that Sir George Grey did not profit by his removal to New Zealand. An addition was simply made to the ordinary salary of the Governor of New Zealand, to secure Sir George Grey against any loss in accepting a post inferior in the rank of Colonial Governors; and he accepted it solely at the request of the Home Government, for the sake of the public service.

MR. HENLEY thought this was a curious sort of proceeding. In the ordinary course of affairs New Zealand paid its own Governor; but it appeared from this proposition that the sum which the colony allotted for the purpose was not enough to secure a sufficiently good man. At the same time, the circumstances of the colony were such as to require the presence of a man of the highest ability and great previous experience, and if the colony could find such a man they ought to pay him adequately. If New Zealand wanted a man as highly gifted as Sir George Grey —who was, no doubt, a very able man, and with great previous knowledge of the colony—they ought to pay a proper salary to secure him. It was not a sound principle that this country should supplement payments made by a colony for local purposes. Of course Sir George Grey ought not to be the loser, but this was an awkward precedent to set.

THE CHANCELLOR OF THE EXCHEQUER said, nothing could be fairer than the way in which the question had been stated by the right hon. Gentleman. The Vote was one of a novel description, and it ought to be carefully watched by the House of Commons, lest it should grow into a precedent. But he thought it was justified by the peculiar circumstances of the case. A particular emergency had arisen in New Zealand—a state of war, in fact. It was true that New Zealand paid for its civil Governor, and it was very probable that for the sum they allot a competent person might have been found, and one that would have carried on the government in accordance with the views of the colonists. But there were questions, such as those connected with the aborigines, with regard to which this country had feelings and interests not fully shared by the colonists, and the object of the Government was to send out a man who would not simply carry out the views of the colonists, but who would do justice to both parties. Sir George Grey, having been Governor of New Zealand for a very long period, was held to be the fittest man to effect a settlement. Now it was not fair to call upon the colonists to pay the whole salary of this Governor; because, in point of fact, he was not sent out to give effect to their views, but of those of the Government at home. There being thus a public object to be gained, the Vote, he thought, was perfectly justifiable; at the same time the proposal was avowedly exceptional in its character, and ought not to be drawn into a precedent. The order to proceed to New Zealand was sent to Sir George Grey at the Cape of Good Hope without any previous communication with him, and this, of course, increased the obligation of the Government.

MR. READ wished to know if it was intended that this Vote should go on indefinitely?

MR. CARDWELL said, the Government of Sir George Grey had been already prolonged by exceptional circumstances in the colony, and therefore the extra charge was not likely to be of long continuance.

MR. HENLEY agreed that the money ought to be paid, but the precedent was an awkward one whichever way it was looked at. The colony might complain and say, "You are paying a man high to come out here and do what we do not want to be done."

MR. BENTINCK was satisfied with the explanation furnished by the Government, but thought a full statement ought to precede Votes of so exceptional a character. He wished to learn the details of Sir George Grey's salary, and whether there was any likelihood that the amount now voted would ever be repaid by the colony.

MR. CARDWELL said, the Vote was a free grant by the House, made with no undertaking, contingent or otherwise, on the part of the colony, to refund the amount. The Vote added to Sir George Grey's salary as Governor of New Zealand would exactly make up his official income as Governor of the Cape of Good Hope.

Vote *agreed to.*

(33.) £5,750, to complete the sum for Justices, West Indies.

MR. REMINGTON MILLS objected to the principle of paying for the magistrates of the West Indies, especially as it appeared from recent events that justice there was very partially administered, and that the black people were cruelly oppressed, and a stipendiary magistracy, if it existed at all, ought to be paid from the local funds.

MR. CARDWELL agreed with much that had fallen from the hon. Member. But it was an expiring Vote, the residue of a much larger sum. As to the administration of justice, it would require more than the six magistrates referred to, to do justice in the island.

MR. HADFIELD asked would the Vote expire as the magistrates die off?

THE CHANCELLOR OF THE EXCHEQUER: Yes.

MR. W. E. FORSTER said, that after the Emancipation Act stipendiary magistrates were sent out from England, whose exertions had proved most salutary. The House of Assembly, however, refusing to provide salaries for them, these were necessarily paid by the English Government. The Vote would diminish as the number of remaining magistrates grew smaller. He knew that great complaints had been made —he did not say with what foundation— as to the administration of justice in Jamaica; but he had never heard any complaint against the administration of justice by the stipendiary magistrates.

Vote *agreed to.*

(34.) £36,500, to complete the sum for Western Coast of Africa.

MR. HADFIELD asked for some explanation on the Vote.

MR. CARDWELL said, that a Committee who inquired into the question last Session were unanimously of opinion that, though it was not desirable to increase our establishment in Western Africa, it was necessary to maintain them.

Vote *agreed to.*

(35.) £3,524, to complete the sum for St. Helena.

MR. HADFIELD observed, that the constant demands under this head called for some explanation.

MR. CARDWELL said, that certain charges which formerly had been paid by the East India Company were now paid out of the Imperial Exchequer.

Vote *agreed to.*

(36.) £500, for Orange River Territory.

GENERAL DUNNE asked how it was that this payment still continued?

MR. CARDWELL said, that the money was paid in pursuance of an arrangement come to ten years ago, when the Orange River Territory was given up. Certain pensions were then given the recipients of which were gradually diminishing.

MR. CANDLISH thought it would be a great advantage to us if we could get rid of other territories on similar terms.

MR. BENTINCK inquired in what manner the persons who received the pensions died off. Were there any reversionary interests? Did their children receive pensions?

Mr. Hadfield

MR. CARDWELL said, there was no reversionary interest in the pensions. He did not know exactly in what manner the pensioners died off, but he presumed that they departed in the same way as all human beings did.

MR. BENTINCK had no doubt they died in the ordinary way. It did not require one to be a Privy Councillor to tell that. What he wanted to know was, the way in which the payment of the money was to come to an end.

Vote *agreed to.*

(37.) £1,100, for Heligoland.

(38.) £3,875, to complete the sum for the Falkland Islands.

(39.) £2,644, to complete the sum for Labuan.

GENERAL DUNNE asked what were to be the future arrangements for Labuan? Was the garrison composed of British or Indian troops?

MR. CARDWELL said, that expenses were incurred in consequence of the coal to be found in the vicinity of the station. The garrison was composed of Sepoys.

MR. POWELL asked whether any portion of the Vote was applied to the investigation of the nature of the coal-fields?

MR. CARDWELL said, the coal-fields were already open, and coal had been brought to the surface, so that it was now too late for inquiry on that head. Petroleum also had been discovered there; but it was too early yet to say anything with respect to that.

MR. POWELL inquired what was the extent of the coal-fields?

MR. CARDWELL said, the coal-fields were considerable. He could not state with statistical accuracy the extent of the coal-fields or the quality of the coal.

Vote *agreed to.*

(40.) £300, for the Pitcairn Islanders (Norfolk Island).

(41). £7,418, to complete the sum for Emigration.

MR. POWELL said, he could not help thinking that the time might not be far distant when it would be no longer thought expedient to vote money for this purpose. He thought the time was not far distant when we should discover, to our loss, that we had not a surplus of population at home. If there was a field for the labour of emigrants in the colonies, the colonies ought to make the grant for emigration. There could be no doubt that there was, even at present, a great scarcity of labour in the scenes of our commercial enterprize at home; and the policy of encouraging emigration to the colonies by Votes from the Imperial Exchequer was therefore questionable, to say the least. If Parliament were called on to vote a sum for this purpose, by parity of reasoning it might be called on to aid in removing labourers from Devonshire, or other agricultural districts, to the more populous and better-paid districts of Lancashire and Yorkshire.

MR. CARDWELL said, that the expenditure in question was not incurred in removing persons to the colonies, but for the very necessary purpose of seeing that those who emigrated did so in a manner consistent with humanity, safety, and comfort. He was sure that a Vote for that purpose would not be objected to, and that it would be contrary to the wishes of the House to do anything which should defeat the object in view, and allow persons to go to sea in unseaworthy ships, or under circumstances that might involve suffering or danger.

MR. HENLEY said, that in the inquiry which was made into the loss of the *London*, which had so greatly shocked the people of this country; reference was made to the surveys and so forth the vessel had undergone before leaving port. From the evidence on this point it appeared to him it was possible for some things, to use a common phrase, to fall to the ground between two stools. The Emigration surveyors seemed to look to one thing, and other parties to another; but there seemed to be no one responsible altogether for the safety of the vessel. He wished to ask whether, since that inquiry, the attention of the Emigration Officer had been called to that branch of the subject. The House would not grudge a proper payment to have the work of inspection well done. If it suited people to go to the colonies, it was necessary that there should be some oversight to afford security that the vessels in which they sailed were fit to take them; but care must be taken that money was paid for a good and useful purpose, and not for merely nominal surveys. From the evidence given at the inquiry it was impossible to arrive at a satisfactory conclusion as to the condition of the vessel when she left Plymouth, and as to whether she was or was not properly laden with a great quantity of deck cargo in the shape of coal which might have contributed to the loss of the vessel. He asked for an assurance that the matter had received, or would receive, consideration.

MR. CARDWELL could assure the right hon. Gentleman that the matter did receive consideration at the time; and he would add that it should receive the further attention both of his Office and of the Emigration Commissioners.

MR. ALDERMAN LUSK said, that having known for twenty-five years Captain Lean, the Emigration Surveyor of the port of London, he could testify that he was a conscientious and faithful officer, and that he troubled shipowners by being rather too particular. No man would look so much to the sails of a steamship as to those of a sailing vessel, and in the case of the *London* the Emigration Officer, having looked to the engines, took the word of the owners as to the sails. With respect to the loading of the *London* he had ascertained that it was quite in accordance with the rules of Lloyd's Emigration Commissioner, and that she had eight inches to spare out of the water. Therefore, Captain Lean and the Emigration officers were not open to the blame which had been imputed to them.

SIR WILLIAM JOLLIFFE said, that the Vote for the London office, £6,031, and that for all other ports, £4,337, suggested the fear that there was a disproportion in numbers between the controlling staff and the working staff, and that, considering the duties to be performed, the subordinate officers were too few and were underpaid.

SIR MATTHEW RIDLEY, in reference to the surgeons on board emigrant ships, wished to direct attention to the case of the surgeon of the *East London*, who, although he had been thirteen years in the emigration service, had been refused a re-appointment by the Emigration Office, solely, as appeared from the minutes of an inquiry held at Calcutta, because at the time of the wreck of the *East London* he failed to lodge a protest against the steamtug *Elgin* for leaving the *East London*. Considering the length of the surgeon's service and his unimpeached character, and especially that at the time of the wreck he was suffering from pleurisy and broken ribs, he was hardly used in being refused a re-appointment for so slight a neglect as the failure to discharge a duty which seemed to belong to a naval rather than to a medical officer.

MR. CARDWELL said, this appeared

to be a case of individual grievance perfectly well known to the hon. Baronet, but which had not yet been submitted to the Emigration Commissioners. [Sir MATTHEW RIDLEY: I beg pardon; it has.] At all events, it had not been submitted to him. All that he knew was that in the report of the Indian Commission some blame was attached to the Emigration Agent at the time; but the Emigration Commissioners were not able to take notice of it because the Emigration Agent died, and, of course, the matter was at an end.

SIR MATTHEW RIDLEY said, the papers were in his possession, and he should be happy to place them in the right hon. Gentleman's hands.

Vote *agreed to.*

(42.) £3,500, Expedition.

In reply to Mr. BENTINCK,

MR. LAYARD said, that the Vote was for the establishment by the late Dr. Baikie of the station at the confluence of the rivers Niger and Tchadda, which was very important for purposes of trade. For one year they had little or no communication with Dr. Baikie who had gone up the river, and the expenses attached to the Vote referred to payments extending over some time for salaries of staff and contingencies. Dr. Baikie came down last year, but, unfortunately, he died at Sierra Leone before reaching this country. Whether the establishment would be kept up would depend very much on whether the Liverpool merchants would continue to send vessels up the Niger for purposes of trade.

MR. OLIPHANT hoped the House would not be alarmed by the protests of the hon. Member for Sheffield (Mr. Hadfield) against establishments of this kind, which were in the highest degree desirable with a view to the maintenance of British interests. He trusted the trade up the Niger would be so great as to induce the Government to keep up the establishments which had been of such benefit to the country.

MR. ALDERMAN LUSK wished to know why that House should pay £3,500 because the Liverpool merchants for their own purposes sent out an expedition?

MR. LAYARD said, the Vote was necessary in order to keep up the credit of this country in those regions. It was necessary that trade should be protected, and that could be done only by a British Consul, whom they had promised to keep

at the junction of the two rivers, if the merchants engaged in the trade on the Western coast of Africa declared their intention of navigating the Niger for commercial purposes.

Vote *agreed to.*

(43.) £1,000, Treasury Chest.

(44.) £29,000, to complete the sum for Captured Negroes, Bounties on Slaves, &c.

MR. WHITE said, he did not think that so large a sum as that proposed was really required. Although there was a diminution of £8,000 on the Vote as compared with that of last year, nevertheless, the fact of the American Government having joined us now in our endeavour to put down the slave trade, he considered that there ought to be a much larger reduction in the Vote.

MR. CHILDERS said, there had not as yet been time to appreciate the advantage of the co-operation of the American Government, but next year he anticipated there would be a considerable diminution in the Vote; but it was generally a year, and sometimes two, before the accounts were made up.

MR. DARBY GRIFFITH reminded the Committee that the Spanish Government were also co-operating with us in the attempt to suppress the slave trade, inasmuch as they had sent *bonâ fide* instructions to their Captain General at Cuba to use his utmost energies in that direction; and as the American Government were also uniting with us to effect the same object, we might expect in future a very different state of things from what we had so long been accustomed to.

MR. LAYARD said, he was happy to announce the gratifying fact that during the last year there had been only one cargo of slaves shipped from the Western Coast of Africa, as far as he could learn. The Foreign Office had information of a cargo recently landed at Cuba, but it was immediately seized by the Spanish authorities. They had not ascertained whence it had come. Nothing could exceed the energetic and able manner in which General Dulce carried out the instructions which he received from his Government for the suppression of the slave trade. He believed it was entirely owing to these instructions and to the resolute conduct of the late Captain General of Cuba—for he regretted to say that his term of office had expired

—that the importation of slaves in Cuba had ceased. Such had been the change of opinion in Cuba on the subject that a large and influential Society had been formed there, of which General Dulce was president, for the suppression of slavery and the introduction of free labour. If the objects of this society could be carried out the whole slave trade on the Western Coast of Africa would cease, and he trusted they would shortly hear no more of it. On the Eastern Coast it was quite another matter, and the trade there, he feared, was likely to continue.

MR. MONK asked whether the proceeds of the slave captures covered the amount of the bounties?

MR. CHILDERS said, that they did not.

Vote *agreed to.*

(45.) £7,450, to complete the sum for Commissions for Suppression of Slave Trade.

MR. BENTINCK inquired by whom the trade in slaves was carried on on the East Coast of Africa?

MR. LAYARD said, the trade there was carried on in two ways. In the northern part of the East Coast of Africa it was carried on by the Arab tribes in the Red Sea and the Persian Gulf; on the southern side by the tribes under the protection of Portugal chiefly. The Portuguese Government, however, were exerting themselves to put a stop to this trade. We had cruisers on the East Coast as well as the West Coast of Africa.

Vote *agreed to.*

(46.) £123,978, to complete the sum for Consuls Abroad.

MR. WHITE said, that the first item was for a Consul at Massowah, in Abyssinia; and after the painful experience we had had of the results of involving ourselves in Abyssinian politics, he thought the Government would do well to extinguish this consulate.

MR. LAYARD said, that notwithstanding the entry in the Estimates, Massowah was not in Abyssinia, though our Consul there had jurisdiction in that kingdom, but in the Turkish dominions. The imprisonment of the European captives in that country had had nothing whatever to do with our Consular establishment at Massowah.

MR. DARBY GRIFFITH observed, that there was a large increase of salary for the Consul at Rustchuck—from £200 to £850.

MR. LAYARD said, that there was a change in the administration of the Turkish Provinces. The Turkish Government had established three great jurisdictions, and a full Consul would be placed at Rustchuck, which would be the seat of the Governor. The allowances for Consuls at Varna and other places would be at the same time reduced, and a saving would be effected.

Vote *agreed to.*

(47.) £121,978, to complete the sum for services in China, Japan, and Siam.

GENERAL DUNNE asked, upon what ground the civil salaries had been augmented, whilst the military salaries had been diminished. He did not complain of the increase in the former, but he thought it was disgraceful that our soldiers in Hong Kong were treated in such a niggardly spirit. He attributed the frightful malady amongst them at Hong Kong lately to this system which had been adopted towards them.

MR. READ complained of the meagre information supplied them in relation to such large sums as those which comprised the Vote.

MR. WHITE was of opinion that considerable reductions might be made in the Vote.

MR. LAYARD accounted for the augmentation in the Vote for civil salaries by the circumstance of certain legal changes having recently taken place in the places in question, which necessitated this augmentation. An officer had been sent out to China and Japan to ascertain what accommodation in the shape of buildings, &c., would be necessary for our Consuls and other officers in those countries. No satisfactory estimate could be formed at home of the value of the buildings required for our representatives in China and Japan.

MR. DARBY GRIFFITH said, the first item of this Vote would appear to carry on its face a reduction; but from the manner in which the information was given in the Votes it was impossible to say whether it was a reduction or not.

MR. LAYARD said, he imagined it had been reduced by £2,000 last year; the sum of £8,000 was considered excessive. It was now reduced to £6,000.

Vote *agreed to.*

(48.) Motion made, and Question proposed,

"That a sum, not exceeding £24,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1867, for the Extraordinary Disbursements of Her Majesty's Embassies and Missions Abroad.

Mr. CANDLISH asked for an explanation of the £1,000 in the Miscellaneous Charges for the French Embassy.

Mr. LAYARD said, he could not give a correct explanation of it. The hon. Member must see that many heavy charges were likely to be incurred by the Paris Embassy.

Mr. DARBY GRIFFITH complained of the unsatisfactory manner in which the diplomatic expenses were brought before the Committee. Part was charged to one fund and part to another. They had now a piebald account, which did not show what the diplomatic charges had been. They ought to be paid out of one fund instead of as at present out of two funds.

Mr. LAYARD said, the extra sum for the attachés was paid under Vote 22, in accordance with the recommendation of a Committee appointed to inquire into the diplomatic service.

Sir ROBERT PEEL wished to bring under the notice of the Under Secretary of State for Foreign Affairs the case of a British subject who was in some danger on a charge of deserting from the Swiss Army. The man claimed to be a British subject; but the Swiss Government claimed him as one of their subjects, it being alleged that he was a citizen of Geneva, and it would be as well if our Minister at Berne could make some inquiries into the matter with a view to his being absolved from the charge that had been made against him.

Mr. LAYARD said, the case referred to was a very hard one, and it had occupied the attention of the Foreign Office. His right hon. Friend brought the subject under his consideration some time ago, and he had lost no time in making full inquiry into it. He only received yesterday a Report from the Law Officers of the Crown, and from it he feared the man had no case. It was a very difficult point of law, and he was afraid it would turn out that this person was not a British subject. His father was a British subject, but his grandfather was not, and the nationality of the grandfather decided the nationality of the grandson, and strictly speaking, therefore, he was not a British subject. He hoped the Swiss Government, as a matter of comity and good feeling, would release him from the penalties which he had involuntarily incurred in ignorance of what was his real status. Every exertion would be used by Her Majesty's Government to release him from the difficult position in which he was placed.

Sir ROBERT PEEL said, this person was born in London, and he could not see how the grandfather's accepting the citizenship of Geneva, when his son was thirty-three years of age, could deprive the grandson of his nationality—that of a British subject.

Mr. SCLATER-BOOTH complained that the Votes in Class V. had been taken rather unexpectedly; and as he knew that an hon. Member, who was then absent, wished to make some observation on one of the Votes, he moved that the Chairman report Progress.

Motion made, and Question put, "That the Chairman do report Progress, and ask leave to sit again."—(*Mr. Sclater-Booth.*)

The Committee *divided*:—Ayes 31; Noes 81: Majority 50.

Mr. HENLEY said, he wished to receive some explanation of the item set down for the conveyance of distinguished foreigners from Dover to Calais.

Mr. LAYARD replied that that item was not included in the Vote under discussion.

Original Question put, and *agreed to*.

(49.) Motion made, and Question proposed,

"That a sum, not exceeding £15,000, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1867, for Special Missions, Diplomatic Outfits, and Conveyance and Entertainment of Colonial Officers and others."

Mr. REMINGTON MILLS took occasion to ask for an explanation of the sum of £21 17*s*. 6*d*., which was set down under the head of "Expenses for the conveyance of the Bishop of Kingston and his servant from Jamaica to Belize and back."

Mr. CARDWELL replied that the charge was one which was customary when a Bishop was obliged, as in the present instance, to go from one part of his diocese to another.

Mr. REMINGTON MILLS moved that the item be struck out.

Motion made, and Question proposed,

"That the Item of £21 17*s.* 6*d.*, for the expenses of the Bishop of Kingston and servant from Jamaica to Belize and back, be omitted from the proposed Vote."—(*Mr. Remington Mills.*)

MR. CHILDERS said, the item was one in the account for last year, and that its omission would not in reality effect a reduction of the Vote for the present year.

MR. REMINGTON MILLS was ready, under those circumstances, to withdraw his Motion. ["No, no!"]

MR. HENLEY should like to know who those distinguished foreigners were to whom he had just referred.

THE CHAIRMAN said, the discussion must be confined to the matter immediately before the Committee, which was the striking out of the item of £21 17*s.* 6*d.*

MR. HENLEY renewed his inquiry as to who the distinguished persons were who were conveyed between Dover and Calais. He should like to know whether they were blacks or whites, and what objection there was to stating their names?

MR. LAYARD replied that he could not go into the details of the information which the right hon. Gentleman required. It was usual, when the guests of Her Majesty crossed the Channel between Dover and Calais, to convey them at the public expense. Their names were not given, because they were conveyed in special packets. Those whose names were given had been conveyed and entertained on board Her Majesty's vessels.

MR. HENLEY was quite aware that was so, but the list in the present instance appeared to be a very long one.

MR. CHILDERS said, the charge for each of those special passages was £10, and there had been four of them.

MR. OLIPHANT having observed that a sum of £2,000 was asked for to defray the expenses of Mr. Palgrave, who went out to release Consul Cameron from his captivity in Abyssinia, he should like to know when Mr. Palgrave was appointed to that mission? How long he was employed on it, and generally, what were the results of his efforts in the matter?

MR. SCLATER-BOOTH should like to hear on what principle the various items in the Vote were charged. He found that, while the round sums of £2,000 and £1,500 were set opposite the names of Mr. Palgrave and Mr. Hutt, shillings and pence were very carefully given in other instances.

MR. LAYARD replied, that when the gross sums were put down as in the cases which the hon. Gentleman mentioned, it was because the money had been paid on account. With respect to Mr. Palgrave, as last year there was a strong feeling that sufficient was not being done—though he did not think so—to obtain the release of Consul Cameron and the other captives in Abyssinia, Earl Russell considered it to be his duty to take further steps to obtain their release, and he instructed Mr. Palgrave to proceed to Egypt, and from thence to Abyssinia in the event of Mr. Rassam's mission having failed. When Mr. Palgrave arrived in Cairo, Mr. Rassam had received the invitation from King Theodore, and Mr. Palgrave was ordered to remain at Cairo until the result of Mr. Rassam's visit to Gondar was known. When information had been received that it had been successful, Mr. Palgrave was directed to return to this country.

MR. HENLEY said, he did not think the explanation with regard to the conveyance of distinguished persons very satisfactory. The Under Secretary for Foreign Affairs had said that the reason the names were not given was, because the distinguished persons were conveyed in special packets; but the names of the Duke of Cambridge and the Princess Mary, conveyed by special packets, were given, and he wished to know, therefore, why the names of the other distinguished persons were not given?

MR. LAYARD replied, that it was never the habit to specify by name distinguished foreign visitors to Her Majesty conveyed by special packets between Dover and Calais.

MR. OLIPHANT said, that the release of the Abyssinian captives was not due to the exertions of Mr. Palgrave, and he thought £2,000 a large sum to give him.

MR. CHILDERS explained, that the sum of £2,000 was advanced when Mr. Palgrave was originally sent to Abyssinia, for the purpose of meeting the expenses of the mission. If the expenses did not amount to £2,000, the balance would be returned.

MR. ALDERMAN LUSK observed, that the expense of the mission for investing the King of Portugal with the Order of the Garter was put down at £659, and the expenses of the mission for investing the King of Denmark with the same Order was stated to be £915. He wished to know the reason of the difference in the two cases?

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(50.) £2,600, to complete the sum for Third Secretaries to Embassies.

In reply to Mr. DARBY GRIFFITH,

MR. LAYARD said, that since the system of unpaid attachés had been done away with in consequence of the Report of a Committee, and the junior members of missions had been paid, the class of attachés had signally improved during the last few years. The experiment had fully succeeded, and a highly competent body of men was now attached to the missions abroad.

Vote *agreed to.*

MR. CHILDERS moved that the Chairman report Progress.

MR. BENTINCK asked, what course would be taken if the House got into Committee of Supply to-morrow? Would the Education Vote be taken?

MR. CHILDERS said, the intention to-morrow was to take one Vote in the Army Estimates—that for Fortifications. After that they would take the remaining votes in Classes VI. and VII., but not the Education Vote. At eleven o'clock to-morrow night, he should move that the Chairman report Progress, and his right hon. Friend the Chancellor of the Exchequer would then take the second reading of the Customs Bill.

House *resumed.*

Resolutions to be reported *To-morrow;*

Committee to sit again *To-morrow.*

FISHERY PIERS AND HARBOURS (IRELAND BILL—[BILL 93.]

(*Mr. Childers, Mr. Chichester Fortescue, Mr. Attorney General for Ireland.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

GENERAL DUNNE said, he thought it would have a good effect in Ireland if the hon. Gentleman would state the object of the Bill, as to which there appeared to be some misapprehension.

MR. CHILDERS said, the Committee on Irish Taxation reported that some doubt existed whether a charge of £5,000 on the Consolidated Fund for the purpose of fishery piers and harbours still existed. Careful inquiry was made into the subject, and the opinion of the Attorney and Solicitor General being that the supposed charge on the Consolidated Fund for Irish fisheries did not exist, the Government determined to introduce a Bill to continue to a certain extent provision for Irish fishery piers and harbours. This Bill proposed to increase the maximum sum which could be granted in any individual case from £5,000 to £7,500; and if it passed, a supplementary Estimate would be proposed for the purpose.

MR. GREGORY did not think that the increase of the sums from £5,000 to £7,500 would cancel the arrears, which he calculated at £148,000. He would ask whether, if this claim were given up, part of the sum could be advanced by way of loan to the fishery societies for the purpose of enabling them to lend out money for the construction of fishing vessels?

MR. CHICHESTER FORTESCUE said, the Government had been distinctly advised by the Law Officers that no such claim could be made.

Motion *agreed to.*

Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

LABOURING CLASSES' DWELLINGS (IRELAND) BILL—[BILL 94.]

(*Mr. Childers, Mr. Attorney General for Ireland.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Childers.*)

MR. CHILDERS stated that its objects were similar to those sought to be effected by a measure of the same character already passed referring to England. In the present Bill, however, were introduced such modifications as were suitable to the country.

GENERAL DUNNE thought that the Bill was a monstrous one. It would, he believed, be attended with mischief to allow the corporations in Ireland to enter into speculations in the manner proposed.

MR. CHICHESTER FORTESCUE believed that the Bill would be exceedingly beneficial to Ireland, where the dwellings of the labouring classes were open to greater improvement than they were even in England.

MR. GEORGE said, he would not oppose the second reading of the Bill, though he deprecated the way in which Irish business was treated in the House, Bills in which Irish Members were interested being brought on for discussion late at night, and being oftentimes read a second time before Members concerned in such matters had had an opportunity of ascertaining their principles.

MR. ESMONDE, as a proprietor of some town property in Ireland, believed that the Bill would be found beneficial in its operation.

Motion *agreed to.*

Bill read a second time and *committed* for *Thursday.*

NATIONAL GALLERY ENLARGEMENT BILL—[BILL 124.]—SECOND READING.

(*Mr. William Cowper, Mr. Childers.*)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. BENTINCK inquired whether the First Commissioner of Works would state the names of the Committee who would decide what architect's design should be chosen, and whether the plans would be laid upon the table of the House?

MR. SCLATER-BOOTH thought as the building would be proceeded with next year it was high time the council of the Royal Academy had some notice given them; and he also thought the House should be informed as to what the Royal Academy was likely to do.

MR. COWPER said, the architects had been requested to send in their designs in October, and at that time the judges would have to make their award. As the time was so distant, however, they had not been nominated. The Council of the Royal Academy had been told that they must leave the present building, and they had agreed to do so. Correspondence upon the subject was in the printer's hands, and would shortly be presented to the House. The designs would be ready in November, and if an autumn sitting were to be adopted hon. Members would then have an opportunity of seeing them.

In reply to Sir MATTHEW RIDLEY,

MR. COWPER said, there was no truth in the report as to the directions for space for the Royal Academy at Burlington House. He had, however, been able to offer the Council the space that was disposable, but he had not heard whether the offer was accepted.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

TRAMWAYS (IRELAND) ACTS AMENDMENT BILL.

On Motion of Lord NAAS, Bill to amend "The Tramways (Ireland) Act, 1860," and "The Tramways (Ireland) Amendment Act, 1861," *ordered* to be brought in by Lord NAAS, Mr. GEORGE, and General DUNNE.

Bill *presented,* and read the first time. [Bill 149.]

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 2) BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," relating to the districts of Linthwaite and Ventnor, and for the repeal of the South Wales Highway Act in Briton Ferry District, *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN and Sir GEORGE GREY.

Bill *presented,* and read the first time. [Bill 150.]

SOLICITOR TO THE TREASURY BILL.

On Motion of Mr. CHILDERS, Bill to make further provision for the performance of the duties of Solicitor for the affairs of Her Majesty's Treasury, *ordered* to be brought in by Mr. CHILDERS and Mr. BRAND.

Bill *presented,* and read the first time. [Bill 152.]

POOR RELIEF (IRELAND) LAW AMENDMENT BILL.

On Motion of Mr. CHARLES BARRY, Bill for the amendment of the Law for Relief of the Poor in Ireland by substituting an union rating for the present system of rating by electoral divisions, *ordered* to be brought in by Mr. CHARLES BARRY and Major GAVIN.

Bill *presented,* and read the first time. [Bill 153.]

THAMES NAVIGATION BILL.

Select Committee on the Thames Navigation Bill *nominated:* — Mr. MILNER GIBSON, Mr. NEATE, Sir GEORGE BOWYER, Sir MICHAEL HICKS-BEACH, Mr. YORKE, and Five Members to be named by the Committee of Selection:—Power to send for persons, papers, and records; Five to be the quorum.

Ordered, That the Petitions presented to this House respecting the said Bill be referred to the Committee; and that such Petitioners as shall have prayed to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against such Petitions.—(*Mr. Milner Gibson.*)

House adjourned at One o'clock.

HOUSE OF LORDS.

Friday, May 11, 1866.

MINUTES.]—Several Lords took the Oath.
PUBLIC BILLS — *First Reading* — Public Companies* (105); Land Drainage Supplemental* (106); Inclosure* (107); Exchequer and Audit Departments* (108); Sale of Advowsons* (109); Public Schools* (110).
Second Reading—Tenure (Ireland) (64).
Committee—Labouring Classes' Dwellings* (68).
Report—Labouring Classes' Dwellings* (68).
Withdrawn—Tenure (Ireland) (64).

INDIAN MILITARY FUNDS.—QUESTION.

THE EARL OF ELLENBOROUGH asked the noble Earl the Secretary of State for India, If he was now prepared to state what arrangements had been made for the management of the Indian Military Funds now transferred to the Crown?

EARL DE GREY AND RIPON said, he was now in a condition to inform the noble Earl what arrangements were proposed to be made for the administration of those funds. They were these—A small separate department would be added to the Financial Department of the Indian Office, and a gentleman would be attached to it to take the charge of the new department. He would be assisted by a consultative Committee composed of four officers, who would be the immediate representatives of the four Funds handed over to the Crown. He (Earl de Grey) had before expressed his earnest wish to give every security to the subscribers to those Funds, that they themselves and their families would be treated with the utmost courtesy and consideration by the Government; and that the future management of the Funds should be conducted much in the same way as hitherto. It appeared to him that by instituting a consultative Committee of this description those objects would be secured, and that the officers so appointed would be able to give confidence as to the manner in which the Funds would be administered. Two of the funds were already administered by officers in this country appointed by the subscribers; and the two gentlemen who now hold that position would naturally be the persons selected to act on the part of the two Funds connected with Bengal. The other two funds were now administered in this country by private firms, and it would be his earnest endeavour to find two officers, one of the Madras army and the other of the Bombay army—who would command the confidence of their brother officers. He trusted to be able to make such a choice as would be satisfactory to the subscribers of the Funds. It was his object in the appointment of the consultative Committee that those funds should be administered on the same principle as that on which they had hitherto been administered.

THE EARL OF ELLENBOROUGH said, that it was plain that the arrangements explained by the noble Earl had been conceived in a spirit of justice and consideration to the officers. He hoped that the appointment of the consultative Committee would be satisfactory; his only apprehension was that those at its head would be unable to conduct the business unless they had the assistance of the clerks already experienced in the matter. Connected with the Funds there were a variety of complicated questions to be considered, and he feared that however able a man the gentleman selected for the head of the Department might be, he would fail in details unless he had such assistance. He hoped, therefore, the noble Earl would be able to obtain the aid of practically experienced persons, at least at the commencement of the new arrangement.

EARL DE GREY AND RIPON said, that he should not be able to make use of the clerks, as he was bound in regard to established clerks by the Order in Council, though it might be possible to employ them temporarily at the first starting of the new arrangement.

COURT OF QUEEN'S BENCH (IRELAND) LORD CHIEF JUSTICE LEFROY.

EXPLANATION.

LORD CHELMSFORD wished to make an explanation with regard to a matter which arose out of a discussion which took place the other evening respecting the Lord Chief Justice of the Queen's Bench in Ireland. On that occasion he read a letter from Mr. Napier, the ex-Lord Chancellor of Ireland, in which, as far as he remembered, the writer expressed an opinion that the Lord Chief Justice was the best Judge on the bench, and got through his business with great dispatch. The terms of that letter had given great offence to the Chief Justice of the Common Pleas and to the Chief Baron in Ireland, as it was supposed that they conveyed a disparaging comparison with respect to those learned Judges. Mr. Napier had given them the strongest assurance that he had no such intention ; but they would not be satisfied unless that explanation were given by their Lordships' House. He (Lord Chelmsford), therefore, desired to state that Mr. Napier said, that it was far from his intention to offer any disparagement to the learned Judges just named, but merely wished to convey his strong sense of the efficiency of the Lord Chief Justice, and that if he had thought that the letter would have been taken as disparaging to the Chief Justice of the Common Pleas and to the Chief Baron he would not have written it. For himself, he (Lord Chelmsford) had not had time to weigh the expressions of the letter, but if he had supposed that they conveyed any reflection on those learned Judges, he certainly should not have read it to the House.

TENURE (IRELAND) BILL—(No. 64.)

(*The Marquess of Clanricarde.*)

MOTION FOR SECOND READING.

THE MARQUESS OF CLANRICARDE, in moving the second reading of the Bill, said, the subject with which it dealt was one which had in recent years been very much discussed in both Houses of Parliament and in the country. He, nevertheless, deemed it to be due to their Lordships to state the reasons which induced him to bring forward a measure which many persons might think would have been more properly introduced by the Government. It was maintained in more than one quarter that the existing law of land tenure in Ireland served all the purposes which such a law should be enacted to promote, and so far as the principles on which it was based were concerned, he was perfectly ready to concur in that opinion. The present Bill, therefore, did not in any way propose to alter those principles. On the other hand, he thought it would be generally admitted by every one who had paid the slightest attention to the affairs of Ireland, that the relations between landlord and tenant in that country were not altogether satisfactory, and that it was desirable to place them, if possible, on an improved footing. Much had been said lately on the question of tenant-right, and upon the disputes which arose between the owners and the occupiers of the soil in that country ; but it was quite clear that no law could make either a good landlord or a good tenant, and that such disputes would continue under the operation of any system of land tenure, however sound it might be in itself. There was, at the same time, no good reason why an attempt should not be made to simplify the law so far as that object could be effected. The subject of occupation and ownership of land was one which had excited disputes and discussion, as far back, at least, as the days of the Romans, and there were passages in the work of Cicero *De Officiis*, which would be found to be applicable to the discussions upon it which had recently taken place in Ireland. The oldest decision which he had been able to discover in connection with the disputes between landlord and tenant in Ireland arose in the days of Queen Elizabeth, when it was imposed as a condition upon the great Earl of Desmond, who came over here to answer for his rebellious conduct, that he should abolish arbitrary distraint for rent on his property, and have recourse for its recovery to the Queen's Courts by complaint to the Lord Deputy or to the President of the Council in Munster. From that time to the present day the subject had occupied more or less of attention, and for some years past the establishment of a system of tenant-right was advocated with the view of placing the tenure of land in that country upon a more satisfactory basis. He, however, had never been able to get from any of those gentlemen who were in favour of what they called tenant-right a clear explanation of what it was they meant by the term. It was supposed to have its origin in the reign of James I.; and it was believed that certain conditions were imposed on the settlers in Ulster with respect to their dealings with the dwellers on the land, which implied a species of fixity of tenure. That principle had never been recognized in law ; and he might, he thought, fairly say that the views which were at the present day advocated by some of those who were the supporters of tenant-right went, in reality, to the extent of abolishing the landlord, as such, and giving the tenant the right to deal with the land as he might think fit upon payment of a fixed rent-charge. Unfortunately, the name of no less an authority than Mr. J. Stuart Mill had been quoted in support of those extreme views, and there were, no doubt, passages in his works which went to a considerable length in that direction. Those passages had, however, been greatly modified in his subsequent editions and writings, and the authority of this philosophic statesman could, he believed, no longer be fairly quoted to strengthen a position which had no foundation in justice. He had said thus much on the question of tenant-right, not because it had anything to do with the provisions of the present Bill, but because it had, in his opinion, a great deal more influence than it ought to have had with the Government of the country. He was, he might add, asking their Lordships, in the proposal he was about to make, to assent to no new principle. In the year 1850, shortly after the famine in Ireland and the establishment of the Incumbered Estates Court, which very much altered landed property there, a measure was prepared under the auspices of Sir William Somerville—the present Lord Athlumney—dealing with the subject, but owing to a change of Government it was laid aside. Again, in 1853, two Bills having reference to the tenure of land in Ireland came up to their Lordships' House from the House of Commons, which were fully discussed; but no legislation on the question took place until 1860, when a Bill was passed into law, which, although it was based on the sound principle of making all transactions between landlord and tenant dependent on written contracts, yet, unfortunately, had some clauses introduced into it, authorizing contracts by implication, which were calculated to make its operation less advantageous than would otherwise be the case. He had that very morning a somewhat extraordinary instance brought under his notice of the inefficiency of that Act for its purpose. The Act declared that a tenant might, in lieu of certain emblements, remain in possession of his holding until the end of the current year. In an ejectment case between a noble Earl a Member of that House and one of his tenants, tried the other day in the Court of Queen's Bench, Dublin, it was argued for the plaintiff that the time meant was the end of the calendar year, while for the defendant it was contended that it meant the end of the current year of the tenancy, no matter on what day it ended. The question, which was one of general importance, had been previously discussed at the assizes, and was now elaborately re-argued by Serjeant Armstrong, Q.C., M.P., and Mr. J. E. Walshe, Q.C., for the plaintiff; and by Mr. Hemphill, Q.C., and Mr. Shaw, Q.C., for the defendant. The Court were of opinion that a calendar year was not meant by the Act, but the year which would determine with the period when the tenancy was created, and they directed a nonsuit to be entered with costs. There was frequently great misrepresentation indulged in with regard to the relations between landlord and tenant in Ireland; and, although those relations were not in quite a satisfactory state, still they were not as bad as was often asserted. It had been represented, not only throughout Ireland and Great Britain, but also throughout the world, that the diminution in the population of Ireland had taken place principally, if not entirely, by reason of the harshness and cruelty of the landlords in evicting their tenants. That was a most unjustifiable and extravagant statement. Taking a large portion of the estates of Ireland, the landlords and tenants lived upon excellent terms, and their relations were as good as those which prevailed in any other countries. Undoubtedly in Ireland there might be here and there a bad landlord as well as a bad tenant; but apart from any ill-disposition on either side, they must expect those various contingencies to arise which would occur in all human affairs, and which would from time to time involve disputes. That could not be entirely prevented, and all they could do was to simplify the law as much as possible in order that no injustice should be done. He would call their Lordships' attention to a comparison of evictions and emigrants in the ten years ending in 1862. In that period the number of evictions in Ireland was 12,350 and the number of persons evicted, allowing an average of 4½ for each family, was about 59,187; whereas the number of emigrants in those ten years was no fewer than 963,167. So that only about one in sixteen of those emigrants could have been driven by eviction out of the country; there were besides numbers who left Ireland for England or Scotland, and were not returned as emigrants. But let him take the number of holdings which had diminished in Ireland, with their occupants, and compare it with the diminution of the population in the twenty years ending in 1862. The number of tenements or holdings in that period had fallen off by 120,000; and reckoning that each of their occupants had a family averaging 4½ persons, that would give them a total of about 540,000 persons connected with those holdings who had left the land voluntarily or on compulsion. But the diminution of the population within those same twenty years was 2,400,000. That showed that the population were not only not driven out by the landlords, but that they actually did not leave any large number of holdings in consequence of the conduct of the landlords. The fact was that a large proportion of those people left Ireland because they found a better market for their labour elsewhere, and the wholesale accusations about the landlords driving them out were utterly unfounded in fact. The Bill now before their Lordships contained very simple provisions. It did not alter the principles of the present law in any respect. It adopted fully the recommendations of the Committee of the other House of Parliament which sat last Session, and the evidence taken before which was highly instructive. That Committee reported that they—

> "Having examined several witnesses on the recommendation of the promoters of the inquiry, are of opinion that the principle of the Act of 1860 embodied in the 38th and 40th sections—namely, that compensation to tenants should only be secured upon the improvements made with the consent of the landlord—should be maintained."

The chief object of the present Bill was to cause every agreement between landlord and tenant to be by a written contract. It gave a summary remedy in cases of breach of such contracts by providing that all disputes between landlord and tenant should be decided in the Quarter Sessions Civil Bill Court of the county, subject to an appeal to the Judge of Assize and on special points of law either to the Judge of Assize or to the Superior Courts. It would enable a judgment to be obtained easily and cheaply, whether for the tenant or the landlord. He did not propose that this Bill should be passed through the House quickly, but simply that it should be read a second time, and then be suspended until the other measure having a similar object—lately introduced into the other House by Her Majesty's Government—might come before their Lordships. The Bills could then be considered together, and probably a sound and satisfactory settlement of the question might be attained. His Bill proposed to abolish the power of distraint, which might be thought prejudicial to the landlord; but, on the other hand, it gave him a cheap and easy remedy to recover rent and enforce contracts.

Moved, "That the Bill be now read 2^a."—(*The Marquess of Clanricarde.*)

LORD DUFFERIN said, he was certain that every one connected with Ireland must feel grateful to the noble Marquess for the admirable manner in which he had drawn attention to the subject, as well as for the elaborate care and labour which he had manifestly bestowed upon the Bill. He thought, however, that the noble Marquess could hardly expect that the Government would undertake the responsibility of asking their Lordships to give a second reading to this Bill, when they had a measure of their own already introduced into the other House of Parliament. It would be extremely unreasonable to expect the Government to confer the right of primogeniture upon the offspring of the noble Marquess, however robust it might be, to the manifest prejudice and detriment of their own legitimate progeny. The noble Marquess seemed anxious that his Bill should play the part of the infant Jacob. It thrust forward its importunate little arms, that their Lordships might bless it, and that it might obtain a birthright over its elder brother which had already seen the light of day in another place. That Bill had been drawn with great care by the Irish Government, and it was impossible for Her Majesty's Government to commit themselves to the principle of the present measure, which was not only discordant with that of the Government, but would entail a total reconstruction and remodelling of the law of landlord and tenant in Ireland. The noble Marquess, before he asked the House to assent to the second reading of such a Bill, ought to show that the present state of the law upon the subject was intolerably bad, and that the moderate measure proposed by the Government would not provide a remedy for the evil. The noble Marquess gave their Lordships to understand that his Bill did nothing more than consolidate and amend the existing law of landlord and tenant, and that it introduced no new principle of legislation. But he (Lord Dufferin) joined issue with the noble Marquess on this point, and he failed to see any ground for embarking in so wide a labour as the reconstruction of the agricultural law of Ireland. The present law of landlord and tenant in Ireland had been in force for a number of years, and various decisions had been given upon it. The decisions which depended upon Acts of Parliament were like the down-stretching branches of the banyan tree, which partake of the character and add to the stability of the parent stem; and before any one meddled with so important a growth, which had already struck such deep root in the legal practice and constitution of the country, he was bound to prove that what he proposed would be to a great extent better than what he intended to repeal. That he ventured to say the noble Marquess had entirely failed to do. And when it was remembered that the greatest trouble had been taken with the question, that Committee after Committee had sat upon it in that and the other House of .Parliament, and that after repeated failures the law of landlord and tenant had been consolidated by the Act of 1860, which was known as Mr. Cardwell's Act, and that during the whole of that time no complaint had been made with regard to the operation of the Act, and no fault found with it except in one single particular, their Lordships would probably agree with him that no reason had been shown why they should undertake the task proposed by the noble Marquess. In one single respect Mr. Cardwell's Act had remained a dead letter. The reason of that might be sufficiently explained—at all events, every gentleman without exception who was examined before Mr. Maguire's Committee concurred in the opinion—and the question was directly put to them—that, with the exception of the particular section of the Act to which he had referred, they were able to suggest no improvement in the law of landlord and tenant in Ireland. Well, then, considering that a Bill upon this important subject was under consideration in the other House, and might eventually be expected to make its appearance on the table of their Lordships' House; and taking into account a fact to which the noble Marquess had not alluded — that his Bill did not even attempt to deal with that which had been regarded as the one sole defect in Mr. Cardwell's Act, and that if this Bill were to pass to-morrow the complaints which were founded upon the unprotected state of the tenants' improvements would be as rife a source of discontent and dissatisfaction as ever— he ventured to suggest that the noble Marquess had failed to make out his case for going into so large an undertaking, that he had no *locus standi*, and that it would be most undesirable and contrary to Parliamentary precedent that a Peer of their Lordships' House should introduce a Bill of this importance at a time when another Bill on the same subject was under the consideration of the other House, and before their Lordships had an opportunity of ascertaining what the provisions of that Bill were. Under these circumstances, he trusted that the noble Marquess would for the present consent to relieve their Lordships from the necessity of going to a division.

VISCOUNT LIFFORD said, the Bill of the noble Marquess was certainly open to very great objection. It dealt with so many subjects, its scope was so wide, and it went so much to the root of so many points connected with the rights of property, that it would be difficult even for a lawyer, after long consideration, to give an opinion upon it. How much more difficult, then, for their Lordships to do so. But there was much that was valuable in the Bill. At all events, it was superior to that which the noble Lord who had last spoken said at a future time was likely to come before their Lordships' House. It was superior in this respect: The noble Marquess' Bill would lay the foundation of vast litigation, but the other Bill would take away the property of the landlord without any litigation at all. He would appeal to noble and learned Lords, and especially to the noble and learned Lord on the Woolsack, and would ask him whether, when that other Bill comes into that House, he would say, as was said by his predecessor on a former occasion, that he "would be ashamed to take his seat on the Bench of Justice if he could support such a Bill." He would recommend their Lordships to give the Bill a second reading, provided the noble Marquess should agree to refer it to a Select Committee, and that Committee should be delayed until the Bill of the Government was before the House. There was one point, however, to which he had the strongest objection, and that was that the measure should extend to Ireland alone. In all matters of right and wrong, of law and justice, the principles of which ought to extend over the whole world, he could not think that any exception should be made in dealing with Ireland. When the time came he should be prepared to move an addition to the preamble that it was not expedient to deal with Ireland on principles of legislation different from those which would be applied to England, and in the schedule of the Bill that it should extend to England and Scotland as well as Ireland.

THE MARQUESS OF CLANRICARDE said, he was quite willing to adopt the suggestion of the noble Lord to refer the Bill to a Select Committee.

THE EARL OF WICKLOW rose to make

a suggestion with a view of saving their Lordships from the necessity of a division. The Bill had a great many good qualities, and as the noble Marquess had stated that he was willing that it should remain on the table until the measure now in the House of Commons should come up, in order that an opportunity might be given to their Lordships of going through the two together, and as that object might be attained as well by the first reading as by the second, he trusted the noble Marquess would withdraw his Motion for the second reading.

THE MARQUESS OF WESTMEATH supported the Motion for the second reading. The Bill had so many good qualities that it would be ridiculous to get rid of it by a side-wind, as was proposed to be done by the noble Earl.

VISCOUNT POWERSCOURT supported the Bill, and expressed the hope that their Lordships would not make this a party question.

THE EARL OF CLANCARTY said, he had listened with very great interest to the statement of the noble Marquess who introduced the Bill. To compare it with that before the other House was to do an injustice to Her Majesty's Government; but he must dissent from the suggestion that this Bill should be withdrawn. Nothing was prejudged by giving it a second reading, and it was only in Committee that its merits could be considered. He would ask the House to give a second reading to this Bill, and then to let it stand until a second reading was given to the other Bill referred to.

THE EARL OF BANDON said, that considering the previous attempts which had been made to legislate on this question, and the ill success which had attended them, he was not sanguine of attaining any satisfactory results by this or any future Bill. If, however, their Lordships would refer it to a Select Committee, he would not oppose the second reading. It was scarcely in order to refer to a Bill before the other House. It was possible that the Government might have received kind assistance from the tenant-right agitators in Ireland, and might be inclined to defer to the wishes of that body, which might perhaps require a clause to enable a tenant farmer to make improvements in the land without the consent of the landlord. The effect of that would be that a tenant-at-will on a farm of 300 acres might build a house worth £1,500, and claim the value of the improvement from the landlord. To such a principle as that he believed their Lordships would never consent. Under such a law without his consent a tenant might build a house opposite his own, thereby not only depriving him of a portion of his property, but destroying the beauty and value of the other. He resided in Ireland; he attended the weekly meeting of a board of guardians, composed chiefly of tenant farmers, and he took a considerable part in local matters, but he never heard a word against the law of landlord and tenant from those actually affected by it. He did hear complaints on the eve of a general election, but these were mostly made in speeches addressed to town constituencies by gentlemen, who, however able they might be in other respects, were totally ignorant of rural affairs. This Bill would be the ruin of the tenant farmers, whom it was professedly designed to benefit. There were many cases in which, on the expiration of a long lease, tenants were found to be in difficulties, and were treated with the greatest possible kindness; but if the landlord knew that his successor would be injured by poor people being allowed to remain on the property, his sense of duty would overcome his indulgence and kindness. The operations of land jobbers, who purchased property in the Incumbered Estates Court simply to sell it again, had had the effect of raising rents; and if this Bill passed, the land jobbers would depreciate the value of the property they were going to purchase, and they would spend money in buying out poor people and sending them to America. What became of the plea, then, that legislation was needed to keep the people at home? The emigration that was going on from Ireland was in no way affected by the relations of landlord and tenant. It was said that the landlord in England made all the improvements, and that the contrary was the case in Ireland. He did not believe in the general truth of this statement; but was it not proved that the landlords in Ireland wished to do their duty by the statement made the other night by the Chief Secretary for Ireland in the other House that they had applied for £5,000,000 to improve the state of their property? His own observation and experience led him to believe that the wiser course would be to let matters alone. Notwithstanding the recent conspiracy he believed that the country was rapidly improving, and that what it required was not a Landlord and

Tenant Bill, but a better system of railways, the development of its mines, and the improvement of the harbours on its coast. These things would make the country prosperous and happy. The Fenian conspiracy was sometimes attributed to the state of the landlord and tenant question. The other day a friend put into his hand a list of ninety prisoners confined in Cork gaol under the suspension of the Habeas Corpus Act, and of the ninety only four belonged to the rank of tenant farmers. He believed that the origin of that conspiracy might be traced chiefly to the tradesmen of the towns, and that the population as a whole was entirely opposed to the movement. Nevertheless, he believed that a deep debt of gratitude was due to the Lord Lieutenant for the manner in which he acted at a critical moment, and that if the Habeas Corpus had not been suspended at the time it was, there might have been a most serious outbreak; but it would have taken place contrary to the wishes of the farming classes.

The Earl of BELMORE said, this Bill was intended to consolidate and amend the whole of the existing law relating to the tenure of land in Ireland, though, as far he could see, it did not in express terms repeal the existing statutes. He wished, therefore, to ask the noble Marquess, whether the effect of the Bill, if passed, would be to repeal the statutes now in force? It was very desirable that there should not be upon the statute book two sets of laws which might be conflicting.

The Marquess of CLANRICARDE replied that the existing statutes would not be repealed by this Bill, which, however, had been carefully looked over, in order to ascertain that none of its principles conflicted with the present Acts of Parliament relating to land in Ireland. Many years ago he proposed the repeal of many of those Acts, and some were abolished accordingly, though about 150 still remained on the statute book.

Lord DUNSANY said, the Bill appeared to him to establish an exceedingly dangerous and inconvenient precedent, as it interfered with the fundamental principles upon which all property must rest. The title of the Irish landlord was the same as that of the English landlord, and rested upon these principles — that every man had a right to manage his own property, and that a bargain was a bargain. If those simple principles were departed from, there would be no limits to fanciful legislation. He was aware that the noble Marquess had approached the subject with the largest possible experience of it, and his opinion was consequently entitled to great weight. Yet, he must confess, he was astonished to find in the Bill of the noble Marquess a retrospective clause which would have such an application as to be not only an infraction of the ordinary principles of justice, but also of the principles on which this Bill itself professed to be based. At least that was the conclusion he had arrived at after reading the 13th clause, by which it was proposed that a tenant for a certain number of lives should have his lease continued after the last life had expired. That was a very singular conclusion to arrive at. The excuse for violating the rights of Irish landlords ordinarily was that they would never grant leases to their tenants; but here an Irish tenant would have a better lease than 99 out of every 100 English tenants. An Irishman on whose life a lease depended had a tendency to live preternaturally long, and if ever the poet's "last man" could be discovered he would be found to be the last life in an Irish lease. It appeared to him, therefore, that, notwithstanding the many merits of the Bill, this was a considerable defect. The Government Bill contained no retrospective clause, and so far it appeared to be superior to that of the noble Marquess. If the fundamental laws of property were to be interfered with, they ought to be interfered with by Her Majesty's Ministers—he meant the recognized and constitutional advisers of the Crown, and not the advisers of Her Majesty's Advisers. For Her Majesty's Ministers he entertained the respect which was due to their high office, but he could not say that he always regarded with the same feeling those who advised Her Majesty's Advisers. He confessed it was a little trying to read the statements which sometimes appeared in the Irish newspapers concerning the underground communications with Ministers. He had heard with great pleasure the declaration made in that House by the noble Earl at the head of Her Majesty's Government to the effect that, for his part, he thought it was undesirable to introduce any fresh legislation on the subject of tenant-right, and that, though he should be very happy to reform the law, he could not see his way to any measure which would be practicable and safe. Well, within five weeks after that declaration was made, the Irish papers gave accounts of what purported to be two communications between the Government and certain persons in London. He thought the Irish landlords had a right to complain of such communications, because if what the Irish papers stated were true, it amounted to this—that the Ministers, in consideration of the support of certain Members of the other House, were prepared to pass four measures. The communications to which he referred were published in the proceedings of the self-styled National Association of Ireland, which was a body entitled to no weight whatever, except what Her Majesty's Ministers were pleased to give to it. It was composed exclusively of priests and a certain number of laymen of no weight or influence whatever. The permanent chairman was Alderman M'Swiney, who kept a very respectable haberdashery establishment in Ireland. The Association (Mr. Dillon stated) had put forward four claims, namely—

> "The reform of the law relating to the tenure of land, the removal of obnoxious oaths, freedom and equality in education, and the disendowment of the Established Church. He asserted that the Government had conceded the first two points in full, and given an instalment of the third, and had asked the Association to wait with regard to the fourth, as the Ministry already had their hands full."

He (Lord Dunsany) could quite understand that if Government had made such terms with them it would be very absurd for Alderman Dillon to turn the Government out; but were the landlords of Ireland to be the victims of such an understanding between the Government and Alderman Dillon? If the Government had made such a bargain it appeared to him a very extraordinary way of obtaining Parliamentary support, and it would not be unnatural if the Irish landlords looked with suspicion on any land measure coming from a Ministry who had entered into such an agreement. Who was Mr. Dillon, who advised Her Majesty's Government on these subjects? All that the Irish proprietors knew of him in connection with the land question was, that last year he offered himself as a witness before Mr. Maguire's Committee, and that he was obliged to admit he had no personal knowledge or experience on the subject respecting which he had offered to give evidence. If Her Majesty's Government supposed that any moderate Bill would satisfy the advocates of tenant-right in Ireland, it was well they should understand what the views of those persons were. In one of the petitions on this subject, it was asked that all the occupiers of land should have a right to the possession of their holdings for ever, subject only to the payment of rent and taxes, the rate to be fixed on the average of the last seven years. It was hardly likely the Government were prepared to give satisfaction to those gentlemen; but supposing the measure of the Government, while not going that length, should give power to the tenants to make what they might call improvements despite what might be the opinion of the landlord, the Irish proprietors, by new agreements with the occupiers, would defend themselves against the consequences of such a measure.

Lord WODEHOUSE asked the permission of their Lordships to say a very few words on this subject. It was not his intention to enter into a discussion of the merits of the Bill introduced by Her Majesty's Government in another place, and for which he was in part responsible. That Bill could not be properly discussed by their Lordships before it came up to their Lordships' House; but he felt so deeply with respect to this measure of his noble Friend (the Marquess of Clanricarde), and all measures affecting the tenure of land in Ireland, that he thought he would be wanting in his duty if he did not make a few observations on this occasion. He could assure the House that this subject had been considered by the Irish Government—not as the noble Lord (Lord Dunsany) seemed to think—in the light of a matter of bargain or understanding, and with a view to catch a few votes from one party or the other on the eve of a division, but as a subject which deeply affected all the interests of Ireland. The Government regarded it as a question which imperatively demanded to be settled—a question which now more than ever demanded a settlement, when they had had a state of things in Ireland bordering on open insurrection. He hoped that if the Bill which the Government had introduced elsewhere should reach their Lordships' House Irish landlords would consider it calmly and dispassionately, and with a view to seeing whether it was not such a measure as the interests of Ireland required, and as could be passed without interfering with the rights of property. Could any one suppose that he, an English landowner, deeply interested in land, would consent to any measure which would sacrifice or materially disturb the rights of property? But, on the other hand, those who supposed that the present system of land tenure and the present relations between landlord and tenant in Ireland were satisfactory, and such as could be safely allowed to remain without an attempt at a settlement, made a great mistake with regard to the state of that country. That this was one of the most difficult questions that could engage the attention of the Legislature no one would deny; because they were called upon to treat the tenure of land in Ireland in a somewhat different manner from that in which the tenure of land in other portions of the United Kingdom were dealt with. The admission that this should be done had been frequently made and made by Parliament itself. The question was how to do it without, on the one hand, infringing upon the rights of the landlord, while, on the other hand, they cured the distrust which at present existed between the holders and the cultivators of land in Ireland. Without entering into the merits of the provisions of the Bill of the noble Marquess—which provisions, he might say, were very complicated and difficult to understand—he might observe that the Bill was a permissive one, and, therefore, did not practically go further in principle than many of the Bills which had already been passed. But he thought the House would be inclined to adopt the suggestion of his noble Friend (Lord Dufferin), and wait till the measure which Her Majesty's Government had prepared came before them. He urged this course with the greater confidence because he observed that every speaker in the present discussion had insensibly left the Bill before them, and gone to that which the Government had introduced elsewhere. He concurred with the noble Lord opposite (Lord Dunsany) that a Bill of this kind should come before Parliament on the responsibility of Her Majesty's Government. It would be much better for the House, and much better for the Irish proprietors, that it should so come before Parliament. Without saying any more at present on either the principle of Bills like this or their details, he again asked their Lordships to suspend their judgment till the Bill proposed by the Government came before them, and when it reached them to give it a full and dispassionate consideration.

The Earl of DERBY accepted the proposition of the noble Lord behind him (Lord Dunsany), and of the noble Lord who had just sat down (Lord Wodehouse), that measures affecting the rights of property should be brought forward by Her Majesty's Government rather than by a private individual. He accepted this general principle—but he accepted it with a qualification as to the spirit and temper in which Her Majesty's Government were disposed to deal with the question. He would not enter into such a discussion as that which the noble Lord (Lord Wodehouse) had just properly warned them against — the discussion of the measure which the Government had introduced in the other House of Parliament; but he confessed he was sorry to hear that the noble Lord considered himself partly responsible for it, because, from what he had heard, he was afraid that it very seriously threatened the rights of property in Ireland. He would not, however, anticipate a discussion, nor express any opinion on the merits of the Bill. He quite agreed with the noble Lord that no subject was more important or more difficult to deal with than that of the relations between landlord and tenant in Ireland. But he was afraid the difficulty existed in the conflicting views of the two parties, and more especially in the exaggerated views entertained by the tenants, and which they were encouraged to entertain, of their indefeasible rights to the land they held. So long as that notion was entertained it was impossible to place the relations between them and their landlords upon a satisfactory footing. The undisguised object of the tenant, and that alone, which would satisfy him that justice was done, was that he should be entitled to remain on the land so long as he continued to pay his rent, and that, in fact, the landlord should be the chief renter, and not the owner of the property. He (the Earl of Derby) was disposed in every way to enforce the rights of tenant, whether he held at will or under lease, to obtain full compensation for unexhausted improvements. That was a principle founded on justice, and enforced in this country by custom; and if it was not to be enforced by custom in Ireland, then there was a case made out for enforcing it by law. But the fact was, in a great portion of Ireland the tenants were not in a condition to carry out valuable improvements. If they expected tenants to effect improvements on their farms, whether large or small, the landlord must have the right of choosing the tenants to whom he would let his farm. When an application was made for the occupation of a farm the general rule in this country was to inquire whether the applicant possessed sufficient capital and stock for the purpose. But that was not the case in Ireland. In the part of Ireland with which he was connected he had always been willing to grant leases to tenants, but the great bulk of the tenants held their farms as tenants-at-will; and if on the death of a tenant the landlord were to say that such one of his sons as had the most capital to cultivate the farm should be put in possession of it, the whole family would be up in arms against him as a persecutor. In other cases, the eldest son, on taking possession of the farm, was found to be nothing better than a pauper tenant, every shilling of the father's property being left to those of the family who did not get the farm. Nothing was more common in the part of Ireland with which he was connected than for a tenant-at-will, having a large family, to bequeath the farm to one of the children without a shilling of money, and to make legacies to his children which were to be paid out of the landlord's rent. In such cases it was ridiculous to talk about tenants' improvements. How was a man to make improvements who not only had no capital but was subject to a load of debt which often exceeded in amount the rent which was to be paid to the landlord? Only the other day there died the head of a family who for several generations had been in possession of several farms upon his estates. He (the Earl of Derby) had not been satisfied with the way in which the farms had been dealt with, and he had given notice to the last tenant that upon his death he should resume possession of the farms. He would not trouble their Lordships with the details of the arrangements which he proposed to the heir, but the result was that he agreed to permit him to remain upon one of the farms for a year, provided that he did not break up the land that was in grass. The first thing that this man did was to break up the grass land. He proceeded against him by injunction, and he was now engaged in legal proceedings with very great doubt whether he could rid himself of his tenant in consequence of the term "current year" which had been mentioned by the noble Marquess. In addition to this, when he agreed to permit this young man to retain possession in the farm for a year he received a letter from the widow of the former tenant, saying that she thought it was the grossest injustice that he should deprive her son of the farm, because there was settled upon it a jointure of £50 a year which had been settled upon her by her husband. That views such as these should be entertained, even by persons in a respectable position in life, showed how different were the circumstances of Ireland from those in England, and they must be borne in mind when their Lordships were called upon to take into consideration a Bill for dealing with the relations between landlord and tenant and providing for the protection of the latter. He was far from saying that there were no cases in which the tenants required protection; but he was quite sure that if a balance was struck between the necessities of the two classes, it would be found that landlords required more protection than tenants. The noble Marquess deserved great credit for the pains which he had taken with the measure, and the equitable spirit in which he had approached the question of the relations between landlord and tenant. He had curiously examined the provisions of the Bill, and, although there might be some difficulty in carrying out some of them, yet its proposals were generally so fair and reasonable that if the question before their Lordships was whether their Lordships should assent to or reject the second reading, he should certainly vote in favour of allowing the Bill to pass that stage, especially as the noble Marquess had expressed his willingness to allow the Bill to go before a Select Committee. As he understood the state of affairs, however, Her Majesty's Government did not intend to oppose the second reading, but desired that it should be deferred until a Bill which they had themselves originated should come up to their Lordships' House. That mode of dealing with the question hardly seemed likely to secure that immediate legislation upon the subject which the Lord Lieutenant of Ireland said was so necessary. It was impossible to say when the Government measure might pass through the House of Commons. There was other business on hand which would, no doubt, occupy a great deal of attention, and it was very doubtful whether the Bill would reach their Lordships' House in time to permit them to legislate upon the subject this year. He did not suppose that any advantage would result from going into Committee in the month of August. At the same time if the Select Committee was to be deferred until the other measure came up, he did not see that it would make much difference whether the second reading was agreed to that night or was referred to a future date, and he should therefore recommend the noble Marquess to defer it for a short time.

EARL GRANVILLE said, that with regard to the mode of procedure on this important subject, the Government were anxious not to take any course which might appear wanting in respect to the noble Marquess, or to slight the important subject he had brought under their Lordships' notice. He would not discuss the Bill now before the other House, but all he ventured to say was that that Bill was founded on the principle which had been laid down as desirable by the noble Earl, that the tenants in Ireland should have some reasonable compensation for improvements effected, but that they had no indefeasible right to the possession of the land. As to the mode of dealing with this question, which the Lord Lieutenant of Ireland described as an extreme difficulty and yet of extreme urgency, he thought that it would not be wise to hold it over the head of the measure which the Government had introduced into the other House. Even those who had spoken in favour of the Bill of the noble Marquess had admitted that it was in some respects imperfect, and it was therefore in his opinion desirable that the noble Marquess should withdraw his Motion, and thus allow himself an opportunity of removing the imperfections which had been pointed out.

EARL GREY said, he strongly recommended the noble Marquess to adopt the suggestion thrown out, and postpone the second reading of his Bill. But he could not help expressing his regret that the course pursued by the Government left but faint hopes that this question, which had been described as important and urgent, could be disposed of in a satisfactory manner during the present Session, for the Bill introduced by the Government into the House of Commons could not reach their Lordships before August. It was to be deplored, when the Government had so much business on their hands in the other House, that they did not introduce the Bill on this subject in their Lordships' House. The subject was one which their Lordships' House was particularly well fitted to discuss, because there were several noble and learned Lords whose assistance in dealing with it would be most valuable. If, then, the Government had laid before their Lordships at an early period of the Session the Bill which was now before the House of Commons, it was possible that it might have been passed, or if it had not proved to be satisfactory on careful examination, then the measure proposed by his noble Friend (the Marquess of Clanricarde) might have met with their Lordships' approval. Some of the arguments which had been urged against that measure by the noble Lord who first took objection to it (Lord Dufferin) he must confess he regarded as being rather in its favour. His noble Friend said it sought to effect a great deal too much, and that to embrace the law relating to landlord and tenant in Ireland in a single Act was an attempt which ought not to be made, inasmuch as that law depended on a variety of Acts of Parliament and a multitude of decisions, which had reduced the whole system into a state of great confusion. Now, if there was one reason stronger than another for dealing with the subject as a whole, it was, he thought, to be found in that "banyan forest" of decisions which his noble Friend described. He was also of opinion that it was of the utmost importance that the minds of the Irish people should be set at rest in reference to the question, and that the law should as far as possible be simplified and made clear; but as it seemed to be admitted on all hands that the present Bill ought not to be proceeded with while the fate of the measure before the House of Commons remained undecided, he thought the best course to adopt would be to postpone the second reading until after the recess. He had been informed that the second reading of the Government Bill was likely to come on on an early day in the other House, and that there was great probability that it would not pass. If that should be the case the objections entertained to proceeding with the measure of his noble Friend would be to a great extent removed, and he hoped that, while consenting to postpone the discussion of it, he would not put it off to so distant a day as practically to prevent their Lordships from resuming the consideration of the Bill in the event of the failure of the rival scheme.

THE MARQUESS OF CLANRICARDE having defended the course which he had taken in moving the second reading of his Bill that evening by reference to a precedent of 1853, when he had pursued exactly a similar course with the approbation of the House and of the Prime Minister, Lord Aberdeen, expressed his readiness not to press his Motion, while he abstained from fixing any day for resuming the discussion.

Motion (by Leave of the House) *withdrawn.*

POST OFFICE CLERKS.—QUESTION.

VISCOUNT BANGOR asked the Postmaster General, Why the Clerks in the London District Post Offices are forbidden to communicate the Place of Residence of People in their respective Districts to Persons applying to them for such Information?

LORD STANLEY OF ALDERLEY replied, that the main duty of the clerks in question was to secure the safe transmission of the letters which passed through their hands to those persons to whom they were addressed, and that it was manifest that to answer all the idle inquiries made—and made sometimes with improper motives—with respect to the place of residence of people living in their respective districts would be to interfere very much with the proper discharge of their business, as well as to act in contravention, to some extent, of that secrecy which they were required to observe. More than that, the only way in which these clerks would be enabled to give the information referred to as a general rule, would be by looking for it in the *Post Office Directory*, by turning over the pages of which excellent work the persons requiring it would have it equally in their power to obtain that information for themselves.

SALE OF ADVOWSONS BILL [H.L.]

A Bill for enabling Lords of Manors in certain Cases to sell Advowsons—Was *presented* by The LORD BISHOP of PETERBOROUGH; read 1ª. (No. 109.)

PUBLIC SCHOOLS BILL [H.L.]

A Bill to make further Provision for the good Government and Extension of certain Public Schools—Was *presented* by The EARL of CLARENDON; read 1ª. (No. 110.)

House adjourned at half past Seven o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, May 11, 1866.

MINUTES.]—SELECT COMMITTEE—On Edinburgh Annuity Tax Abolition Act (1860) and Canongate Annuity Tax Act, *nominated;* on Writs Registration (Scotland) *nominated.*

SUPPLY—*considered in Committee*—ARMY ESTIMATES—CIVIL SERVICE ESTIMATES (Class VI. and Class VII.)—*Resolutions* [May 10] *reported.*

PUBLIC BILLS—*First Reading*—Sale of Land by Auction * [H.L.] [155]; Salmon Fisheries (Scotland) * [H.L.] [156].

Second Reading— Life Insurances (Ireland) * [141]; Solicitor to the Treasury [152].

Committee— Fishery Piers and Harbours (Ireland) * [R.P.] [93]; Lunacy Acts (Scotland) Amendment (*re-comm.*) [127].

Report—Lunacy Acts (Scotland) Amendment (*re-comm*) [127].

Considered as amended—Landed Property Improvement (Ireland) * [118]; Hop Trade [128].

Third Reading—Drainage Maintenance (Ireland) * [95]; Burials in Burghs (Scotland) [132], and *passed.*

INDIA—MADRAS IRRIGATION.

QUESTION.

MR. SMOLLETT said, he wished to ask the Under Secretary of State for India, What was the extent of liability undertaken by the Indian Government under the Madras Irrigation and Canal Act of 1860; whether the capital of £1,000,000 was fully paid up; what amount of interest has been paid from the Indian Exchequer upon that capital; and whether any sums advanced have been repaid out of the profits of the Canal Company? What amount of additional capital was raised under the said Company's Canal Act of 1863; how much of this additional capital has been paid up, and what amount is still due on unpaid shares; also what amount of interest has been paid on the additional capital, and from what sources the interest has come? And what is the object of the Act introduced to amend the Acts of 1860 and 1863; whether it has been brought before Parliament with the knowledge of the Indian Government; and whether there are any grounds to suppose that the works of this Company will ever prove reproductive?

MR. STANSFELD said, in reply, that the Government liability under this Act was to guarantee 5 per cent on £1,000,000 of capital. Of that sum all but £44,296 had been paid up. The amount of interest advanced was £214,233, and no additional capital had been raised under the Act of 1863. The object of the Amendment Act was to enable the Company to substitute £20 shares for shares of a larger amount. There was every reason to believe that the canal works would be profitable.

Mr. SMOLLETT said, he wished to know if any interest had been refunded?

Mr. STANSFELD: None; the works were not yet completed.

GRIEVANCES OF THE INDIAN ARMY.

QUESTION.

Sir JAMES FERGUSSON said, he rose to ask the Under Secretary of State for India, Whether the Secretary of State in Council has under his consideration all the complaints which have been made to Her Majesty's Government, or to Parliament, by officers of the Indian Army in respect of the non-fulfilment of the Parliamentary guarantee of their former rights and privileges, including questions of compensation, bonus, and pension funds; whether the Statement which he has promised to make would have reference to all such claims, complaints and petitions; and if he can inform the House when he will be prepared to make that Statement?

Mr. STANSFELD, in reply, said, he informed the House the other night, in answer to the hon. and gallant Member for Harwich (Major Jervis), that he had every reason to expect that immediately after the Whitsuntide recess he should be prepared to make the annual statement on the Indian Army. As to whether that statement would have reference to all the claims and complaints made by officers of the Indian Army, he was afraid that that would be saying a good deal, for those claims and complaints were very numerous; but when he made the statement he hoped to be able to satisfy the House that such matters had had due consideration.

PROCEEDINGS AGAINST MR. EDMUNDS.

QUESTION.

Sir JAMES FERGUSSON said, he rose to ask Mr. Attorney General, Why the proceedings which he stated on the 6th of March, 1865, were about to be taken in order to recover from Mr. Leonard Edmunds "the balance of the sums alleged to be deficient" in his accounts have not been so taken; and, why the suit which it was intimated to Mr. Edmunds by the

Secretary to the Treasury in January last had been directed to be instituted in the Court of Exchequer has not been proceeded with?

The ATTORNEY GENERAL said, he must beg to explain that the delay had chiefly arisen from its being intended, until recently, to institute the proceedings in the Court of Exchequer, but the regulations of that Court having been altered with regard to matters of that kind under a recent Act, it had been thought, on further consideration, that there was no good reason why the proceedings should not be taken in the Court of Chancery, which had a better machinery for taking accounts. The information, accordingly, either had been already laid, or would be laid within a day or two.

Sir JAMES FERGUSSON said, he wished to know, whether the proceedings would be of such a nature as to allow Mr. Edmunds to offer any explanation or defence which might be within his power to all the charges preferred against him?

The ATTORNEY GENERAL: Of course he would have every opportunity of doing so.

ARMY—THE TROOPS AT HONG KONG.

QUESTION.

Mr. LOCKE said, he would beg to ask the Secretary of State for War, Whether the 20th Regiment (2nd Battalion) has been ordered, or whether it is the intention of the Government to order it, from Japan, where it is at present stationed, to Hong Kong, to occupy the quarters vacated by Her Majesty's 11th Regiment, in which great mortality had lately occurred, or whether it is the intention of Her Majesty's Government to send Native Troops to that station?

The Marquess of HARTINGTON said, in reply, that the 2nd Battalion of the 20th Regiment had received orders to proceed from Japan to Hong Kong, to relieve the regiment at present stationed there; but it would not be necessary that they should occupy the quarters vacated by the 11th Regiment, which had proceeded to the Cape. In March last orders were sent by telegraph to Ceylon to send four companies of Native Troops to Hong Kong as a temporary measure.

Colonel NORTH said, he would beg to ask the noble Lord, whether the order was accompanied by unlimited authority to General Guy not to act on economical principles, but to spare no expense in securing the health of the Battalion, and whether he is authorized to employ native watchmen, so as to allow the proper relief from duty?

The Marquess of HARTINGTON replied that orders were sent that the duties at Hong Kong should be diminished by the employment of native police or watchmen, and that under no circumstances were the troops to be kept too long on duty. With the barrack accommodation, and with the authority given to General Guy to hire proper quarters, there was every reason to believe that ample provision had been made.

TENANTS' IMPROVEMENTS IN IRELAND.—QUESTION.

Sir ROBERT PEEL said, he had a question to put to Mr. Attorney General for Ireland, which, as it considerably affected landed property, he might, perhaps, be allowed to preface with a brief explanation. The right hon. and learned Gentleman, when the Chief Secretary introduced his Bill to amend the law relating to the Tenure and Improvement of land in Ireland, said that it implied the consent of the landlord to specific improvements, and that it proposed to interfere in no way with the perfect freedom of contract between landlord and tenant. That was a clear and distinct statement. It had, however, been stated authoritatively by the organ of the parties who induced the Government to bring forward the measure that—

> "No landlord can defeat the claim of his tenant to compensation under the Act by a general contract not to improve, or not to claim compensation if he should improve."

And again—

> "A general agreement would be one in contravention of the policy of the Act, and would be voidable."

The question, therefore, he had to ask was, Whether the statement of the right hon. and learned Gentleman was the correct interpretation of the Bill; and whether by Clause 29 an owner will have power by means of a written agreement with the tenant to prevent him from executing all or any of the improvements mentioned in the 37th section of the Landed Property Improvement Act, 1860?

The ATTORNEY GENERAL for IRELAND (Mr. Lawson) said, he thought the clause alluded to by his right hon. Friend was clear and free from ambiguity. It provided that there should be no compensation for any improvements which the owner might prevent the tenant from making, or might compel him to make, by the contract. If, therefore, a landlord wished to control his tenant in making any improvements, he had only to introduce a specific clause into the lease or contract controlling or preventing him from making that particular improvement. If, for instance, he chose to prevent him from building a house, he had only to introduce a clause to that effect in the contract, and if the tenant, acting in defiance of it, did build, of course he could not claim compensation against the landlord. The right hon. Baronet had ascribed to him an observation which he did not think was quite correct, but that was the meaning of the clause. It did not, however, give validity to general agreements professing to bind the tenant to forego claims for improvements made by him under the Act.

Sir HUGH CAIRNS said, the question people in Ireland desired to know was whether, if an owner of landed property entered into a written contract with his tenant that as between them the provisions of this Bill should not apply at all, that would be valid under the Bill?

The ATTORNEY GENERAL for IRELAND (Mr. Lawson) said, he did not think that would be a valid contract.

ARMY—MILITIA—WAR OFFICE COMMISSION.—QUESTION.

The O'DONOGHUE said, he would beg to ask the Secretary of State for War, Why the recommendations of the late Militia War Office Commission have not been carried out; and whether it is the intention of the Government to carry them out?

The Marquess of HARTINGTON said, in reply, that the greater part of the recommendations of the Commission referred to by the hon. Gentleman had been carried out, and he did not know to which of them not carried out the hon. Gentleman referred.

THE BALLOT.—QUESTION.

Mr. MONK said, he would beg to ask the hon. Member for Bristol, Whether he intends this Session to bring forward his annual Motion in favour of the Ballot?

Mr. BERKELEY, in reply, said, he should deem it his duty to bring on the question of the Ballot in the course of the Session, but he should take care in doing so not to interfere in any way with the progress of the Government Reform Bill.

LOSS OF MERCHANT SHIPS.

QUESTION.

Sir JOHN PAKINGTON said, he wished to ask the President of the Board of Trade, Whether he intends to propose any change in the Tribunal prescribed by the Merchant Shipping Act for investigating the causes of the loss of Merchant Ships at sea, or in any other manner to provide increased security for the safety of passengers in passenger ships?

Mr. MILNER GIBSON, in reply, said, the subject referred to by the right hon. Baronet was under consideration, and a measure dealing with the question was in course of preparation; it would also contain some other Amendments of the Merchant Shipping Act. In the present state of public business, however, he did not think it very probable that such a measure would pass during the present Session.

PAYMENT OF CATTLE INSPECTORS.

OBSERVATIONS.

Mr. BONHAM-CARTER said, he rose to call the attention of the Vice President of the Committee of Council to the subject of the payment of Cattle Inspectors. The Cattle Diseases Act Amendment Bill of this Session, passed on the 23rd of last month, enacts by the ninth clause that no fee or other charge shall be demanded or paid for any certificate or licence under that Act, or any order or regulation thereunder. In many counties the local authority had before the passing of the Act authorized and promulgated schedules of fees payable by cattle owners to inspectors or other officials for certificates and licences. He wished to ask, first, Whether under the above clause such payments were forbidden and had become illegal? and next, whether the clause precluded the local authority from authorizing, under Section 8 of the Privy Council Order of the 24th of March, allowances payable from the county rate, calculated on items of work done by its officers, whether by granting certificates, or licences, or otherwise?

Mr. H. A. BRUCE said, in reply, that the clause applied only to the levying fees from persons applying for licences or certificates, or making declarations; but did not preclude the local authority from paying their inspectors by allowances for items of work done, instead of salary.

Mr. Berkeley

THE PANIC IN THE CITY.

QUESTION.

Mr. DISRAELI: I take this opportunity of inquiring of the Chancellor of the Exchequer, Whether there is any truth in the prevalent rumour that Her Majesty's Government have authorized any relaxation of the provisions of the Bank Charter regulating the issue of notes?

Mr. BAZLEY: The right hon. Gentleman has anticipated the question I intended to put to Her Majesty's Government; but I would also wish to inquire further, whether in the event of their not having already taken measures to afford relief the necessity for so doing is not deserving of their immediate consideration under existing circumstances?

Mr. BIDDULPH: I wish to ask the Chancellor of the Exchequer, whether he is prepared to relax the provisions of the Bank Act in the event of the Bank directors making a proposition to that effect?

The CHANCELLOR of the EXCHEQUER: In the first place, in reply to the question of the right hon. Gentleman opposite, I beg to state that there is no truth in the statement that Her Majesty's Government have authorized any step to be taken at variance with the provisions of the Act of 1844. In point of fact, they have not arrived at any decision upon the subject of the state of things which prevails in the City in immediate connection with the calamitous event announced yesterday. I may go further and say, that until two hours or two hours and a half ago no representation or formal report of any kind had reached me from the City upon the subject of the existing state of things; but for the last two hours and a half my time has been occupied in receiving information and statements, and, I may add, an important requisition from very influential persons connected with the City. I have seen many of the most influential and respected members of the body of the London bankers on the subject, and I have not yet had time to see, but I expect to see as soon as my engagements in this House will allow me to leave my place, a deputation regularly constituted from the joint-stock banks in London to the same effect. The purport of the statements made by them is that they conceive the state of panic and distress which prevails in the City to be without parallel in the recollection of the oldest men of business in the City of London. They suggest and desire that in some form or other relief should be afforded. But I am not yet cognizant of the actual state of affairs in the City, as it is exhibited from time to time by the accounts of the Bank of England, it being very well known that the reserve of the Bank of England constitutes the principal part of the disposable money of the country, and that it constitutes the stock which is immediately acted upon by any extraordinary demand for money. Before I take any steps in the matter, I should wish to know the precise course of events which have taken place at the Bank during the day; but in referring to the course of events at the Bank do not let it be supposed that I make the allusion as if it were possible to raise any question with reference to the position of the Bank itself. I merely speak of the events that have occurred at the Bank during the day as likely to guide us in the course we may adopt, because the Bank of England is, in reality, the mirror of the monetary state of the country, and from the the actual transactions of the Bank we obtain from day to day the most definite account of the condition of the money-market. The representations that have been made to me are of a general and partially indefinite character, while, at the same time, they are representations which, on account of the quarters from which they proceed, are entitled to the greatest weight and importance, and are entitled to the most anxious, careful, and, I may add, the immediate consideration of the Government. Possibly, in as short a time as that during which I have been occupied this afternoon, we shall have acquired very valuable information on the question by which we shall be guided in the course we may adopt. At the present moment I can only say that the condition of things in the City has our most careful and anxious consideration, and that we shall feel it to be our duty to bring the matter as far as in us lies to a wise and a prompt issue. The hon. Gentleman behind me has asked me whether we should consent to suspend the Bank Act in the event of the Directors of the Bank of England making a proposition to that effect. On that question I should wish to make this remark: in the first place, having stated our anxiety to proceed promptly with this matter, I think I had better not answer any question; especially any question relating to the hypothesis of a request by the Directors of the Bank of England, for I have not the least reason to suppose that any request from that quarter is likely to reach the Government.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SCOTLAND—POSTAL ARRANGEMENTS IN FIFESHIRE.—RESOLUTION.

SIR **ROBERT ANSTRUTHER** rose to call attention to the continued complaint of the way in which the Fife Postal Service is conducted, and to move a Resolution, and said he was sorry to say that, notwithstanding the complaints made to the Post Office authorities, there had been no improvement in reference to this matter. It was not until that morning that the Post Office authorities had thought proper to issue a circular explaining the reasons upon which they had acted. The Postmaster stated, in his defence, that he (Sir Robert Anstruther) regarded the negotiation as a mere dispute between the Post Office and the Railway Company as to terms; whereas it was, in fact, a question whether the Post Office could pay the sum demanded by the Company with due regard to the correspondence to be benefited; and he said that the correspondence was very small, and that the £2,000 a year which the Post Office offered was the very utmost they would be justified in paying, the Company having refused to make that alteration in the hours of the trains, which would alone justify their demand of a higher price. That could hardly be so, for £250 had been offered in order to secure other trains. In answer to this necessity for an alteration of trains he (Sir Robert Anstruther) could only say that he had posted a letter in Cupar, the county town of Fife, at half past eight o'clock in the evening, and it was not delivered in Edinburgh for twenty-four hours; whereas if the Post Office would only use the one o'clock train a difference of fifteen hours would be secured in the delivery of letters. He could not but think it a very hard case that the time of the House should be wasted in having these questions so frequently discussed, and that notwithstanding their frequent discussion no redress should be obtained. He thought the Return called for by the hon. Member for Hastings (Mr. Waldegrave-Leslie) sufficiently demonstrated the inconvenience suffered in Fife; and he had no doubt his hon. Friend would confirm him in what he had said.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the complaints which have so frequently been addressed to the Post Office authorities by the Commissioners of Supply and others in the County of Fife, deserve the prompt attention of that department,"—(*Sir Robert Anstruther,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. OLIPHANT, in seconding the Motion, said, he could fully confirm what had been said by the hon. Baronet as to the inconvenience experienced in the county of Fife. As Member for the county, he had constantly made complaints of the irregularities attending the transmission of letters.

Mr. AYTOUN said, that the despatch which was now asked for with reference to the conveyance of letters in Fife had, in the case of the borough which he represented, been granted, and the request with regard to the county which had been so long uncomplied with by the Post Office authorities was, he believed, a very reasonable one.

Mr. WALDEGRAVE-LESLIE said, that this matter might easily have been settled out of doors but for the unwillingness which the Post Office authorities displayed to accede to the reasonable request of the inhabitants of Fifeshire. At present letters arriving in Edinburgh at seven in the morning were detained until half past four in the afternoon, before they were sent on, and that letters posted in Fife and reaching Edinburgh the same evening were kept in the Post Office all night and not delivered until the following morning; and great inconvenience was caused to the inhabitants of the county in question, in consequence of a difference between the Post Office authorities and the Railway Company with regard to what was really a trifling sum. He denied the assertion made by the Post Office authorities that the correspondence of Fife was so very small. It happened that the population of the county was over 100,000, and the Fife mails were the largest out of Edinburgh, except those of Glasgow.

Mr. CHILDERS said, his remarks would be few, since the interest in the subject was entirely local and not at all interesting to gentlemen not living in that part of the country. The facts were these. There were two mail-trains which run every day from Edinburgh to Fife. The first went early in the morning, and took over the London mail which arrived in Edinburgh the night before—in fact, it took over the whole correspondence which arrived in Edinburgh and Glasgow on the previous evening—and that mail was forwarded to every town in Fifeshire. There was another mail which left Edinburgh at half past four in the afternoon, and took all the morning letters from Edinburgh and Glasgow to Fifeshire, and also took the Fifeshire letters to other places further North. Now, the House knew very well that two mail-trains a day was the ordinary allowance which gentlemen, who lived in the country, were accustomed to expect. But in the case of Fifeshire there was an additional train, which left Edinburgh between nine and ten o'clock in the morning, immediately after the London mail had arrived in Edinburgh, and took the letters brought by this mail to every important town in Fifeshire. From a Return which he had had carefully made out he found that of 8,000 letters which arrived in Edinburgh to be despatched to Fife, no fewer than 6,500 went on without any delay. The whole question, therefore, out of which the complaint of delay had arisen related to the remaining 1,500. It was, therefore, a question whether for the rate of this sixth or seventh of the whole correspondence that was sent to Fife there should be a third mail-train every day. The interim train at nine in the morning, he must explain, was not a mail-train, but was an arrangement made with the Railway Company, under which the 6,500 letters were forwarded. That, then, was the question with regard to the down mails. As to the up mails there were also two. These seem to run satisfactorily, and to carry the mails without complaint, except that it was stated that the up train from Fife in the evening arrived too late for the letters to be delivered in Edinburgh the same night. That, he apprehended, to be a question more for the consideration of Edinburgh than Fife, because it was admitted that the afternoon mail could not be accelerated; and, therefore, the question came to this—whether or not the whole of the correspondence of the other parts of the North to Edinburgh should be delayed for the sake of the comparatively small portion that came from Fifeshire? He now came to another point. His hon. Friend seemed to think that the Post Office could do as they liked with the Railway Companies—that if the Railway Companies declined to carry on the necessary service all that was to be done was to call upon the Railway Companies to do so, and if they refused, to go to arbitration and claim damages. That was not the law. There was no power of arbitration except in letters sent by the regular mail-trains fixed by the Post Office, where the Railway Companies were compelled to keep particular time. The Act was imperfect in that respect; and all he could say was that he hoped an occasion would arise when the operations of the railways with the Post Office could be put on a more satisfactory footing. With respect to those two trains to which attention had been called, he had taken care that the Post Office had been instructed to be put in immediate correspondence with the railway to ascertain distinctly on what terms they would give further facilities to the Post Office, both with regard to the intermediate down train, and, if necessary, with regard to an intermediate up train. If the result of the correspondence were not satisfactory, he could only say that he would do the best he could for the purpose of meeting the difficulties that had been complained of.

POST OFFICE SAVINGS BANKS AND ANNUITY OFFICES.—QUESTION.

Lord EUSTACE CECIL rose to ask the Government, Whether, having regard to the welfare and comfort of the labouring classes in agricultural districts, it is their intention to increase the number of Money Order Savings Banks, Annuity and Insurance Offices, now established in comparatively so small a proportion of the post towns of the United Kingdom? The noble Lord said, the value of those offices was fully admitted, and his object was to obtain an extension of the system, which had been found to work so well. According to the *Postal Guide* of April, 1866, there were something like 8,150 post offices in England and Wales, of which 2,000, or about one-fourth, had savings banks attached to them, one-eighth having insurance and annuity offices, and thirty-six being money offices only. In Scotland there were about 1,200 post offices, of which one-third had savings banks, about thirteen having money-order offices only, and, strange to say, although the Scotch people were notoriously provident and industrious, not a single annuity or insurance office was established in the country. In Ireland there were about 1,600 post offices, of which one-third had savings banks and five had money-order offices only; but not one annuity office existed in Ireland. In the division of the county which he had the honour to represent there were about forty post offices outside of the metropolitan district. The population was scattered and agricultural, but twenty-two out of the forty were neither savings banks, annuity, nor money-order offices, and only eighteen of the whole number were savings banks and annuity offices. It was universally admitted that it was desirable the poorer classes should be elevated, and in his opinion one of the best means to that end was the establishment of annuity and insurance offices and savings banks at post offices that provident habits might be encouraged. He was of opinion that those institutions were too few in number, and he trusted that in the absence of the Chancellor of the Exchequer one of the Secretaries to the Treasury would favour him with some information upon the subject; and he also expressed a hope that when the right hon. Gentleman next advocated the rights of the working classes he would consider the prayers of those who lived in the country, as well as of those who lived in the towns.

THE IRISH BENCH.—QUESTION.

Mr. BRYAN said, he rose for the purpose of asking the Chief Secretary for Ireland, Whether his attention has been called to the constitution of the Irish Bench, Law and Equity; and whether (considering the advanced age of some of Her Majesty's Judges), in the opinion of the Irish Government, its present condition is satisfactory and conducive to the due administration of justice in Ireland. But before doing so he said it would be necessary to trouble the House with a very brief statement of facts. The magnitude of the evil and a sense of public duty obliged him most reluctantly to call the attention of the House to the present constitution of the Irish Bench. Personalities were always reprehensible, but in the present instance it would not be possible for him to convey the subject to the House without indulging in them to a certain extent. He could assure the House, however, that he would do so with as much delicacy as the disagreeable nature of the case would allow. The first case to which he would call the attention of the House was that of the Lord Chief Justice of the Irish Court of Queen's Bench, a gentleman who was once an ornament to his profession, but whose waning intellect and bodily infirmity had rendered him unfit for the high judicial position which he now occupied. He found that as far back as 1856 the attention of the House was called to the infirmities of the Lord Chief Justice by Sir John Shelley, and in order to be accurate on the subject he would, with the permission of the House, read as much of his opening statement as bore upon the case in question. Speaking of Chief Justice Lefroy, Sir John Shelley said—

> "He would not go through the Irish Bench, but he would merely allude to three of those venerable men who had arrived at the longest period of life and service. The first was Chief Justice Lefroy. He was born in 1774, and was therefore (ten years ago) 82 years of age. He was called to the bar in 1797, and his infirmities were naturally and necessarily great, and if the Returns which he moved for were granted, it would be found that he was constantly obliged to have a substitute to perform his duty, who had to be paid out of the Consolidated Fund."

The House would therefore see that ten years ago its attention was called to the inefficiency of the Chief Justice; and even in the recent State trials which occurred in Dublin he did not preside; he did not occupy his proper and legitimate position as Chief Justice of the Queen's Bench. He did not wish it to be understood that he found fault with the Government selection, because the two gentlemen who presided on the occasion he referred to were known to do honour to the ermine. He, however, thought it was unfortunate and reprehensible when the Executive had upon particular occasions to appoint special Judges. Out of numerous cases which had come under his notice, he would refer to one only—the case which occurred at Tullamore, King's County. There a man was tried for the murder of Lieutenant Clutterbuck and found guilty; when it was, in the first place, found necessary by the law officers of the court to correct an inaccuracy in the commencement of the Judge's charge—he having stated that the clothes of the murdered man had been found upon the prisoner—though they were never found till after the culprit was hanged—and then, lo and behold, the Lord Chief Justice could not recollect the form of words used in pronouncing sentence of death. To obviate this difficulty, the words were written down for him in a large and plain hand; but then it was found that the Lord Chief Justice could not read them, and the right hon. Gentleman the Attorney General for Ireland had to stand beside his Lordship on the bench and repeat the words to him before he could pass sentence. He would now show the state of public opinion in Ireland, and read a few brief extracts from certain authorities in that country. The first ran thus—

> "The sight of one so aged placed upon the bench for the administration of justice is indeed affecting; and, while we pity the aged chief, we condemn the unkindness which conceals from him the feelings of the bar, the suitors, and the public."

The next one was as follows:—

> "It is not enough that the Judge should be capable of concentrating his attention during one part of a case, and be capable of following the evidence and the arguments through the remainder; the whole mind and strength of the Judge in full and sustained vigour are due to the public service, and this the public service has long ceased to have from the Chief Justice. Both civil and criminal cases are sent to the jury by him without reviewing the evidence, which he cannot remember, and of which he seldom takes a note."

The first extract was from a number of the *Irish Times* issued during the present year, the political opinions of which were identical with those of the right hon. Gentleman opposite (Mr. Whiteside), the Chief Justice, and his friends; while the other was from the *Dublin Evening Post*, an organ of the Liberal party in the country. The whole of the Irish press—with two exceptions, if as many—teemed with articles such as those from which he had read extracts. What, however, made more lamentable the inefficiency than if it had been exhibited by a puisne Judge was the circumstance that the weight of the business fell upon the Chief Justice in the after sittings; the records came before him, and there, as upon circuit, the Judge sat unaided. But the consequence of the present state of things was—as nobody knew better than the right hon. Gentleman the Member for the University of Dublin that every stratagem was tried by counsel and attorneys to avoid the Queen's Bench. It was now his duty to advert to another subject—that of the Lord Justice of Appeal. Some years ago the establishment of a Court of Appeal was considered to be necessary. It was a serious thing to take cases to the Upper House of Parliament, both on account of the distance and the expense, and also the poverty of the country; and about ten years ago a Court of Appeal was instituted, which consisted of the Lord Justice of Appeal, who sat conjointly with the Chancellor of the time being. That court was reckoned a very great boon at the time, and it worked well for some period. At length the intellect of the Lord Justice Blackburn gave way, and now the court was virtually a dead letter. As the Chancellor sat in the Court of Appeal, and appeals from Chancery came before him there, it amounted to appealing from the Lord Chancellor to himself. He therefore asked the House if a court which was at one time reckoned so great a boon was, through the incapacity of one individual, to become useless. The hon. Member then read an extract from what he designated to be a leading authority, asserting that

> "The scandal of judicial incompetency resulting from declining mental and physical power through extreme old age"

was not confined to the Court of Queen's Bench, seeing that the Lord Justice of Appeal was eighty-four years of age, and that his intellect was "only not altogether gone," and that what was intended to be one of the most valuable tribunals for reviewing the decisions of the Judges had thus become of little use to the country. He acknowledged there was some difficulty in producing provable facts in the case of the Lord Justice Blackburn, because, unlike the Chief Justice of the Queen's Bench, he never sat alone. The hon. Member then quoted another extract from the *Irish Times* in reference to Lord Justice Blackburn, which stated that his judgments were almost reduced to this form, "for the reasons stated I agree." He had no doubt that in the course of the evening the right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside) would rise and attempt to cast the veil of his eloquence over these receding shadows of a past generation. He would, however, remind the right hon. Gentleman that not even his vigorous eloquence could alter facts, and his large experience must have taught him how difficult it was to convince a jury when a client had no case. Notwithstanding the views which he had expressed, he would ask the right hon. Gentleman to contradict, if he could, this fact—that the notorious incompetence of Chief Justice Lefroy and Lord Justice Blackburn was the common and everyday topic of conversation in the Law Courts and clubs, and at every dinner-table in Dublin. What answer the Chief Secretary for Ireland, on the part of the Government, might give to this important question he did not know; but if, after the statement made by their Chief Law Officer, they refused to take steps to remove those veteran and incompetent Judges from the Irish Bench, the House, he was sure, must agree that it would be a disgrace to the Executive and an insult to the country. In conclusion he begged to ask the right hon. Gentleman the Chief Secretary for Ireland, Whether his attention had been called to the constitution of the Irish Bench, Law and Equity, and whether, considering the advanced age of some of Her Majesty's Judges, in the opinion of the Irish Government its present condition was satisfactory, and conducive to the due administration of justice in Ireland?

MR. CHICHESTER FORTESCUE: Without feeling it my duty to enter into the details to which my hon. Friend has alluded, and without taking any notice of his concluding remarks as to what Her Majesty's Government may think it their duty to do or say on so grave a matter as this, I will at once give the answer which I have to make on the part of the Government to the question which my hon. Friend has put to me. As a general proposition, there can be no doubt that there is an advanced time of life beyond which it can be scarcely within the bounds of possibility that a Judge can continue to fill his exalted station with advantage to Her Majesty's subjects or with dignity to himself. And if it were thought right to lay down any rule upon the subject, and to draw any line of age beyond which a Judge should not be permitted to occupy a seat on the bench, I think we should all agree that the line would be drawn short of the age of ninety years. But with respect to the cases in which my hon. Friend asks me for my opinion, I have this to say:—Her Majesty's Government think that the only constitutional course for them to pursue, if any action should be taken on the matter, would be not the expression of a mere opinion, but the adoption of a graver and much more serious course—namely, that of moving an Address from both Houses of Parliament to the Crown; a duty, or a possible duty, which would not differ in kind, though it would differ in degree, from the duty of any private Member of this House. If facts should be brought to the knowledge of Her Majesty's

Government distinctly proving a failure and miscarriage of justice in Ireland, in consequence of the advanced age or failing faculties of any Member of the Bench, Her Majesty's Government would not shrink from that responsibility. But short of the point at which that responsibility may arise, a question of which Her Majesty's Government must judge for themselves, they deem it their duty to abstain from expressing any such general opinion as they are invited by my hon. Friend to give.

Sir HUGH CAIRNS: I do not rise for the purpose of entering into any details, such as have been mentioned by the hon. Member who brought this subject under the consideration of the House. Of the details which he has given I am necessarily ignorant, and I should be sorry, therefore, to offer any opinion as to the accuracy or inaccuracy of the facts which he has alleged; but I cannot help asking the House to consider the character of the case put by the hon. Member, and, as it seems to me, the very great inconvenience, and I might almost say the great injury to the administration of justice, which must arise from bringing subjects of this kind in this manner under the consideration of the House. Let me ask the House to observe what is the proposition put upon our Notice paper, and which is understood in all parts of Ireland to form the subject of our debate to-night. The question put is whether, in the opinion of the Irish Government, regard being had to the advanced age of some of Her Majesty's Judges, the constitution and the present condition of the Irish Bench, law and equity, are satisfactory and conducive to the due administration of justice in Ireland? No names are mentioned, but a general insinuation is conveyed that the state of the Irish Bench, both at common law and equity, is unsatisfactory; and the House is asked to-night to enter into a consideration of the merits or demerits of persons whose names are not even mentioned, and who are not apprised beforehand of the facts to be brought forward which they or their friends in this House will be called upon to meet. What would be thought if some English Member were to put a notice of this kind upon the paper —a notice affecting the Lord Chief Justice, the Keeper of the Great Seal, or some other of the superior Judges of law or equity, and to drag their names before the public without notice and upon mere newspaper paragraghs? ["No!"] Yes, I

repeat it, upon newspaper paragraphs, which bear upon their face their own refutation. If there were truth and foundation in what has been stated it ought to be put before the House in the form of a distinct Motion, such as the right hon. Gentleman has referred to, and then, as a matter affecting the due administration of public justice, notice would be taken of the facts by the House. I speak with as great freedom as any one, and free from bias or prejudice upon this question. And, as the right hon. Gentleman has referred to the propriety, in a general point of view, of not having Judges upon the bench at very advanced ages, I will state candidly what my opinion is. I think it would be a question well worthy of being considered and determined in Parliament whether there ought not to be some age beyond which, as a general rule, Judges should not occupy their position on the bench. We have secured—and it is one of the highest ornaments of the Constitution — the perfect independence of our Judges, and we have further secured to them, by one of the wisest expenditures that this House ever agreed to, ample retiring pensions after a proper period of service. It would be well worth while, I think, to make those pensions claimable after a certain limit of age is passed. The right hon. Gentleman mentioned the age of ninety; I should be glad to see seventy-five assigned as the limit, beyond which no Judge should occupy a seat on the bench. I perfectly admit that after that age we have had some very excellent Judges. Providence has been so kind to some men that at seventy-five, at eighty, and long after eighty, benefiting by the great experience which they enjoyed, their natural sagacity became increased, and made them among the brightest ornaments of the Bench. But these are exceptional cases, and, as a rule, I believe the country would benefit by a limit of retirement, while the position of the profession would be improved. But there is another circumstance which operates very strongly with me in saying that I should like to see a general rule established. Observe how extremely invidious the task must always be of bringing before the public or the Legislature the position of a Judge who has remained upon the bench beyond the time when his natural capacity fits him for doing so. The persons naturally most conversant with the failing intellect and strength of the Judge are the persons practising before him; but they are the persons, of all others, with whom it would be a matter of delicacy to make a public complaint or to offer a public defence of the Judge before whom they practice; though I ought, indeed, to make some exceptions from such statements, for after the observations which we heard the other night from the Attorney General for Ireland, I must say the feeling of delicacy does not seem to prevail in the mind of the leader of the Irish Bar. I think, as I have said, that the question of age in public officers filling judicial situations should be made the subject of general enactment, and not of comment or criticism in particular cases. Particular cases have been mentioned to-night, and there is one which I have no hesitation in mentioning, because it reflects the highest credit upon the eminent person to whom I am about to allude. We have in this country also Judges of very advanced years, and I must say that some of them exhibit to this day proofs of the greatest physical and mental ability. One of these, the very eminent and distinguished man who fills the position of Judge of the Admiralty Court, was selected last year by the late Prime Minister as the Judge of all others in this country to whom one of the most important and arduous cases that have arisen of late years should be referred. I mean the case of the Banda and Kirwee booty. And I venture to say, though, owing to absence from the country, I was not a witness of it, the manner in which that case was conducted, and the close attention which he gave to the lengthened arguments which were addressed to him, reflect the highest credit on that learned Judge, and afford the most satisfactory proof of mental and physical ability on his part. At the same time, or nearly at the same time, the eminent Judge of whom I have been speaking was, by the selection of the Government, chosen to act as a member of the Capital Punishment Commission; and any gentleman who served upon that Commission will know how arduous was the undertaking and how great was the attention to the subject which it involved. Now the Lord Justice of the Court of Appeal in Ireland is about the same age as the distinguished person to whom I have referred; and it seems to me rather too much to assume that, because he has reached that age, it is impossible he can fill his position upon the bench properly. The hon. Gentleman stated that the Judge was a dead letter. [Mr. BRYAN: I said the Court was a dead letter.] Well the effect is about the same. I cannot bear personal testimony to what passes in the Court of the Lords Justices in Ireland, but we have constantly brought before the House of Lords appeals from that Court, and so far from there being a common form of judgment, in which Lord Justice Blackburn says he concurs with the Lord Chancellor, the fact is quite otherwise. Not more than two years ago there was a case in which Lord Justice Blackburn differed from one or two of his colleagues, and his opinion was confirmed by the House of Lords, in opposition to that of the other two Judges. The name of the Chief Justice of the Queen's Bench has also been mentioned. I can state from what has fallen under my own observation with regard to that eminent person, that not more than three years ago a great case connected with the salmon fisheries was tried before him in Dublin. A number of exceptions were taken to his ruling. They came to be argued in the Court of Exchequer Chamber in Ireland and the decision of the Judges was this:—Two of the Judges of the Exchequer Chamber agreed with the Lord Chief Justice; all the other Judges differed from him. An appeal was brought to the House of Lords. The English Judges were summoned. They were unanimous, and the Law Lords were unanimous, in favour of the opinion of the Lord Chief Justice of the Queen's Bench in Ireland. I have very recently read in one of the public papers a report of a trial for bigamy in Dublin, and the question arose as to the effect of a man's going through the ceremony of marriage, being a Protestant, before a Roman Catholic priest. The prisoner was convicted in the first instance, but on an appeal to the Court of Exchequer Chamber the majority of the Judges acquitted him. The Lord Chief Justice of the Queen's Bench was among the majority, and I had the pleasure of reading a very elaborate and convincing judgment from his Lordship, in which he seemed to have led his learned brethren by the cogency of his arguments. Therefore it is really a little too much, it would be fatal to the independence of the Judges in any country—I say, moreover, it must be very injurious to the administration of justice and to that respect which we all desire the judicial office should have in the eyes of the public, to bring forward charges of this kind, which, when traced out, seem to rest on no proper grounds, and which are directed against individuals who (however great the wonder, seeing their advanced age) still appear to possess their faculties to the fullest degree. I do not say one word about the trial in question, of which I know nothing. I was very much surprised to hear the Attorney General for Ireland make the statement he did the other night. Far be it from me to question the accuracy of it; but the statement is at least different from that which has been made by some of the jury and counsel who were present on the occasion. They give a very different version of the subject. I venture to say on the general question, however proper it may be for this House to consider whether some universal rule should be applied to the age at which Judges should not continue to fill judicial appointments, it is highly injurious, in a general conversation of this kind, to make charges against individuals as to whom no distinct and specific Motion is made in the House.

Mr. MAGUIRE: Sir, I desire to afford the right hon. Gentleman the Member for the University of Dublin an opportunity of replying in this case; therefore I rise to continue the discussion. However the Motion or question of my hon. Friend the Member for the county Kilkenny may have excited the surprise of the hon. and learned Member for Belfast, in my opinion my hon. Friend has done a great public service in bringing the subject before the House of Commons. I can make every allowance for the reserve under which the Secretary for Ireland is bound to act in reference to a matter of this nature, and I know how difficult it is to bring the Government to the point of asking the interference of Parliament with regard to any one of the Judges of the highest tribunals of the land. But private Members are under no such reserve; and if no private Member could be found to speak the truth boldly on this or a similar question, injury to the public interest would be the necessary result. In the statement made by the hon. and learned Member for Belfast with respect to Chief Justice Lefroy, the hon. and learned Gentleman no doubt relied on what he believed to be the best information. On the general question, I very much agree with the hon. and learned Member for Belfast; and had he not made the suggestion which he has done, it was my intention to have done so. The hon. and learned Member for Belfast expressed the general opinion of the House —certainly of the Irish Members, so far as I know—when he said that there should be some fixed limit beyond which a Judge should not continue to sit on the Bench. This is surely a fitting subject for inquiry; and it may be fairly left to the consideration of a Select Committee of this House to decide, not as to this particular case of Chief Justice Lefroy, but as to the age beyond which Judges should be held incompetent from physical causes to discharge their judicial functions. My hon. Friend the Member for Kilkenny has truly said that the incompetency of the Chief Justice is the subject of conversation at the Bar, in the four Courts, and at private tables in Dublin. It has been, I can truly state, the subject of conversation and comment amongst the profession in Cork, and the mercantile community of that city; and so far from its being limited to the present time, I believe it has been spoken of for the last ten years. And, Sir, if a Judge of the highest tribunal of the country be incompetent, from age and infirmity, or from any cause, to discharge the duties of his office, I ask, is not that one of the very subjects which it is right to bring before the House of Commons. I desire to bring this matter to a test. I would ask the right hon. Gentleman the Member for the University of Dublin to stand up at that table, and declare in the presence of this House, that he believes the Chief Justice thoroughly competent to discharge the onerous and responsible duties of his high office. I ask him, will he pledge himself to such a statement by his professional character in Ireland, and his position in this House? No man knows the facts of the case more fully than he does, and I now challenge him to give a distinct answer to my question. Eight years ago, when Lord Derby was in office, there was an attempt made, as I understand, to remove Chief Justice Lefroy from the Bench, and place another in his stead. I have been told—indeed it has been since then a matter of common gossip—that the Chief Justice would have resigned on that occasion, but that his probable successor was not personally pleasing to him. The Chief Justice had conceived an unwarrantable prejudice against one of the most distinguished members of the Irish bar, who would have adorned that high position by his eloquence, his learning, and his character. The Lord Chief Justice was then eighty-four. Has he improved in mental and physical vigour in 1866, when he is ninety-two years of age? If it were considered right and prudent to replace this venerable Judge in 1858, when he was eighty-four, is it right and prudent to retain him in the same position in 1866, when he is ninety-two? The Bar of Ireland are unanimous on the subject. I do not much care for the statement of Mr. Battersby, which was relied on in the debate in the other House of Parliament. I have not the honour of knowing Mr. Battersby, nor do I know whether there are two Battersbys at the Irish Bar; but I have been assured that one Mr. Battersby has frequently made the incompetence of the Lord Chief Justice of Ireland the subject of free remark and of very lively description. We are asked to respect the Judges on the bench, and to maintain inviolate the independence of our judicial tribunals. Sir, I hold the complete independence of our Judges to be one of the noblest features of the British Constitution, and one which we should most jealously cherish and defend; but is it not a grave public scandal that a Judge should continue on the bench after he has reached an age when, according to all human calculation, he is necessarily incompetent to the discharge of his judicial functions? There is an authority which may be taken as final and conclusive in this case. Mr. Napier has written a letter with reference to the Chief Justice, which has been quoted in the other House. I only refer to a single sentence in that letter, and I maintain that that single sentence, coming from so eminent a person, forms a complete justification of the course which has been taken by my hon. Friend the Member for Kilkenny. Mr. Napier says—

> "It is quite true that the Lord Chief Justice is no longer young or vigorous enough to deal with lengthened or complicated cases."

Let me ask, are the parties litigant to abbreviate and simplify their cases before they can, according to Mr. Napier, hope to have them properly tried before the Chief Justice of the Court of Queen's Bench in Ireland? How, I ask, in the face of such an opinion, will the right hon. Gentleman the Member for the University of Dublin explain or justify the further retention of Chief Justice Lefroy in his present position? I shall give a case exactly in point, to vindicate the accuracy of Mr. Napier's damaging description of the physical and mental capacity of the first Judge of the highest tribunal in Ireland. I do not publicly give the name of my informant, who has freely communicated to me on this subject, but I am quite willing to mention his name in confidence to any gentleman; and I shall only say that he is a rising man at the Irish Bar, and a gentleman of undoubted honour, personally known to me for many years. I do not mention his name publicly, for an obvious reason—Judges are, after all, but human and fallible as ourselves—and we are fallible enough in all conscience; and a Judge may not be altogether prejudiced in favour of the barrister who has spoken the truth in reference to his fitness or capacity. A long and complicated case came lately—within a few days, or weeks at furthest—before the Chief Justice. It was just one of the cases described by Mr. Napier in his letter. It was that of Megare against Pim, brought by some foreign merchants against a Dublin firm. Fifteen issues were involved, and several thousand pounds were at stake. Now, I have been informed, not alone by the gentleman to whom I have referred, but by others, that nothing could exceed the exhibition of incompetency, confusion and imbecility on the part of the Chief Justice. That venerable functionary was wholly unable to instruct the jury, and the jury were utterly bewildered, not only by the complication of the case but by the incompetency of the Judge. Again, on circuit, a short time since, the first witness in a case was under direct examination when the Chief Justice actually began to address the jury as if the case had closed! Then, as to the wonderful judgment in the celebrated marriage case, on which we are asked to believe the Chief Justice to be in full possession of his faculties; I have been informed, by two barristers, that that judgment was not delivered at all, but that it was sent to one newspaper, and copied from it into the other Dublin newspapers. By those who were in Court on that occasion I am informed that the exhibition of the Chief Justice, so far from being remarkable for mental vigour, was on the contrary one of utter feebleness and confusion. Moreover, on the same day, there was another case—that of the "Queen *v.* Steins"—in which, as the court were unanimous, it became the duty of the Chief Justice to deliver judgment; but, after mumbling a few words, as if he intended to grapple with the propositions involved in the issue, he stared wildly in hopeless confusion of intellect; then, in a moment or two after, lurched forward, and simply said, "Judgment affirmed." Not another intelligible word was uttered by him in this case—on the day, too, when we are told he had delivered so splendid a judgment in the celebrated bigamy case. Were it necessary, I could at once mention half-a-dozen other cases in proof of the utter breakdown of his mental powers. Then as to the trial of the murder of Lieutenant Clutterbuck. I received this day, from a gentleman in Ireland, a newspaper containing a long vindicatory article in favour of the Chief Justice, in which his entire address to the jury in this grave case is given. Here is this address, consisting of a few sentences, in which there are a few legal platitudes—bad in law, as I have been assured; and the only reference to the evidence in this important case is a mere casual allusion—a statement that it had been proved that the clothes of the murdered man were found on the accused, whereas nothing of the kind had been proved, or had really happened. If the manner in which the venerable Judge has tried this case is the best vindication that can been made for him, then it goes a very little way to prove his continued fitness for his most responsible position. What, indeed, can possibly be expected under the circumstances? *The Times* has summed up the whole matter in one sentence—"The Chief Justice is ninety years of age." There is a slight error here, for he is really in his ninety-second year. The true state of the matter is what I am about to describe on the authority of several men of the Irish Bar, who are at this moment in the active practice of their profession; and I appeal to the right hon. Gentleman the Member for the University of Dublin whether what I state is not the literal fact. From the time the Chief Justice goes into court until half past twelve or one o'clock, his faculties are marvellously bright; but about that hour nature asserts her supremacy, and the poor feeble old man sinks and droops, and the intellect that was bright and strong a short time before becomes like so much wool; and from that moment he is thoroughly incompetent to grasp the details of a case, or grapple with any question involving minute facts, complicated circumstances, or subtle arguments. The Chief Justice has been described as a venerable ruin, but we do not want venerable ruins on the bench of Justice; venerable ruins are very picturesque, but we like to see them removed from active life. Again, it is said that the Judge displays at times grand flashes of intellect. Aye, but those grand flashes of intellect are merely like the flashes of an expiring lamp before the utter extinction of its light. Sir, it is a melancholy thing to have this question dragged before this House; but the blame of bringing it forward is not due to my hon. Friend, but to those who do not urge this venerable man to withdraw from the bench which for so many years he has adorned and dignified, and seek the retirement which befits so awfully advanced a period of human life—when he is trembling on the very brink of the grave, and so soon to stand in the presence of that greatest of all tribunals. The hon. and learned Member for Belfast said that numbers of cases were brought before the Chief Justice—which statement was made in proof of the efficiency of that Judge. But what is the fact? On the 9th of this month there were seventeen cases in the *nisi prius* list of the Queen's Bench; and of that number but three—two of them being of a paltry nature—were tried, all the others being withdrawn, because neither the solicitors nor their clients would risk questions affecting property before a Judge whose age and failing powers rendered him incompetent to deal with them successfully. Whatever may be the result of this discussion, I hope the wise suggestion of the hon. and learned Member for Belfast will be taken up by the Government, and that they will have the courage to propose a Select Committee in order to deal with the whole question as it affects the Judges generally. I now conclude by again challenging the right hon. Gentleman the Member for the University of Dublin to declare whether he does not know the opinion of the Irish Bar to be that the Chief Justice ought no longer to remain on the bench—and whether he himself has not expressed that opinion? I have spoken in this painful case, not in the interests of lawyers or parties—for it is one far above the scramble of lawyers for place, or the contentions of parties for the exercise of patronage; but in the name of the public at large, whose dearest interests are involved in the question of the fitness and competency of the Judge who is to try questions of property, of liberty, and of life. I have so spoken to this House, for I feel it to be my duty not to shrink from the statement of the opinions I hold on so grave a matter.

SIR GEORGE GREY: After the answer that has been given on the part of the Government by my right hon. Friend, and after the temperate speech that has been delivered by the hon. and learned Member for Belfast, I hope this question may be allowed to drop. I entirely agree with my right hon. Friend in the opinion that he has expressed, that it is scarcely possible that a Judge, at the very advanced age of ninety-two, can discharge the onerous duties which necessarily press upon a Judge, and especially on the Chief Judge of one of our Courts of Justice, with that efficiency and vigour of body and mind which characterized him at a former period of his life; but, at the same time, I entirely agree with the hon. and learned Gentleman that it is most undesirable, as long as a Judge is seated on the bench, and administers justice, that his infirmities should be brought before the House in the present irregular manner. My right hon. Friend has declined, on the part of the Government, to express an opinion in answer to the question that has been addressed to us, because the law has pointed out modes in which, if there is any failure in the administration of justice, redress may be obtained. The hon. and learned Gentleman has said, and said truly, that the law secures the independence of the Judges. He also said, with equal truth, that in order to prevent their being induced to remain on the bench longer than it is for the interest of the public they should do, an ample and liberal pension after a certain period is granted. But the law has done more than that. It has pointed out the mode in which, if there is failure in the administration of justice, from whatever cause, affecting any Judge, both Houses of Parliament may address the Crown to remove that Judge from office. I say, therefore, that if the facts are as stated it will be for hon. Gentlemen to consider if they will not adopt that course; but if that is not done the matter ought not to be brought into discussion in this House in an informal way, but ought to be brought forward in a legal and constitutional manner, with a view to redress. I do hope we shall not be asking questions as to alleged facts, and reading extracts from newspapers in regard to the conduct of Judges, but that we shall abstain from doing anything which can lower the dignity of the Bench; and that we shall fearlessly and firmly take that course, if the circumstances should require it, which the law and the Constitution provide. I have only one word more to say. While I fully admit the temperate tone in which the hon. and learned Gentleman (Sir Hugh Cairns) addressed the House, and while I regard his suggestion as a good one, though without binding myself to any precise limit of age at which a Judge ought to be compelled to retire, I must say that he did not speak in the same spirit of fairness with respect to my right hon. Friend the Attorney General for Ireland. On the former occasion to which reference has been made, my right hon. and learned Friend expressed to me his great regret that such a question had been put on the paper, and I know that he did his utmost to induce the hon. Member to withdraw it. [Mr. Bryan: That is quite true.] The question, however, being put, and involving, as it did, only a question of fact, my right hon. and learned Friend felt bound to state the facts as they had come within his own knowledge. I do not know what other course he could have taken than answering briefly, and without expressing any opinion, as to a fact within his personal cognizance. I am sure the hon. and learned Gentleman opposite is the last man to wish to do an injustice to my learned Friend, who I know felt himself bound, with great reluctance, to answer a question which he regretted had been put.

Mr. WHITESIDE: The hon. Gentleman who asked this question, and the hon. Member for Cork having pointedly appealed to me, I feel bound to state my view of the matter. I could not have thought it possible that any one could be found to repeat again the story with respect to the trial of Lieutenant Clutterbuck's murderer. It appears that the relatives of the unfortunate gentleman who were present at the trial have testified that justice was administered on that occasion with the strictest impartiality. I will read one of these testimonies—

> "Charleville Forest, Tullamore,
> "May 10, 1866.
>
> "Major Bury presents his compliments to Mr. Lefroy, and, in reply to a telegram just received, begs to state that he was present on the occasion of the Chief Justice passing sentence of death on the prisoner King last August at Tullamore, and he believes that any hesitation on the part of the Chief Justice in passing sentence was only caused by the darkness of the court, and the frequent interruptions which took place."

The writer of this is a gentleman of high position in the country. One of the jury has since written a letter, from which I will quote a sentence, as it is a complete refutation of absurdities which have been put in circulation—

"THE LORD CHIEF JUSTICE.

"To the Editor of the *Daily Express.*

"Sir,—I observe by your paper of this morning that the Attorney General is reported to have stated in the House of Commons that the account of the Lord Chief Justice's conduct on the occasion of the trial of King for the murder of Mr. Clutterbuck, as related lately by Lord Clanricarde in the House of Lords, was substantially correct. Now, sir, having been one of the jurors in the case, I think I can bear testimony to its incorrectness, especially with regard to his (the Judge's) charge to us, the jury, which, although very brief, was extremely lucid. That the evidence had been very thoroughly impressed on our minds in the course of the trial must have been manifest to all the Court, but the prisoner's counsel having urgently argued against the credibility of some of the witnesses, his Lordship, in the clearest manner, informed us that we were bound to believe the oath of every competent witness, unless some good reason were proved for our not doing so; and as counsel for the crown had conceded the privilege of the 'last word' to the prisoner, he most properly stated that he would not weaken that advantage by any observation of his; indeed, the evidence was so clear and overpowering that it was quite unnecessary to review it. A point had been raised by counsel, which, if valid, would have necessitated a direction to acquit, and a judgment of Chief Baron Joy's was cited in its support; this judgment the Attorney General met by his unsupported assertion that the work in which it is published is one of no authority; however, there it was, and the Chief Justice, in the most graceful manner, said he would be guilty of greater presumption than he hoped he ever should be were he to rule on his own single opinion against that of such an eminent Judge; so that, although decidedly differing with it, he would reserve it, particularly as it was such a very serious case. We all know that the result was that the Chief Justice's judgment has been affirmed, and I cannot but think that such a circumstance, occurring at the end of a long and fatiguing trial, showed evidence of great clearness of mind. Not having remained to hear the sentence, I do not know what may have occurred; but, considering that the court was lighted only by a few tallow candles, although it might, were it not for the parsimony of the grand jury, have been brilliantly lighted by gas, it cannot surprise any one that some difficulty should have been found in reading. Hoping I may not have trespassed too far on your space, I am, yours, &c., "ONE OF THE JURY.

"May 4."

It is quite necessary to ascertain what the real facts of the case are, and I insist that if the hon. Gentleman has the slightest idea of fairness and justice, he will move for the Returns which I will point out to him. I have this day received a newspaper from the King's County containing what professes to be a reprint of the charge of the Chief Justice to the jury, and presuming it to be accurate, I never read a more rational and judicious charge in a case involving capital punishment. It has been asserted that the Chief Justice misunderstood a portion of the case in pronouncing sentence, and the hon. Member urged that a Judge who committed such a mistake ought to be brought under the notice of the House of Commons. What would the hon. Gentleman say supposing a Judge not having an almanac with him, sentenced a prisoner to be hanged on a Sunday? Yet such a case has occurred. It was an accidental error, and when the Judge who committed it returned to his lodgings and discovered it, he went back to court, recalled the prisoner, and sentenced him to be hanged on the Monday, and yet his incompetence was not thought so great as that the matter should be brought before the House of Commons. In the present case the prisoner's counsel relied upon a flaw in the indictment. which arose as follows:—The alleged murder was committed within 500 yards of the boundary of a county, and the counsel for the prisoner contended that the indictment should have set forth the fact that the murder did not take place in the county in which it was tried, but 500 yards outside of its boundaries. The incompetent Chief Justice said that he did not think there was anything material in the point, but that he would reserve the question for the Court of Appeal. Had he been a man of weak mind he would at once have given the prisoner the benefit of the doubt, and the assassin would have escaped. Many Judges in similar circumstances might have ordered an acquittal. In one case which I recollect, a Judge of competent ability, in sentencing two prisoners to be hung, forgot the order that their bodies should be buried in the gaol, and the prisoner's counsel eventually got them off on the ground that the sentence was informal, and Lord Denman, in alluding to the occurrence in a letter, said that he had himself been guilty of a similar mistake, and that the prisoner's sentence had consequently been commuted. In another case, Justice Perrin sentenced a man to an imprisonment to which he was not liable. Were not these mistakes equally culpable with that of the Chief Justice?—and yet we never heard of any outcry being raised against those Judges. At the instigation of the Chief Justice the Judges met in the long vacation as a Court of Criminal Appeal to hear the question reserved at the trial argued, and over that court this incompetent man presided. The Judges of that court, with one exception, held that the decision of the Chief Justice was right, and the convicted prisoner suffered the punishment of the law. Does any one impute that this learned magistrate has ever decided corruptly? ["No, no!"] I did not suppose you would say "Yes." It has been asked whether it is not a notorious fact that attorneys shun the Court of Queen's Bench. From my own knowledge I can state it is exactly the reverse. The competency of that learned Judge would contrast favourably with that of many of the younger Judges on the bench of Ireland, or even of England. His decisions have rarely been reversed, and in many instances where the majority of the common law Judges of Ireland have overruled his decisions, those decisions have been upheld by the House of Lords. I recollect in one instance being at Cork nine days while the Judge disposed of a case which the Chief Justice would have disposed of in a day and a quarter. If the amount recovered in a court be taken as an index of the quantity and importance of the business transacted by it, taking the official Returns for the last two years, I find that the amount recovered in the Queen's Bench in the year 1864 was £345,740, and for 1865 was £445,000, or more than double that recovered in any other court, and this in the year that the hon. Gentleman has been rashly advised by an unscrupulous partisan to select for making his accusation. There is an Act of Parliament which enables the Lord Chief Justice to call to his aid puisne Judges to try some of his causes, if he find the list too heavy for him. Let the hon. Gentleman move for a Return, and see if a single sixpence has been expended in obtaining the services of a substitute under this provision of the law. I assure the hon. Gentleman that the case is entirely the other way, and that this Judge has not found it necessary to resort to a practice which has found favour with other Judges. He, indeed, has rarely or never done it. When the hon. Gentleman ascertains how much truth the statements which he has made to-night contain, he will, I am certain, never repeat them. It ill becomes the hon. Gentleman to quote at second-hand observations made by persons who would hesitate to make them publicly, and would in any case find considerable difficulty in substantiating them. But at what time was this charge first made? It was on a day when a leading journal characterized the Lord Chief Justice as "decrepit," and I believe "senile;" and in the same paper appeared the report of the judgment which the hon. Gentleman the Member for Cork asserts was never delivered by the Lord Chief Justice. Now, on that point I take issue with the hon. Gentleman, and I do not hesitate to say that it is a pure fiction, invented by some person who has induced an honourable man to repeat it here. I happen to know the facts. It was a question of bigamy to which that decision related, which had puzzled several of the Judges in Ireland. There was a difference of opinion among the puisne Judges upon the case, and they desired to have the benefit of his assistance. It was argued over again in his presence, and his judgment not only decided the question, but in my opinion decided it rightly. That judgment was reported, and no doubt read very well. The last time I had the honour of seeing the Chief Justice was at the dinner-table. There was cheerful conversation, good wines, and pleasant society, and all the manners of an old gentleman as wide awake to everything passing in the world as the hon. Member himself. When I came here this evening I thought the hon. Gentleman would confine himself to the case of the Lord Chief Justice, but he has also referred to the Justice of the Court of Appeal, whose intellect he said was giving way. Now, I believe that a more fresh, active, intelligent, lively gentleman in conversation and temper, and a man of more eminent distinction at the Bar, never held the office which he holds. I am perfectly willing to admit that the judgments of the Masters in Chancery and of the Judges of the Landed Estates Court have generally been confirmed. Indeed, I made use of that argument myself the other day in discussing a Bill relating to Chancery matters, and in support of the present system I referred to few judgments reversed, as showing the excellent character of the decisions given. The hon. Gentleman says he is surprised that a man of such great age should retain, in the manner which is stated to be the case, his great powers of mind and body. I had not very long ago an opportunity of conversing with Lord Lyndhurst, and found that his recollection of facts and circumstances were as strong as it would be in a man of forty. Only lately I have received three letters from members of the Bar. I am informed that the Lord Chief Justice takes his place on the bench regularly every morning, that he was never more vigorous than during the week when his capacity was being questioned in this House, and that his decisions were characterized by marked ability and justice. Indeed, in reference to these two latter qualities the Lord Chief Justice was made the subject of high encomium by a much younger man—the Chief Justice of the Court of Common Pleas. The other Judges rightly defer to his judgments, because—and I say it without hesitation — they are always the best. I assure the hon. Gentleman the Member for Cork that in repeating the rash stories in circulation he has not acted with his usual discretion and judgment. If he can prove his assertions, I challenge him to bring them forward properly and to adopt a constitutional course. It is absurd to say that a man is incompetent merely because he his old. In one of his latest judgments the Chief Justice was not only clear but sarcastic. The judgment was described as being as pointed and pithy as any judgment that was ever delivered. It might as well be said that Titian had lost his genius in his age, that Radetski could not win a battle, that Lord Lyndhurst was a fool, as that the Chief Justice was unfit for his position on account of his age. The fact is that one man fails at sixty; another reaches a far greater age—blessed with a good conscience and having led a happy, wholesome life—body and mind remaining in full vigour to an age greater than that allotted to ordinary mortals. This should be a ground for gratitude to the Author of our being, and it is unjust to make it a ground of attack on a learned Judge. I may say, with reference to the statement, that the clerk of the court had to furnish the Lord Chief Justice some short time since with the words of his judgment, that, on the authority of the clerk himself, the matter which he handed to the Lord Chief Justice contained simply the legal formula, which he had handed up to the Bench not on that occasion only, but in every similar case for the previous twenty years. I say there have been many questions referred to his judgment, and that the opinion he has expressed upon them have stood the test of appeals to the House of Lords. I should be glad if I were put right if my impression is wrong, but I believe that, although many of his judgments have been taken to the House of Lords, none of them have been reversed. Recollecting, then, who is the person accused, and who, with all respect to him, is the accuser, and what is the subject-matter of the accusation, I hope the House is satisfied that the particular matter referred to is unsupported, and that, with every respect to the hon. Gentleman, he has fallen into a grave mistake in bringing this matter before the House on a second occasion.

Sir ROBERT PEEL: I only rise to say one word with respect to the Motion of the hon. Member. There is no doubt that when he first proposed to offer his Motion to the House he intended only to refer, as far as I can gather, to the Lord Chief Justice; but he has now seen fit, it appears, to add the name of the Lord Justice of Appeal. It is in his name that I wish to say one or two words bearing upon the question. I concur with the right hon. Gentleman who has said it would be better if definite cases were fixed upon in which it could be shown that the Lord Justice of Appeal had in any way failed to do his duty. That should be made a substantive Motion for an Address to the Crown, in order that the matter might be fully considered; and if anything was brought home to the Judge in question, he would then be properly removed from discharging the duties of his office. The hon. Member for Cork said he could produce numberless instances of a failure of justice on the part of the Lord Chief Justice and of the Lord Justice of Appeal. I am surprised—

Mr. MAGUIRE: I rise to explain.

Sir ROBERT PEEL: I will let him explain afterwards.

Mr. MAGUIRE: I must explain. I rise to a point of order.

Mr. SPEAKER: The case must be decided in accordance with the rules of the House and of debate. The right hon. Baronet is in possession of the House. If he chooses to give way, he can do so; otherwise the hon. Member must reserve his explanation until the right hon. Baronet resumes his seat.

Sir ROBERT PEEL: I think the rules of the House conform to the manner of my proceeding. The hon. Member can rise when I sit down, and correct any statement which I may make; but he has no right whatever to interrupt me while I am speaking. And the House will bear with me when I express my opinion upon what he has just submitted for our consideration. He said that, according to the gossip of eight years ago, the Lord Chief Justice would have withdrawn from the Bench if his successor had been agreeable to him. It is too bad for an hon. Member representing an important constituency such as Cork—and he takes good care to tell us every time he speaks that he represents the important constituency of Cork—I say it is too bad of him to get up and make a statement of that kind which he knows is perfectly unfounded.

Mr. MAGUIRE: I rise to order, and I claim your protection, Sir. I wish to know whether any Gentleman in this House is allowed to say of another Gentleman that he has stated that which he knows to be unfounded? If such a statement were made outside of the House a very un-Parliamentary reply would be made to it.

Mr. SPEAKER: The right hon. Baronet must be aware that to assert that an hon. Gentleman makes a statement which he knows to be unfounded is going beyond the Parliamentary limits of debate.

Mr. MAGUIRE: I must ask the right hon. Baronet, Sir, to retract that assertion.

Sir ROBERT PEEL: The hon. Member stated, and it must be within the knowledge of the House, that he reported the gossip of eight years ago. That statement I will not retract.

Mr. SPEAKER: The right hon. Baronet has transgressed the rules of debate, and he is called upon to explain or withdraw the statement.

Sir ROBERT PEEL: I want to know what statement I am asked to withdraw?

Mr. SPEAKER: The right hon. Baronet has stated that the hon. Member has made a statement which he knew to be incorrect [An hon. Member: "Unfounded"]; which he knew to be unfounded; so saying, he passed the authorized limits of debate.

Sir ROBERT PEEL: Perhaps I may be allowed to say that what I said was this:—The hon. Member said, repeating the gossip of eight years ago, that the Lord Chief Justice would have withdrawn from the bench if his successor had then been agreeable to him. I say that is a statement which is wholly unfounded; and I defy the hon. Member to prove that statement.

Sir GEORGE GREY: My right hon. Friend will, I am sure, after the intimation which has fallen from the Chair, retract the statement which he made. He surely did not intend to impute that the hon. Member made a speech which he knew to be unfounded.

Sir ROBERT PEEL: I beg respectfully to say that I must decline to withdraw what I then said.

Mr. SPEAKER: The right hon. Baronet should understand that the hon. Member for Cork does not object to the assertion that the statement was unfounded, but that the right hon. Baronet had said that the hon. Member had made a statement which he knew to be unfounded. That is the representation, and that is the point which I pronounce to be un-Parliamentary.

[This expression of opinion was followed by a pause of a few moments, during which the right hon. Baronet put on his hat. The act was followed by repeated cries of "Chair!"]

Mr. SPEAKER then said: The right hon. Baronet has now been called upon by the House to apologize after having made a statement which passes the proper limits of debate. The right hon. Baronet has heard what the statement is. The right hon. Baronet has said that the hon. Member for Cork has made a statement which he knew to be unfounded. That statement having been objected to and a point of order raised, I must, in the discharge of my duty, call upon the right hon. Baronet to make an apology, or retract the words which are objected to.

Sir GEORGE GREY: The intimate knowledge I have of my right hon. Friend will not permit me to doubt for a moment that he will show full deference to that expression of opinion from the Chair; but perhaps I may be permitted to say that I am afraid my right hon. Friend does not understand the point in issue. He is perfectly at liberty to contradict the statement made by the hon. Member for Cork, but he is not at liberty, according to the ordinary rules of debate, to impute to the hon. Gentleman that he wilfully made a statement which he knew to be untrue.

Mr. WHITESIDE: I think I may be able to point out how the difficulty has arisen.

Mr. SPEAKER: The right hon. Gentleman may speak to the Question of Order.

Mr. WHITESIDE: The hon. Member for Cork, as I took it, repeated certain stories current among professional persons, some retail talk, in fact; and I think the right hon. Baronet has fallen into the mistake of supposing that the hon. Member had mentioned those stories as if they were within his personal knowledge.

Sir ROBERT PEEL: That is exactly the point. I am quite willing to admit that I meant to infer that the gossip which he of course had listened to eight years ago was unfounded. I do not mean to say that the hon. Member was making what he believed to be an unfounded statement. I said that of the gossip of eight years ago. [*A laugh.*] Hon. Gentlemen may laugh; but that is really what I said. I have often had occasion to explain what I may have said. I believe the hon. Gentleman has given credit to gossip which was wholly unfounded, and which ought never to have left any impression on his mind. I am sorry I rose to speak at all. It is only out of personal regard to the Lord Justice of Appeal that I desired to say one word on the subject. There are plenty of persons to defend the Lord Chief Justice; and you must permit me to say that during my long residence in Ireland I never heard the least complaint against the Lord Justice of Appeal, or any statement that he had in any way failed to transact the duties of his office, which he has always performed in a manner satisfactory to the public. I have been confirmed in this by many with whom I have spoken upon the subject. I merely wish to add that I heard with very great pleasure the remarks of the Home Secretary, and I do entirely concur with him that it is most improper to adopt the course which has been pursued by the hon. Member for Kilkenny and the hon. Member for Cork. [Mr. MAGUIRE: Not improper.] But in my opinion it is so. If the hon. Member by interrupting me thinks he puts me to the least inconvenience he vastly overrates his own importance, and undervalues my indifference to him. I said what I felt, and I repeat the statement, that a more improper and more unfair charge was never urged than that which has been brought forward in this House to-night in an indirect manner by the hon. Member for Kilkenny.

THE SOLICITOR GENERAL FOR IRELAND (Mr. SULLIVAN) assured the House that nothing but a sense of duty would have induced him to say a word upon the subject under discussion. His right hon. Friend the Attorney General for Ireland was placed in a painful position by having to answer a question addressed to him by the hon. Member for Kilkenny as to matters of fact; and he asked the House what opinion it would form of any Member who, on being asked a question as to certain matters which occurred in his presence, either refused to answer or gave a false answer to the question. All that his right hon. Friend did was to make a reply according to his personal knowledge to a question which, as his right hon. Friend the Home Secretary said, the Attorney General was most anxious should not be put, and had, in fact, used every exertion to get withdrawn. Now, the right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside) had attempted to cast doubt upon the accuracy of what the Attorney General for Ireland stated upon that occasion, and he would call the attention of the House to the unreasonable manner in which that answer had been dealt with. The question of the hon. Member for Kilkenny was addressed entirely to what took place during the passing of a sentence upon an unfortunate man who was afterwards executed for murder. The points were—Was the sentence written out? Was the Chief Justice unable to read what was written? Had some persons to read to the Chief Justice the legal words of the sentence so that he might pronounce it correctly? Well, the Attorney General for Ireland replied in the affirmative to the three questions, observing that what was implied in them was perfectly correct. Having himself been present at the trial, and having been an eyewitness of all that occurred on that painful occasion, he was prepared to corroborate every word of the reply of his right hon. Friend. When the hon. and learned Member for Belfast attributed, and wrongly attributed, to his right hon. Friend a want of delicacy in this matter, he could not know the person of whom he was speaking. How could the Attorney General be accused of want of delicacy when he simply gave answers in that House to a question—answers which were most reluctantly given? He confined himself strictly to the answer, saying nothing as to the competency or incompetency of the Chief Justice. Then, how had the attempt been made to cast doubt upon the accuracy of the reply of the Attorney General. The aspersion came very ill from the right hon. Gentleman the Member for the University of Dublin, who, when reading from a letter published in the *Dublin Daily Express*, signed by one of the jury, omitted a most material part of it.

MR. WHITESIDE: I read that letter to explain what took place at the trial—not to contradict the statement of the Attorney General for Ireland.

THE SOLICITOR GENERAL FOR IRELAND (Mr. SULLIVAN) said, that if that was the object of the right hon. Gentleman he did not avow it. He appealed to the House as to whether its impression was not that the letter was read to cast doubt on the observations of the Attorney General for Ireland. Now, the sentence to which he referred as having been omitted by the right hon. Gentleman was as follows :—"Not having remained to hear the sentence, I do not know what may have occurred." This fact placed the right hon. Gentleman the Member for the University of Dublin in a very extraordinary position. He had assailed the honour of the Attorney General by reading a letter written by a gentleman who was not present during the passing of the sentence, and had suppressed this fact, although the remarks of the Attorney General were confined to what passed while the sentence was being pronounced.

Mr. WHITESIDE said, amid loud cries of "Order"—I read the letter of Mr. Boyle, and not the letter of the juror on this point.

The SOLICITOR GENERAL for IRELAND (Mr. Sullivan) said, that explanation would not do. He was surprised at the interference of his right hon. Friend in this debate, especially after the right hon. Gentleman the Secretary for the Home Department had addressed the House. When he was reading that letter of the juror, in justice to the Attorney General he ought to have said, "This does not affect what the right hon. Gentleman has said." Why was the material fact that the juror did not hear the sentence pronounced kept back ? The other letter did not in the smallest degree impugn what his right hon. Friend had said, simply admitting that something strange took place, and observing on the want of light in the Court House. As to the competency or incompetency of the Lord Chief Justice, he would not, for obvious reasons, give any opinion. He believed, however, that the House would come to the conclusion that the Attorney General for Ireland had done his duty in answering the questions put to him, and that he had discharged that duty in accordance with truth and the facts of the case.

Sir GEORGE BOWYER said, that he would abstain from offering any opinion as to the competency or the incompetency of the Lord Chief Justice or of the Lord Justice of Appeal, because on that subject he knew nothing but the statements which had been made in course of the debate, and it appeared to him that they were very conflicting and could not be relied upon. The incapacity of the Lord Chief Justice of Ireland to pass sentence of death upon a prisoner, and the fact that that sentence had been reduced to writing and placed before him, had been made the subject of serious discussion. As to the circumstance of writing out the sentence for a Judge, that was a practice which he had frequently seen followed by various Judges. To the best of his knowledge, at the Old Bailey, where it was probable that more sentences of death were passed than in any other court in the kingdom, the sentence of death was invariably written out by an officer of the court, and placed before the Judge. He saw the late Chief Justice Tindal read the sentence he passed in the celebrated case of Courvoisier. His chief object in rising, however, was to state that if discussions of this sort were encouraged in that House the dignity of the judicial character—which was essential to the due administration of justice—would be most seriously impaired, perhaps, in some instances, absolutely destroyed. Expressions in regard to the Lord Chief Justice of Ireland had been used in the course of the debate which had given him great pain ; they ought not to have been used with regard to a person in his high position, especially after he had served his country so many years. Another reason why such questions should not be raised in that House was that they could not but assume a party character. Whenever a point was made against the Chief Justice there were cheers from the Ministerial side of the House ; and when anything was said in his favour cheers came from the other side of the House. Such questions, as he had said, would inevitably assume a party character; for the Government would support the Judges they appointed, while the Members on the left of the Speaker would probably take an opposite course. He could not approve of the suggestion of his right hon. Friend the Member for Belfast, that a limit of age should be set, on arriving at which Judges should resign, for if that had been the rule in this country, it would have deprived the Bench of many of its best and most shining occupants. They must all remember the case of Lord Chancellor Campbell, who, from being Chief Justice of the Court of Queen's Bench, passed at the age of eighty to the Court of Chancery ; and, although never previously conversant with the practice of Courts of Equity, he there supported the high reputation which he had previously acquired. It was a mistake to suppose that, as in other occupations, men through old age became incompetent for the judicial office. To some extent that might be the case, but increased experience gave Judges a facility in the execution of their work which they had not acquired in the same degree when younger and more vigorous. Like old wine, the flavour improved, though the strength might diminish. He would remind the House that Lord Mansfield retained the office of Chief Justice of England till long after he had passed his eightieth year—and he maintained to the very last his reputation as probably the greatest Judge that ever adorned the Bench in this country. If a line were drawn beyond which Judges should be incapable of acting, it would be necessary to go a step further, and interfere with the privileges of the other House of Parliament; for there would be an obvious inconsistency in compelling the retirement of a Chief Justice of the Queen's Bench, who, as a Law Lord, might still sit and review the decisions of his successors in the Court below, and of all the other Judges. To get over the difficulty they must be prepared to go the full length of declaring that after a certain age men should cease to exercise their privileges as a Peer. He might refer to the case of the United States, where the Judges were compelled by law after a certain age to retire. Under the operation of that law Chancellor Kent was compelled to resign the judicial office, and it was after he was thus superannuated and declared incapable of sitting in a Court of Justice that he wrote those *Commentaries* which were not only of the highest authority in his own country, but were regarded with admiration throughout the civilized world. Then look at the case of Lord St. Leonards. His Lordship was about the age at which it was suggested that retirement should be enforced, and yet he sat regularly to hear appeals in the highest court of the realm, and those who were in the habit of practising before him would support the assertion that the noble Lord was as competent to discharge those duties as he had ever been, or as any one could be. It was true that Lord Lyndhurst did not at a late period of his life hold the office of Judge; but he heard appeals in the House of Lords, and frequently sat in the Privy Council, where his ability and capacity were conspicuous to all. A line drawn sharply at seventy or seventy-five would deprive the country of the services of men like these. The Judges who retained their offices till the latest period were generally the most eminent. Ordinary men soon found their work fatiguing, and were glad to retire as soon as they decently could on their *otium cum dignitate.* But eminent men, men of genius, talent, and learning, went on till the last, and frequently died in harness. Lord Tenterden, it was known, did so—he died while trying a case in the Central Criminal Court. Or, take the case of Dr. Lushington, one of the greatest civilians this country had known since the days of Lord Stowell; he was as competent for his duties at that moment as he was years ago; but under the arbitrary rule proposed to be laid down he would be compelled to resign his office, and the country would be deprived of his services. Increased interest and importance attached, he believed, to the rulings of veteran Judges. He could give a further instance of his own knowledge to show the impossibility of drawing the line. When he was abroad in very early life, there was a Judge who held in Savoy an office, that of President of the Senate, corresponding to the post of Lord Chief Justice; and after he had passed the age of 100 he was still looked up to as an honour to the law, and the greatest Judge living at the time. He had no doubt that cases of inconvenience would at times arise from having aged Judges on the Bench, but these were exceptions, and a rule of enforced retirement would be a greater evil still. When a Judge was incapacitated from age or infirmity the proper course for persons who were aware of that incapacity, and especially for those who had been injured by a failure of justice, was to lay the matter in a formal businesslike way before the Executive, and leave it to them to apply the remedy which the Constitution prescribed.

Mr. GEORGE said, he should feel unworthy of the profession to which he belonged, and of the honour of the personal and professional acquaintance of the two great men whose names had been introduced into that discussion, if he remained altogether silent when attacks were being made upon them. It was melancholy that the fame and character of two such men should be made the sport and plaything of individuals in that House, whether for party or other purposes. These charges had been brought forward on lax and miserable evidence—such, for instance, as the conversation of dinner tables, of clubs, of the highway, or the contents of newspaper paragraphs. But to his mind it was still more painful that the two Law Officers of the Crown, representing the honour and dignity of the profession, had felt it necessary to offer themselves as witnesses. The Attorney General, he thought, should have delegated to another the task of answering the question addressed to him; and if compelled to answer it himself, he ought to have done so not in curt and general terms, but to have gone into a detail of the facts, and not allowed it to be inferred that the charge of incapacity implied in this miserable transaction was substantially correct. The charge originally brought forward, he must say, appeared to be one of the most paltry matters that ever occupied the attention of Parliament. He (Mr. George) had had the honour of being Crown Prosecutor for a number of years, and he knew that it was the uniform practice for the Clerk of the Crown to have printed or written forms of oaths to be administered to witnesses of different religious persuasions, and of the sentence of death. Any one who had heard sentence of death pronounced in a case of murder knew that it was a long and complicated series of sentences—the omission of any one of which would invalidate the sentence—not only indicating with great minuteness where the criminal was to be executed, but directing that he should be taken back to gaol, pointing out the time and place of the execution, and also, in a subsequent part, stating that the body of the prisoner was to be buried within the precincts of the gaol. Why, no Judge who ever sat on the bench, whether old or young, would venture to pronounce from his own recollection a long string of formal phrases, each of which was essential to the validity of the sentence, but would take them from some written document. And if, in that case, the paper had in the ordinary course been laid before the Lord Chief Justice, it would have been read from end to end; but from the accidental circumstance that the day for the execution had to be fixed, a point of law having been raised at the trial, and it being doubtful when the Judges could meet to determine it in the Court of Criminal Appeal, a discussion arose between the Judge and the officer of the Court as to the date that should be filled in. From that accidental delay there might have been a momentary hesitation as to the delivery of the rest of the sentence; but he understood from parties who stated that they had it from the Clerk of the Crown himself, that in reading the latter part of the sentence directing that the body of the prisoner should be "buried" within the precincts of the gaol, the Judge inadvertently, in the dusk of the evening, used the word "interred" instead of "buried." If that was the fact, the Attorney General for Ireland, instead of saying that the charges brought forward in reference to that trial were substantially correct, and thereby inferentially giving the sanction of his high position to many things which he probably did not intend to sanction, would have done better if he had distinctly stated what his own recollection was as to the simple facts that had occurred, without offering any expression of opinion. Then the House would have been able to judge whether a transaction which had been magnified from a miserable molehill to a mountain ought ever to have been brought before it. For himself, he had known Judges of great eminence, but far younger than the Lord Chief Justice of Ireland, make similar slight mistakes in delivering a sentence; but he had never heard that such a trivial error, especially where it had been corrected on the instant, was afterwards made the ground of an impeachment. The Solicitor General for Ireland had rather dexterously sought to divert the war from the one side to the other in dealing with what fell from the right hon. Member for Dublin University. The letter which had been read from one of the jury did not refer in the slightest degree to the incident at the passing of the sentence. It recapitulated what took place in the presence of an intelligent juror, as the writer evidently was, stating his general opinion of the conduct of the Judge throughout the case; but it did not pretend to go into any details as to a trivial matter which possibly no human being in the court but the Clerk to the Crown, the Attorney General, and the Lord Chief Justice observed. One highly respectable barrister, Mr. Battersby, had stated to himself that though he sat as near to the Bench as he could without being upon it, he saw nothing of the incident, nor did anything occur at that time to attract his attention or to lead him to suppose that anything unusual had taken place. It was absurd to suppose that the reputation of the great and eminent man who presided with such ability at that trial, and whose judgment had been unanimously confirmed by the Court of Appeal, would be affected by a miserable story of that kind, and it was much to be regretted that so trivial a matter had ever been brought under the notice of Parliament.

Mr. S. B. MILLER said, that there

was only one matter on which he wished to trouble the House. The hon. Member for Cork had asked who Mr. Battersby was, and he thought it right to state that he was a Queen's Counsel of some twenty years' standing; that he was senior Crown Prosecutor on the circuit referred to, and that in the absence of the Attorney or Solicitor General it would have been Mr. Battersby's duty to conduct the prosecution in question. Unless he were an eminent member of the Bar, that gentleman would not find himself in the position of having to conduct the Crown prosecutions on that circuit. As the Solicitor General had referred to his own personal observation in connection with that case, it was only fair that the House should again hear Mr. Battersby's letter read. He had himself received a letter from Mr. Battersby, dated May 9, in which he said—

> "It seems to me that the Attorney General and I differ in our recollection of the occurrence at Tullamore. Mine remains unaltered."

Now, in his previous letter of the 2nd of May, Mr. Battersby said—

> "I have spoken to the Deputy Clerk of the Crown of the King's County, and from what he says, and my own recollection, the occurrence at the assizes was thus :—The Deputy Clerk of the Crown always has in a book before him entries of the different forms of oath and of the form of sentence in capital cases, &c., and from the first circuit the Chief Justice went to the present day, whenever a prisoner was to be sentenced to death a copy of the formal words of the sentence, with a blank for the day of execution, was invariably placed before the Judge on the Bench. In the case in question, during the address of the Chief Justice to the prisoner, it occurred to the Judge when he approached that part where the day of execution is named, that, in consequence of a point being saved for the Court of Appeal, it became necessary, instead of the usual time, to fix a day after the Dublin Commission, which was then close at hand, and sufficiently remote to enable the other Judges to attend in the Court of Appeal, and although he had previously determined on the day, he had not any memorandum of it, and was obliged to refer to an almanack, which occasioned some delay. I have no note of the trial, and nothing occurred at the time to attract my attention to any defect in the conduct of it so as to fix it on my mind."

He had only one other observation to make. He must express his regret that this matter had not ended with the communications made to the House by the Home Secretary and the Chief Secretary for Ireland. The Chief Secretary gave a reply which was becoming to his office to the question that was put to him. Discussions on these personal matters were always distasteful. In the year 1834, when the case of Mr. Baron Smith was brought before Parliament, the late Sir Robert Peel said—

> "He denied the wisdom, the prudence, the justice of arraigning a Judge unless upon some charge of personal corruption, of gross and grievous neglect of duty, warranting his removal from the Bench."—[3 *Hansard*, xxi. 744.]

In which observations he most fully concurred.

COMPENSATION FOR SLAUGHTERED CATTLE.—QUESTION.

SIR WILLIAM STIRLING-MAXWELL rose to ask the Home Secretary, Whether Her Majesty's Government contemplate taking any step to afford compensation to the owners of cattle slaughtered by order of local inspectors, in the time which intervened between the passing of the Cattle Contagious Diseases Act (the 20th February, 1866) and the constituting of the local authority in the district where such slaughter took place? He said: I wish to call the attention of the Home Secretary to this subject, which is chiefly of interest to the county I represent. According to the Act, the local authorities were to be constituted within ten days from its passing. That time was ample for most of the counties; but in the county of Perth, owing to the lamentable death of the late lord-lieutenant, a considerable delay took place, and the local authorities, instead of being constituted within ten days, were not appointed for a whole month. The Act became law on the 20th February, but up to the 20th March there were no local authorities in Perthshire. I do not impute any blame in this delay to Her Majesty's Government or to the noble Lord who is now the lord-lieutenant. But the circumstance was productive of great hardship and inconvenience to the county, especially because the disease was raging with great severity during that month. The grievance showed itself in various and even opposite forms. Some farmers complained that their cattle had been slaughtered by inspectors acting under Privy Council orders, and that therefore they could not obtain compensation. Others complained that their cattle which were infected with the disease, and which they were willing to have slaughtered, could not be put to death because the inspectors did not think they had power to give orders to that effect. A farmer in the immediate neighbourhood of Perth wrote to me to say that in this way he had lost fifteen head of cattle. Some weeks ago he applied to a local authority to know if he could have compensation, and the answer he received was that the slaughter took place before the constitution of that Board, and that therefore compensation could not be given. He then applied to the Privy Council, and received from the Privy Council Office a letter to the effect that he was not entitled to compensation unless the slaughter of the animals took place under the authority of an Act of Parliament or an Order in Council; but if he had any reason to believe that his animals had been slaughtered in a way not justified by law, then he might obtain redress, the inspector being liable. I think the House will see that that reply, when put into ordinary language, meant that there was no redress at all for that gentleman. I think the right hon. Baronet will hardly say that it would be a fair course to point out to his judgment that he must either go to law with the Lord President of the Council or with his local administrator, both of them important public functionaries, and efficient public servants. In the particular district to which I have alluded, a bold inspector, acting under the Privy Council Orders, used the knife with vigour when clothed with the powers of the Privy Council; but in another district in the county where there was a more cautious inspector, he positively refused to use the knife at all. The consequence is that I have received a letter from a gentleman in the neighbourhood, who complains that one of his tenants lost twenty-one cattle between the 28th February and the 28th March—that those animals all died of disease, and that the local inspector is ready to swear that he would have put them all to death had he considered that he had the power to do so. One man, therefore, complains that he has not received the compensation which he ought to have received for the slaughter, and another complains that in consequence of his animals not having been slaughtered by an inspector, he is deprived of compensation, while those of his neighbours on whose farms the disease broke out at a later period have since obtained compensation from the local authorities. I hope the right hon. Gentleman will see that these are cases of hardship such as to justify me in bringing them under his attention. I do not, of course, expect that he will give any decided answer now, but I hope that he will take the matter into his consideration. It must be remembered that these grievances have happened in consequence of the failure in the legislation of this House to make proper provision for the interregnum which was sure to occur between the powers conferred by the Privy Council and the powers conferred by the Act of Parliament. Considering the great haste and pressure under which the Act was passed, the wonder is, not that there were oversights and blunders, but that they were not more numerous. I trust the right hon. Baronet will see that the cases are cases of real hardship, and that he will give them full and fair consideration.

Sir GEORGE GREY: In a very few words allow me to say that the facts of the case have not been brought under my notice until I heard the statement of the hon. Baronet, and I was not aware that any application had been made to the Council on the subject. I apprehend that the answer sent to the application from the Council must have been merely a statement as to what the case was. If the hon. Baronet will furnish me with the facts of the case, I will bring it under the notice of the Council with the view of seeing if anything can be done in what appears to be a very exceptional case. I see that there is an interval between the date of the warrant and the date upon which the local inspector entered upon his duties.

Sir WILLIAM STIRLING-MAXWELL: That arose in consequence of his having to take the oath.

Sir GEORGE GREY: I will look into the matter, with a view, if possible, of finding a remedy.

THE REBELS IN CHINA.

MOTION FOR PAPERS.

Colonel SYKES rose to call the attention of the House to the official notification and address of Consul Meadows at Newchang to the foreign community, dated the 4th of December, 1865, respecting the danger to life and property from the proximity of the rebels; also to the official notification and address of Consul Medhurst, of Hankow, to the foreign community, dated 21st of January, 1866, to devise measures against an expected attack from a body of revolted Imperial troops, and the advance of the Nienfee rebels. He had on the 12th of April called the attention of the Under Secretary for Foreign Affairs to the official circular of Consul Meadows at Newchang, on which occasion his hon. Friend told him Consul Meadows had been very much alarmed at the prospect of an attack on the part of some rebels, but the Government had no ground for thinking that any attack on Newchang had taken place, or was likely to take place. The European Consuls and their communities at Newchang had, however, very serious grounds for believing that their lives and property were in danger, for in a circular, dated the 4th of December, 1865, addressed to the community at Newchang, Consul Meadows used the following language :—

> "The undersigned begs to inform the foreign community of this port, that the commandant of the district called upon him yesterday and made a communication to the following effect : 'A body of upwards of 1,000 robbers or rebels has for some months past infested the north-eastern portion of this province, and has there inflicted a series of severe defeats on the Imperial forces sent out against them. Recently they have taken the city of Hong Kong (the first capital of the Tartars in China), on which occasion the chief civilian and second military officers of the city, with a number of the soldiers were slain. Afterwards a detached body, about 300 strong, entered the city of Fungkwang, about 150 miles to the east of this port, and this body has since advanced in this direction, being six days ago at a place about 100 miles off.' "

At a meeting consequent upon this circular Consul Meadows said, such was the unprotected state of the place, and so great were the perils to which the European community was exposed, that it was necessary to consult upon the measures of defence necessary to be taken. The meeting was attended by various Consuls and the foreign community, and Mr. Meadows, as senior Consul, took the chair. He said that there were no means of defending Newchang, and that a body of 300 mounted men who were lurking in the neighbourhood might at any time make a raid upon the place, and destroy the property of the merchants as well as of the natives, apart from the violence that might be offered to individuals. That was not a matter to be considered lightly by his hon. Friend (Mr. Layard), nor could it be considered lightly by the present Tartar Emperor, for the ancestral tombs of his family were in the hands of the rebels. With respect to the great commercial *entrepôt* of Hankow, the hon. and gallant Gentleman read a statement to show the threatening nature of the circumstances under which Consul Medhurst officially called upon the community to meet in order to take measures for their own defence. It appeared that a force of 8,000 revolted Tartar troops and some 30,000 or 40,000 robbers called Nienfei were surrounding the city on all sides, devastating the country and creating the greatest alarm among the inhabitants. The meeting which took place was attended by both the French and English Consuls. His object in reading the statement was to prove that the two Consuls, instead of being pusillanimous, as was necessarily implied by the ridicule thrown on the affair by his hon. Friend, were men of judgment and sound discretion and had done their duty. When he called the attention of the Under Secretary to the matter his hon. Friend said—

> "With respect to the attack on Hankow, he had to state that he had no reason to believe that that city had been threatened by a large rebel force. It seemed that a considerable number of peasantry took refuge there and in the neighbourhood, that the Consul went out to see what was the matter, but that, instead of 80,000 rebels, he found eight men on horseback, armed with spears and bags, that shots were fired at them, and that they thereupon ran away, leaving behind them the bags, which were found to contain eight women."

His hon. Friend was not now in his place; if he had been, he would have commented in just terms upon what he said on that occasion. He was sorry his hon. Friend had not shown better taste and feeling than to raise a laugh in the House by stating that the danger which had alarmed Consul Medhurst resolved itself into eight robbers carrying off eight women in bags at their saddle-bows—not a matter for laughter to the parents or husbands of these poor females. In order to show the gravity of the case, the hon. and gallant Gentleman read a long extract from the official circular of Consul Medhurst and the French Consul Dabry, dated the 21st of January, 1866 ; also from the *Hankow Times*, which stated that the surrounding country had been devastated, and the consequence was a large influx of the population into Hankow, where they received shelter ; that subscriptions were raised in their behalf, and relief was administered as far as practicable. He had reason to believe that similar danger impended over that great commercial emporium up to the time of the latest accounts, and that the Imperial Government was incompetent to protect the place. What was, therefore, to be done ? Were we or were we not to make such arrangements as would give confidence to our merchants for the security of their lives and property and the lives of their wives and children ? Copies of the documents he had quoted ought to be in the Foreign Office, which would confirm what he had stated, but his hon. Friend he supposed would say that they had not been received. He wished, by calling attention to the matter, to show that our consuls, instead of having exposed themselves to ridicule for their just alarms, were entitled to praise, and to urge that measures ought to be adopted to insure security to the foreign communities at Newchang and Hankow.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies of the Official Notification and Address of Consul Meadows at Newchang to the foreign community, dated the 4th October 1865, respecting the danger to life and property from the proximity of rebels; also of the Official Notification and Address of Consul Medhurst of Hankow to the foreign community, dated 21st January 1866, to devise measures against an expected attack from a body of revolted Imperial Troops, and the advance of the Nienfee rebels,"—(*Colonel Sykes,*)

—instead thereof.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

ARMY—MUSKETRY INSTRUCTION.

QUESTION.

Sir CHARLES RUSSELL said, he would beg to ask the Secretary of State for War, Whether a Committee to inquire into the present system of Musketry Instruction is not sitting; whether any notice of such Committee has been given, enabling those desirous of giving evidence to do so; whether General Hay is a Member of the said Committee; and whether the attention of the Secretary of State for War has been called to a letter written by General Hay to *The Times*, on April 7th, relating to the discussion which took place in the House of Commons upon the subject of Musketry Instruction? The question had been upon the paper for a week, and had been answered by what had appeared in print, so that he might assume that a Committee was sitting, that no public notice had been given of the fact, and that General Hay, the commandant of a school of musketry, was a member of the Committee. He did not wish to refer to the letter in *The Times* to complain of the unusual warmth which General Hay had exhibited, nor of the motives, attributed to himself. The noble Lord the Member for Haddingtonshire (Lord Elcho), could have no reason to complain of General Hay stating that the noble Lord proved himself "a very indifferent rifle shot" at Hythe, when he was a good shot before, and continued to be one still. The real facts of the case were, he believed, that the process of instruction, as at present carried on, was extremely annoying to the army at large. As the letter of the gallant General appeared a month after a discussion in that House, it might be supposed to contain his deliberate opinion, which was that the discussion in the House was all nonsense; and as the General defended the present system, it might be inferred that he thought it admirable and incapable of improvement. In bringing the matter before the House his object was to get the original popular system restored, because it was less expensive and quite as efficient. An impression prevailed out of doors that General Hay was put upon the Committee, because he was the only practised person qualified to give an opinion on the question. The history of musketry instruction in the army began with the Committee of 1851 on small arms, which introduced the Minié rifle. A member of that Committee was Captain Lane Fox, who thought it strange that there was no system of teaching the soldier to use a weapon of precision; at his own expense he spent several months on the Continent, visited the schools of musketry at Vincennes, in the camp of Belgium, and at Turin, collected the codes of instruction in the foreign services, translated them, compiled a system of musketry, and laid it before Lord Hardinge, who approved it and expressed his regret that its author, being only a captain, was not high enough in standing to be placed at the head of the projected school of musketry. Some difficulty was found in obtaining any one to take that position, which was ultimately accepted by General Hay, Captain Fox being requested to act as a sort of assistant to launch the system. At first the system was popular with both officers and men. The officers clubbed together to give a few prizes, and the present Government system of giving prizes was an admirable one. But, step by step, vexatious orders had been introduced until the system had become extremely unpopular. As we were upon the eve of arming our troops with the breech-loading rifle, some modification in the system would be rendered necessary; and that offered a fitting opportunity for the reconsideration of the whole system. He did not wish to say anything disrespectful of General Hay, but he must say that he thought that a full and impartial inquiry would hardly be made by a Committee, as a member of which General Hay sat in judgment upon his own system. Whilst concurring to a great extent with the hon. and gallant General the Member for Huntingdonshire (General Peel) as to the inconvenience of discussing military questions in that House, he confessed he did not know where else such a question as this could be raised with the hope of attaining a beneficial result. The fact that the noble Lord the Secretary of State for War previously regarded his statement about General Hay as a joke, showed how essential it was that attention should be directed to such matters. In this case he hoped his joke would prove a practical one; that it would attract to the subject the attention it deserved, and that the result would be the restoration of a popular system of instruction, which would save the country a large sum annually.

Colonel PERCY HERBERT vindicated his friend General Hay, who, if he had not originated the present system of musketry, had at all events brought it to perfection. He, however, agreed that, if the subject were to be investigated, it ought to be by practical men, and not by men who of necessity could know nothing about it. Of the members of the Commission, General Hay alone had any practical acquaintance with the subject. One officer on the Committee had gone through the system of instruction with his regiment, and that was all. He had done the same, and had worked hard, and was convinced that there were many things that required alteration. The system was unnecessarily long, subjected the soldier to unnecessary torture, and unnecessarily worried the officers. The soldier was bullied at every turn, and those who could not see were punished for their defective vision by being obliged to drill all the winter. One soldier, who was a third-class man, said to him, "I cannot shoot—I cannot see the targets;" but when this man put on glasses he became a first-class shot. He had seen the officers and inspectors at Aldershot order the shooting to be discontinued on account of some trivial wish of some one officer at the end of the ground. The consequence was, that sometimes a whole company had been kept very unnecessarily exposed to a broiling summer sun until perhaps six o'clock in the evening. In his opinion, such a system required some investigation in the interests of the men, and he believed it might be so amended as to render the course of instruction a pleasant recreation for the soldier. He would detain the House no longer, but he had felt it his duty to make these few remarks.

Lord ELCHO said, that his hon. Friend who has just addressed the House for the first time had implied that his hon. and gallant Friend opposite, and those who had made remarks upon the present system of musketry, entertained some kind of prejudice against General Hay. Now, General Hay was one of his own personal friends, and he must say that no man had done more towards bringing the army into a state of efficiency than General Hay himself. All that his hon. and gallant Friend had said was that the present system was carried to excess, and that that excess was really detrimental to the service, because it deterred men from entering the service, and also cost the country a needless sum of money. Indeed, his hon. Friend who had just sat down had admitted the existence of things which amounted to a condemnation of the system. In the first place, soldiers under it were unnecessarily tortured, and in the second the officers were unnecessarily bullied. Now, these two expressions were an ample justification of all that had been done and said on the subject by his hon. and gallant Friend opposite. General Hay had honoured him by taking notice in *The Times* newspaper of a letter which he had ventured to write to that journal some time ago. The letter of the gallant General was somewhat personal, but he did not intend to enter into its personality. In his own letter he had stated that ten weeks were consumed at Fleetwood in giving musketry instruction, and he had expressed his opinion that half the time would be sufficient to teach the men all that it was necessary for them to learn. Now, he would ask his hon. Friend whether he did not believe that that was the fact? [Colonel Percy Herbert expressed assent.] It followed then that if the instruction which now occupied ten weeks were given in five, the power of the schools would be doubled, and either twice the number of men might receive instruction or one of the schools might be dispensed with. This was a practical question, and the House ought to be guided by the opinion of practical men. His main object in rising was to read to the House an excellent letter which he had received from a field officer. That letter would be his answer to the remarks of General Hay on the letter which he had written to *The Times*. The writer said—

> "General Hay's letter induces me to write you a few lines, to add my mite of testimony to the fact of the system of rifle instruction as at present carried on in the service being most irksome and irritating to all classes—from the commanding officer of a regiment downwards; and so much so to the private soldiers as to be without doubt one of the causes which militate against the re-engagement of our ten years' men. General Hay says:—'The whole musketry training of the soldier only employs him twelve days in the year.' Whereas paragraph 6, page 38, of the *Instruction of Musketry* directs that 'position drill is to be performed at least once a week by every company at other times than when engaged in the annual course, under the close and personal supervision of the commanding officer,' &c. There are fifty days more, at all events; and no small tax on a commanding officer's time. Paragraph 28, page 80, says—'The men are to be taken into the country by companies, under their respective captains, at least once a month, to be exercised in judging distance'—twelve days more! In addition to this, all men who remain in the third class at the expiration of the annual course are exercised 'in every respect as recruits,' and have afterwards to fire through the first period. For them ten days more. This last order is, perhaps, the one which hits the men the hardest. I have known many an old soldier, and many a good and valuable soldier, totally unable to get out of the third class from being a little short-sighted, and consequently disgusted to a degree by being sent to this recruit's drill, for which he gets off no other duty. A very good soldier in this regiment told the colonel a short time ago (and I believe him to be one among many) that he was taking his discharge for no other reason. General Hay further says that a soldier receives only 'a simple lecture to convey some idea of the flight of the bullet.' This would scarcely enable him to pass the examination required by paragraph 6, page 87, to qualify him for the rewards for good shooting. With regard to the 'officers some of whom vote any duty a bore,' there are in my regiment three captains, one a Brevet Lieutenant Colonel of thirty-nine years' service; and two Brevet Majors of twenty-six and twenty-three years' service respectively, besides others of seventeen, sixteen, and fifteen years. I think they may be excused if they do think going through a compulsory course of position and aiming drill with a rifle rather more than 'a bore.' And I can personally answer for the sentiments of the field officers who by a recent order are required to 'visit the drills and practices daily,' a six months' job for them. Since I had the pleasure of seeing you last, I have been for three years in India with my regiment, which has just returned to this country, and you will easily believe that what is irritating and vexatious in the musketry course in great Britain is doubly so in India, where, it should be remembered, a very large portion of the army is now constantly serving, and where it is particularly desirable that the men should, if possible, be induced to re-enlist at the expiration of their limited service. I am very far from wishing for a moment to undervalue the importance of rifle instruction; but I feel so certain that it would be done equally well—indeed, far better—if it were carried out in a manner less irksome to both officers and men, that I sincerely hope that you and the other Members of the House who have brought the matter forward will succeed in causing a change to be effected in the system. I might mention many other causes for the excessive unpopularity in the service of the 'instruction,' and among them the degree to which a district inspector (a captain) is licensed to interfere with the lieutenant-colonels of regiments; but I have already written at greater length than I intended, which, however, knowing the interest you take in the subject, I hope you will excuse. I told the colonel of my regiment that I should write to you when we saw General Hay's letter, and he authorized me to say that it is his decided opinion that the present system of musketry instruction is to a great extent the cause of the disinclination of ten years' men to enlist."

If that were the opinion of a field officer who had seen a great deal of service, the matter, he thought, was one which ought to be taken into consideration by the House of Commons when a Commission was about to be appointed to inquire into the mode of recruiting the army. On the question of the diminution of the schools, he thought he had been fully justified in the course he had taken.

Colonel LOYD LINDSAY said, the remarks made by his hon. and gallant Friend were directed to the appointment of General Hay on the Committee. He did not think they went beyond it. But he should like to say a few words with regard to General Hay, who had been the subject of this conversation. General Hay had to a great extent brought about a very valuable reform in the service. When he (Colonel Lindsay) first entered the army, there was utter ignorance as to all matters in reference to musketry instruction. He remembered when the Minié arm was first served out, that there was a discussion in his regiment as to whether the ball should be put down the barrel with the point or the base foremost. Such ignorance was almost equal to that of persons who were unaware whether the powder or the shot should be put in first. After the battle of Inkermann he was present when no fewer than ten bullets were extracted from one rifle, they having been put in by a soldier who fancied that "every bullet would find its billet." Since the Crimean War, however, General Hay had instructed the army in the system of musketry, and, in fact, by himself or emissaries had taught the whole of the army, the Militia, and the Volunteers to shoot. He believed that the navy and the cavalry also had had persons at Hythe under the instruction of General Hay. It was true that other persons were aware of the necessity of teaching musketry in the army, such, for example, as Colonel Fox, no doubt a prominent man, and Colonel Kennedy, but the gratitude of soldiers was mainly due to General Hay; for while other persons saw the necessity of the system, General Hay carried it out. He believed Macadam was not the first person who discovered the method of making roads which was called by his name, but he was the first person to put it into practice. General Hay was so completely master of the situation that it would hardly be possible to have a Commission unless that gallant General were a member of it. The hon. and gallant Gentleman opposite (Colonel Percy Herbert) had spoken of officers being bullied. Unless that word were withdrawn there might possibly be another sharp letter in *The Times* similar to that which General Hay had fired off against the noble Lord. For his own part, he never heard of any officer being bullied. Nor did he think the noble Lord was right in saying that the musketry instruction deterred men from entering the service. He believed that the musketry drill was as pleasant to soldiers as it was to Volunteers, and he thought musketry in the army should be put on the same footing as in the Volunteer service. He also thought it would be useful if more encouragement were given to the soldier in the way of prizes for shooting, and he was of opinion that for that purpose the Vote of £10,000 should be increased.

Lord ELCHO begged to explain that the opinion he had quoted of a field officer of very considerable standing did not refer to new recruits, but to the ten years' men, and they disliked the system so much that they would not re-enlist.

Major DICKSON thought that when a Royal Commission was appointed to inquire into any alleged abuse, it ought to be composed of men who, while possessing on the one hand a thorough practical knowledge of the subject, were, on the other of free and unbiassed minds; and General Hay being the originator of the school of musketry at Hythe, could hardly be considered to be a man of unbiassed mind in this matter. It would appear to an ordinary unofficial mind, that it would have been proper to call General Hay as a witness to be examined before the Commission, rather than appoint him a member of it, when the inquiry was into a scheme which he himself had originated. It was not the recruits who were frightened at the system of musketry instruction in the army but the ten years' men whom it was so desirable to keep. He hoped, if there was to be a Commission of Inquiry into the mode of recruiting in the army, the officer whose letter had been read by the noble Lord would be examined by the Commission.

The Marquess of HARTINGTON: I did not rise at an earlier period to answer the question of the hon. and gallant Member, because I thought it better that I should hear what hon. Members connected with the army had to say on the subject. But what I have heard has made me regret that I did not rise earlier to attempt to dispel some of the very considerable delusions that appear to exist as to what is going on at the Horse Guards. The hon. and gallant Member who introduced the subject is very much mistaken if he supposes that an affirmative answer to his first three questions will give a correct idea of the state of the case. What has happened is this: After the discussion that took place in the House on this subject I thought it necessary to call the attention of the Commander-in-Chief to the complaints that appeared to be very general in the army as to the present system of musketry instruction, and His Royal Highness concurred with me in thinking that it was a very proper subject of inquiry. The Commander-in-Chief directed that inquiry should first be made of general officers commanding in the several districts, who should forward their opinion to the Horse Guards, and who should also call on officers commanding regiments to send up their opinion on the subject. When these reports had all been received, including a great many also from musketry instructors, the Commander-in-Chief did what he had a perfect right to do, without asking the concurrence of the Secretary of State, namely—he appointed a departmental committee to sit at the Horse Guards to look over these reports, to sift them, and to report to him the nature of the objections entertained against the existing system, and what modifications, if any, they thought ought to be introduced into it. The House will see this is anything but a committee of inquiry into the system of musketry instruction. It is not a committee on which General Hay is sitting as a judge. It is appointed only to report the opinions of the officers who were called on to give their opinions, and to state to the Commander-in-Chief what the result has been. So far from General Hay being a member of a committee sitting on his own system, it seems to me that this committee very properly appointed by the Duke of Cambridge would have been most imperfect, and would have lacked one of its most important features, if General Hay had not been a member of it. The House will see that nothing can be more different than the committee I have described from what has grown, in the hands of the hon. and gallant Member for Dover, to be a Royal Commission on the subject of recruiting in the army. As the question has been raised I may as well mention to the House the names of the members of the committee; these are—Sir J. Scarlett, President; Lord W. Paulet, Adjutant General; Sir R. Walpole, Sir A. Horsford, General Hay, General Ellice, and Colonel De Bathe. Even if it were a question as to General Hay and his system, I think the House will agree that the other members are not likely to allow themselves to be influenced by that officer. The hon. and gallant Member has asked me if my attention has been called to the letter written by General Hay to *The Times* newspaper. I cannot say that it has been more particularly than that I read the letter next morning in *The Times*. The hon. and gallant Member has referred to that letter, but he has made no sort of allusion to that part of it which directly contradicted the statements made in the House. I am not the person to say whether it was prudent on the part of General Hay to take notice in a letter to the press of discussions in this House, but as the hon. and gallant Gentleman has thought it worth while to refer to it, perhaps I may advert to that passage which contains a denial of some of the statements made in this House. It seems to me that it was altogether unnecessary to bring this particular matter again before the House, although I admitted when the hon. and gallant Gentleman made his speech on the Army Estimates that the general subject was a very fair one to be brought under the notice of the House. Any grievance supposed to exist in the army is no doubt a most proper subject of discussion, and if the result of inquiry should be to make any modification of the existing system or to leave it as it at present is, it will be perfectly competent to the hon. and gallant Officer and his friends to call attention to the fact, and to move for a Committee to inquire into the whole system. But I do not think it is a function of this House to attempt to dictate to the Commander-in-Chief in what way he is to seek and to obtain the opinion of officers on a subject so materially affecting the interests of the army as the present.

Sir CHARLES RUSSELL hoped the House would allow him to read one portion of the letter of General Hay to *The Times*.

Mr. SPEAKER: It is not according to the rules of this House to read a letter which makes comments on our debates. The hon. and gallant Gentleman has used a wise discretion in not doing so.

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

SUPPLY—ARMY ESTIMATES.

Supply *considered* in Committee.

(In the Committee.)

(1.) £842,200, Works, Buildings, and Repairs at Home and Abroad.

CIVIL SERVICE ESTIMATES.

Class VI.—Superannuation and Retired Allowances, and Gratuities for Charitable Purposes.

(2.) £140,888, to complete the sum for Superannuation and Retired Allowances, &c.

(3.) £605, Toulonese and Corsican Emigrants, &c.

(4.) £325, Refuge for the Destitute.

(5.) £2,001, to complete the sum for Polish Refugees and Distressed Spaniards.

(6.) £39,170, to complete the sum for the Merchant Seamen's Fund Pensions.

(7.) £22,400, to complete the sum for the Relief of Distressed British Seamen.

(8.) £2,732, to complete the sum for Miscellaneous Charges formerly on Civil List.

(9.) £1,183, to complete the sum for Public Infirmaries, Ireland.

(10.) £11,845, to complete the sum for the Hospitals in Dublin and Board of Superintence.

(11.) £6,461, to complete the sum for the Concordatum Fund, &c., Ireland.

(12.) Motion made, and Question proposed,

> "That a sum, not exceeding £30,156, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1867, for Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland."

Mr. HADFIELD said, that this yearly Vote had received continued opposition for many years past; during which period it had not passed without a division being taken upon it. The grant had originated many years ago, in a small allowance, in the time of the secret service money, and it had since swollen from £1,200 per annum to a sum of £41,155 at the present time. Besides this sum there was one of £2,500 for professors, and a sum for chaplains of various prisons in Ireland, some of them without any prisoners of the Presbyterian denomination. The whole amounted to £44,000. Last year the Vote was increased by £300, and this year it was proposed to increase it by £692. He might state to the House that these Dissenting ministers in Ireland had been paid upon the average about £40,000 a year since 1843, making a total of about £920,000, out of the funds of the State; while the Presbyterians of Scotland, of the Free Church, less numerous and wealthy than the Irish State-paid Presbyterians, had subscribed a much larger fund out of their own resources for the purposes of religion, for they had actually raised by voluntary effort above £7,000,000. He objected to this Vote; and he would remind the Committee that the members of these Calvinistic Presbyterian Dissenting bodies in Ireland were decreasing, while the sum expended by the State upon them was increasing, which manifested the deteriorating effect of this Parliamentary allowance. According to one of these Irish Presbyterian clergymen they were the worst paid ministers of any in Christendom; and he believed it had been stated, on authority, that some of those Presbyterian congregations in Ireland did not give their clergymen a shilling a day. He thought the Government would do both the denomination and the country a service if they sent a Commission to inquire how it was that, though the denomination was diminishing, its claims on the public purse were increasing. A Return of the pupils under the tuition of the professors before referred to gave the number as 432, but he believed some of the pupils were reckoned five or six times over. Dr. Cooke, of Belfast, who was credited with 165 of them, received £250, besides £320 a year for distributing the fund among his denomination, besides the profits arising from his congregation, in presents and other voluntary payments; and the late Dr. Montgomery, a Remonstrant or Unitarian minister, was allowed a like sum, rather less in amount, for making the distribution among the Remonstrants, though it was obvious that a banker would do the same thing for one-twentieth of the expense. In their memorial to the Lord Lieutenant the Presbyterians grounded their claim on the fact that they had always been loyal, but £44,000 per annum was a large sum to pay to a small body of religionists on account of this sentiment, and they were the only denomination of Nonconformists in the kingdom who had ever sold or made money of their loyalty. It would be asked, were they poor? On the contrary, they were the richest separatists in the kingdom of Ireland, and raised large sums for missions at home and abroad, building manses, and other purposes. In Dublin there had been a chapel erected by a noble-hearted individual at a cost of £15,000, and which was served by two ministers, who had attracted a very large and wealthy congregation. He should be glad to know if either of these ministers was to be placed on the Regium Donum. Indeed, the favoured and wealthy Presbyterians of the North of Ireland were famous for their liberality in all respects, except that of paying their ministers, and they threw on the Government to support their own ministers out of the taxes of the country. They had not the smallest pretence of a claim upon the public taxes. He heard, however, that they were quite indignant that they could only have £40,000 a year; and that they said they would give it up unless they could have it doubled. When they talked of their loyalty, he would ask, did they send Members to support Her Majesty's Government? [An hon. MEMBER: Yes.] Not the Presbyterians. Did they, at all events, send Liberal Members from Belfast? They had literally besieged the late and present Lord Lieutenants of Ireland and the late Prime Minister (Lord Palmerston) to increase the donum, and they made a display of Irish Peers and Members of Parliament in support of an increased claim on the public taxes, but they were ignominiously repulsed in every application. An application had been made to him (Mr. Hadfield) to support their petition for an increase of the grant. His reply was that he would consider of it. He had been considering ever since, and he had concluded that a single farthing would overpay them for their services to the State or the country. He regarded this Regium Donum as the curse of Ireland, for he was satisfied that the Established Church in Ireland could not exist for many months — certainly not for many years — if it were not for this bribe to the Presbyterians. It was high time that this payment should be put an end to, and he therefore moved the reduction of the amount of this Vote to £366 for retired professors and the widows of ministers deceased.

Mr. POLLARD-URQUHART thought his hon. and learned Friend had opened too broad a question to be discussed in so thin a House. If the paltry grant which the hon. Member objected to were once touched, the whole question of ecclesiastical endowments in Ireland would be re-opened. He thought no one would grudge the small sum appropriated to the Presbyterians of Ireland when the large endowments of the Established Church were remembered. In his opinion, the Presbyterians had a right to the grant.

Mr. O'NEILL agreed with the hon. Member who had just sat down that the Regium Donum rested upon a different footing from that stated by the hon. Member for Sheffield, as, in fact, it rested almost on an equal footing with the Church Establishment in Ireland. In 1672 Charles II. resolved to make the Presbyterians some compensation for their loyalty, and the sum of £1,200 per annum was accordingly applied to their benefit. William III. confirmed that grant to them, and in 1830 the Government determined to enlarge the grant. The Presbyterian was one of the most loyal bodies in Ireland, and by their colonization of Ulster they had transformed one of the most turbulent provinces of that country into a peaceful, industrious, and enterprizing district. And when an attempt was made to violate the Act of Succession, the Presbyterians of Ireland took measures to secure the succession of the Electress Sophia of Hanover. The hon. Member for Sheffield said that the Presbyterians wished to sell their loyalty, but that was an accusation that need scarcely be replied to, as no one would give credit to it. For these reasons he thought the grant should be continued.

Colonel GREVILLE agreed in the remark that the present was only a part of a much greater question; and though he was quite prepared to vote against the Regium Donum, he would not select for opposition a small Vote to a small body while another body not more numerous, loyal, or respectable, was allowed to appropriate to itself the whole of the ecclesiastical revenues of the country. He thought, indeed, it was high time that the Government should consider the whole question of ecclesiastical endowments in Ireland. The question was at present in a most unsatisfactory state, and to that in a great measure was to be attributed the unhappy condition of that country. So long as they granted the whole of the ecclesiastical revenues of the country to a small minority and religious endowments to another portion, and left the great body of the people without Parliamentary recognition in this respect, they might depend upon it they would have Ireland in a chronic state of disaffection. If they perpetuated a state of things in Ireland different to that of England and Scotland, how could they feel surprised at the state of Ireland? The Presbyterians in Ireland were a loyal body, and would be so if the grant were taken away; but there was nothing to justify its withdrawal.

Mr. S. B. MILLER said, that this question had always been introduced hitherto in the form of a separate Motion, and had never been raised in Committee of Supply. That fact would account for the small number of Members on the Opposition Benches. It would have been more becoming if the hon. Gentleman the Member for Sheffield had brought forward his Motion openly and manfully, instead of adopting the course he had done. The grant had tended much to promote the instruction and morality of the inhabitants of Ulster, who were as earnest for its maintenance as for the existence of the Established Church. It was a miserable pittance given to a most useful and exemplary body of clergymen, and it would be a dark day for that province when it was withdrawn. He would state his own opinion to be that the grant should, on the contrary, be largely increased.

Mr. M'LAREN cordially approved of the Motion of the hon. Member for Sheffield. He regarded this Vote as altogether wrong, contrary to every sound financial principle, and an unjust tax for the benefit of a small portion of the community laid on the whole people. He denied that it was beneficial, even to those parties themselves; he believed they were the greatest sufferers by it. He admitted all that was said of the excellent characters of those who got the money, of their respectability, and of their being entitled to receive a much larger sum; but he maintained they had come to the wrong paymaster. The people who should give them a much larger sum were their own flocks; it was not on the revenue of the United Kingdom they should come for it. He might be allowed to say that they managed things differently in the country to which he belonged. There were 800 ministers of the Free Church of Scotland, who were in the same position as the recipients of this grant; there were 500 more of the same religious faith and principles, known by the denomination of the United Presbyterian Church, and the people of Scotland raised above £250,000 annually for these 1,300 ministers. They did not come to the Consolidated Fund begging like paupers for these paltry and pitiful grants; they came to their own denomination, who cheerfully put their hands in their pockets and paid each of their own ministers £200 a year. He believed the poor ministers of the Synod of Ulster did not get so much, even when they added the contributions of the people to the sums they got from the public funds. He denied altogether that it was wrong to take an opportunity of objecting to a particular grant because it did not include every grant to which objection might be made. He was against all the three ecclesiastical grants—that to the Presbyterian Church, that to the College of Maynooth, and, most of all, the endowment of the Established Church. Saving the rights of existing incumbents, he would abolish it out and out. He would abolish the Maynooth grant out and out, saving the life rents of existing holders; and he would abolish the Regium Donum out and out, saving the life rents of existing possessors. Whichever of them came up first, he should vote against that—Regium Donum, Maynooth, or the Established Church—he would vote against any of them. In whatever shape, way, or form he could manifest his hostility to them, that was the right way for him. He was against them all; he had attacked all of them in detail. They were all bad in principle, and the sooner we got rid of them the better. He cordially approved of the Motion which had been submitted to the House, and hoped it would be carried.

Mr. WHITESIDE said, that after the opinions expressed by the hon. Member for Edinburgh (Mr. M'Laren), one might reasonably ask if there was anything with which a Scotchman was content. The hon. Member seemed to object to everything that bore the name of an endowment. The Irish Members would, however, probably do their best to avert the catastrophe which the hon. Gentleman appeared so anxious to accelerate. The first grant of this kind was made by William III. to certain Presbyterians who from a lengthened residence in Ireland did not, like the hon. Member, regard the existing state of things with so much abhorrence. Their opinions, in fact, were somewhat Conservative. The grant had been continued until the present time, and if the hon. Member and his Friends from Scotland were so willing to dispose at one fell swoop of the Established Church in Ireland, the Maynooth Grant, and the Regium Donum, the question of increasing the number of Scotch representatives would require very careful consideration indeed. For if all the endowments and institutions of the country were to be swept away, the turn of the House of Commons would come with the rest. The hon. Gentleman could scarcely imagine that he was expressing opinions becoming a statesman, for the confusion, to say the least of it, which would arise from so sudden a destruction of things ancient and revered would be surprising. He could bear personal testimony to the advantage which had accrued to the province of Ulster from the Vote before the House, and to the beneficial effects which had accrued to the population generally.

Mr. CHILDERS thought that what he was about to state might change the vote of the hon. Member for Edinburgh. That hon. Member said that he was willing to vote whatever was necessary to protect the life interests of the present clergymen; but the Amendment before the Committee would strike off all the stipends of the existing ministers, and therefore the hon. Member for Edinburgh ought to oppose the Amendment. With respect to the distribution of the gift, he wished to inform the Committee that Dr. Cooke, one of the distributors, had died lately, and his place had not yet been filled up; but he did not consider a salary of £300 a year too much for the person who had the care and distribution of £40,000 intrusted to him, and he thought it would be unwise to discontinue the allowance.

Mr. CORRY said, that the province of Ulster was at present in a most prosperous condition; and he believed that that prosperity was in no small degree owing to the teaching and the example of the ministers among whom the grant in question was distributed. The hon. Member for Sheffield had given the House a new test for loyalty. The true test, he said, was to support the Government. If that were so, then he (Mr. Corry) must confess himself to be one of the most disloyal men in the House, the more especially since the Government had proposed a Reform Bill, which partially disfranchised the province of Ulster, the most loyal and prosperous portion of Ireland.

MR. CANDLISH wished to know, whether he was correct in understanding the Secretary to the Treasury to imply that as the existing recipients of the grant died out the grant itself would die out? If so, the estimate in the present year was inconsistent with such a declaration, as there was an increase in it for new congregations. If the Vote were taken distinctly on the ground that it was for the present recipients only, he should support it; but if others were to succeed, then he should oppose the grant.

MR. CHILDERS said, that he had made no such allegation. All he did was to claim the vote of the Member for Edinburgh, who said he would oppose taking the income they now received from the existing ministers. This injustice the Amendment would do.

MR. COGAN observed, that this was part of a very large and serious question, affecting generally Ecclesiastical Establishments in Ireland, which must soon come under the consideration of the House. He did not consider this was the right end of the subject to begin with, and he therefore trusted that there would not be a division on this particular grant to-night. He repudiated the assumption of exclusive loyalty made on behalf of Ulster, and when he heard the progress, prosperity, and civilization of the northern province spoken of in contrast to other parts of Ireland, he was tempted to ask whether the town of Belfast was not situated in that northern province, and whether it had not been year after year handed over to civil strife, and whether its streets had not been dyed with the blood of peaceful citizens.

SIR PATRICK O'BRIEN, speaking in favour of the Vote, asserted that the Presbyterians of Ireland were an essentially liberal body, and he warned them not to be led away by hon. Gentlemen opposite, who sought to curry favour with them by supporting the Vote. He trusted the day would come when the Presbyterians and Roman Catholics in Ireland would be united in one liberal bond, and then there would cease to be in that House an opposition, including Irish Conservatives.

Motion made, and Question put,

"That a sum, not exceeding £366, be granted to Her Majesty, to complete the sum necessary to defray the Charge which will come in course of payment during the year ending on the 31st day of March, 1867, for Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland."—(*Mr. Hadfield.*)

The Committee *divided*:—Ayes 24; Noes 130: Majority 106.

Original Question put, and *agreed to.*

CLASS VII.—MISCELLANEOUS, SPECIAL, AND TEMPORARY OBJECTS.

(13.) £3,750, Ecclesiastical Commissioners.

(14.) £18,500, to complete the sum for Temporary Commissions.

(15.) £21,292, to complete the sum for Patent Law Expenses.

COLONEL SYKES asked what became of the fees taken in the Patent Office. The Vote represented outgoings from the Consolidated Fund, but he presumed there were some fees which were received from patentees. He would like to know what was the amount of them, and how they were appropriated?

MR. CHILDERS explained that the amount of the fees was published, and that he believed they amounted this year to £110,000.

Vote *agreed to.*

(16.) £11,462, to complete the sum for Fishery Board Scotland.

(17.) £2,100, Board of Manufactures, Scotland.

(18.) £39,948, to complete the sum for Dues on Shipping under Treaties of Reciprocity.

(19.) £2,800, Inspectors of Corn Returns.

MR. READ asked in how many towns the Corn Returns had been discontinued in the present year?

MR. CHILDERS could not say from memory but he believed in three or four.

MR. WALDEGRAVE-LESLIE wanted to know what became of the Corn Returns when they were made?

MR. CHILDERS explained that they were made by Act of Parliament, and published in the *Gazette*, and stated that they were exceedingly useful.

Vote *agreed to.*

(20.) Motion made, and Question proposed,

"That a sum, not exceeding £500, be granted to Her Majesty, to defray the Charge which will come in course of payment during the year ending on the 31st day of March 1867, for adjusting and defining the Boundaries of Counties, Baronies, and Parishes in Ireland."

Whereupon Motion made, and Question proposed, "That the Chairman do report progress, and ask leave to sit again."—(*Mr. Darby Griffith.*)

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

(21.) £416, Ancient Laws and Institutes, Ireland.

GENERAL DUNNE observed, that he did not think the Government had dealt with the Brehon laws in a satisfactory manner, and intimated his intention of bringing the whole subject of the Irish Records before the House on a future occasion.

MR. CHILDERS said, hon. Members had doubtless seen the paper which he laid on the table of the House a few nights ago, on which occasion he stated what the Government had done with regard to the Records and other historical documents of the three Kingdoms, and at the same time offered suggestions as to what should be the future arrangements with respect to them. As, however, his hon. and gallant Friend proposed to raise the question on some future day in a general form he would not now further dwell on it.

MR. BENTINCK having had some experience of the Record Office, testified to the ability of Messrs. Hardy and Brewer, and observed that these gentlemen went to Dublin during the vacation, and, instead of taking their leisure, spent their time in investigating the Irish Records for the benefit of the country.

MR. O'REILLY observed, that the investigation of Messrs. Hardy and Brewer had not the slightest connection with the Brehon laws.

Vote *agreed to.*

(22.) £3,000, Flax Cultivation, Ireland.

COLONEL SYKES remarked that Votes of this kind were mischievous in principle, and was curious to know in what way this encouragement of the cultivation of flax in Ireland was managed.

MR. CHICHESTER FORTESCUE said, this small grant was made for a very good purpose. It had been continued for three years, and the object of the grant was explained in aid of local associations for the purpose of sending instructors to teach the farmers in the south and west of Ireland how to grow and prepare flax according to the improved method followed in Belgium and Scotland; and he had the satisfaction of informing the House that this course had been attended with considerable success.

MR. ESMONDE asked, whether if an application were to be made from Leinster the benefit which was extended to Ulster, in respect to the cultivation of flax, would be conceded to the former province?

MR. CHILDERS said, that the grant had been made to those districts most requiring aid. The object of the hon. Member for the county of Waterford, however, would be met by leaving out the words "south and west," and then it would be open for the Treasury to receive applications from other parts of the country; but he did not undertake that any such applications would be complied with.

Words "south and west" omitted.

Vote *agreed to.*

(23.) £780, Malta and Alexandria Telegraph.

(24.) £10,000, Agricultural Statistics.

MR. GOLDNEY asked for some explanation of the mode in which this large item had been expended. In the agricultural districts with which he was connected, the only returns which had come to hand were those connected with the live stock of the country.

MR. WATKIN said, that two years ago, on the Motion of Mr. Caird, the House declared itself in favour of a complete system of agricultural statistics. It ought to be stated how the present system was a compliance with that expressed opinion of the House.

MR. READ asked, whether it was intended to give returns of the acreage, corn, and agricultural statistics of the country generally, and, if so, when?

MR. MILNER GIBSON said, it had been thought desirable in the first instance to take an account of all the live stock in the kingdom, as a piece of information very useful to agriculturists. The returns were entirely voluntary, but he was informed that the farmers and holders of stock generally, encouraged by the magistrates, the boards of guardians, and the lords-lieutenant of counties, had all shown a desire to give the fullest information. It was the intention of the Government in like manner to endeavour to obtain by voluntary returns the acreage under cultivation, so that an approximate idea at least might be formed of the whole amount of the produce of the country. The returns had been obtained through the intervention of the superior officers of the Board of Inland Revenue, who distributed through the country, by means of the post, the schedules prepared by the Board of Trade. The notion at first entertained by some occupiers, that these returns were asked for with a view to increased taxation, had been entirely dispelled. It was impossible at present to say what exact amount of expenditure would have to be defrayed out of the Vote of £10,000.

Mr. GOLDNEY asked, whether this £10,000 had been or would be paid to the Excise officers in addition to their ordinary salaries? Excisemen were not, as it seemed to him, the proper parties to collect this valuable information, which would be much more readily given to local agents of respectability and influence, the cost of whose employment would be amply covered by the Vote of £10,000.

Mr. MILNER GIBSON explained that excisemen were not employed to collect the information; the surveyors, being high officers of the Board of Inland Revenue, sent the schedules to the farmers. It was the superior officers who were employed, and the returns were voluntarily made by the farmers. The cattle returns could only be regarded as an experiment, and some little time would be required before the Government could state finally the course which they would take regarding the agricultural statistics generally.

Mr. GOLDNEY thought it very desirable that the Government should give the fullest and earliest information as to the agents through whom the farmers were to make their returns.

Mr. AKLAND expressed a hope that the existing uncertainty as to what Member of the Government was really responsible for dealing with these agricultural questions would be removed, as it was most important that the farming interest should know and have confidence in the Minister to whom the conduct of such matters was intrusted. If the county Members would assist to dissipate some of the prejudices on this question they would benefit greatly not only producers but consumers. The transfer of the hon. Member, late Under Secretary for the Home Department, who was thoroughly conversant with these matters, to the Admiralty was a great loss to the agricultural interest.

Mr. READ urged upon the President of the Board of Trade the necessity of attempting to get these statistics before the harvest, if the attempt to get them was to be made at all; otherwise the matter had better be put off till next year.

Mr. FLOYER wished to know whether, if it was intended to extend those inquiries into the quantity of land under cultivation and the different modes of cropping it, those inquiries would be conducted by the same agency as was now used to obtain similar information with regard to cattle. He believed it would tend to remove apprehension from the minds of the agriculturists if they were assured that there would be no change made either in the method or in the instrumentalities hitherto employed for that purpose.

Mr. MILNER GIBSON, as at present advised, was not aware of any intention to change the mode of obtaining these returns, or to employ any agency different from that hitherto adopted. Any disclosure of the number of cattle possessed by an individual farmer, or of anything connected with his particular affairs, was carefully avoided. All that was made public was an aggregate amount, and the same principle would be applied when they took the acreage under cultivation as was applied in ascertaining the quantities of live stock. The Government trusted to the farmer for the information; and the whole matter was one of a voluntary character.

Mr. HENLEY thought the President of the Board of Trade was very fortunate in the mode by which he had endeavoured to deal with that long-vexed question. On the one hand, the right hon. Gentleman had disarmed jealousy, and, on the other hand, he had provided means. That matter came up for the first time some sixteen years ago, when Lord Halifax was Chancellor of the Exchequer; and he modestly proposed that the country people should pay for the returns themselves. That immediately set their backs up, and they said, "If you want it, you should pay for it." Various schemes were then proposed, and people were afraid of this thing and afraid of that; and if it were now to be attempted to obtain those returns by local authority, he was sure they would have people's backs up again, and would not get the statistics half so easily and correctly as they now did. At present it was understood that the information was to go to a central body, and that nobody would know anything of any man's affairs, the whole matter being published in a general shape, and collected at the expense of the community at large, because the public benefited by it. The right hon. Gentleman was very happy in the way he had commenced his operations, and it was to be hoped he would go on in the same manner. Then, no doubt, in a short time, perhaps in one or two years, he would get matters into a working order. Next year care should be taken not to ask for the quantities of stock in the lambing season, because they could not then expect to get returns that would be worth much.

Mr. ESMONDE asked why, when a Vote of £10,000 was proposed for the collection of these statistics in England, some proportionate grant was not made for the same purpose in Ireland. In Ireland these statistics were collected by the constabulary, a body whose proper functions were entirely of a different nature, and who, he would remind the Government, were very much underpaid; and therefore, when the pay of that force was under reconsideration, the fact that it had that extra duty thrown upon it ought certainly not to be left out of sight.

Vote *agreed to.*

(25.) £7,293, to complete the sum for Miscellaneous Expenses from Civil Contingencies.

Mr. MONK asked how it happened that a Vote of £525 was taken for professional services rendered by Mr. A. J. Stephens in preparing rules and orders under the Ecclesiastical Courts and Registries Act (Ireland)?

Mr. CHILDERS said, that there was no authority to charge the expense on Ecclesiastical Funds, and it could only be defrayed out of the present item.

Mr. READ asked for an explanation of the item of £954 for distressed Polish refugees. They appeared to be already provided for by a previous Vote of £2,296, which was stated in a foot note to be gradually diminishing.

Sir JERVOISE JERVOISE wished to know why part of the Vote was set apart for inspectors of sheep?

Mr. CHILDERS said, that there was an increase of claims from distressed Polish refugees arising from the Polish troubles of the year before last. Lord Palmerston, a few months before his death, sanctioned the present allowance, which would not be an annual charge.

Mr. POLLARD-URQUHART wished to know the meaning of the item of £4,999, value of biscuit supplied from navy stores at Malta for Circassian exiles."

Mr. CHILDERS said, that there was a terrible famine among the Circassian exiles, and the Government sent a quantity of biscuit from Malta for their relief. It was thought better that the cash value of the biscuit should appear in the Estimates, in order that the House might know what had been done.

General DUNNE said, that this prompt supply of biscuit for the poor Circassians did honour to the country, and he, for one, thanked the Government for it. What was the meaning of the payment to Captain Succi of £387 for the "illegal detention of his ship at the Sulina mouth of the Danube in June, 1854?"

Mr. CHILDERS said, that the vessel was detained in 1854, on the eve of the Russian War. The claim was not made till 1858-9. It was referred to arbitration, and reduced from £2,400 to the amount now proposed to be voted.

Mr. DARBY GRIFFITH complained of the item of £1,500 for robes, collars, and badges for the Knights of the several Orders. He observed, too, an item of £347 for fees payable on Installation of His Royal Highness Prince Alfred as a Knight of the Thistle.

Mr. CHILDERS said, that this item exhibited a considerable reduction compared with last year. It was thought only reasonable that these fees should be paid for the Knights. He could not give the details of the fees on the installation of Prince Alfred, but he would state to the Committee that this was a usual charge on the installation of foreign personages and of Members of the Royal Family.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported upon *Monday* next.

Committee to sit again upon *Monday* next.

SUSPENSION OF THE BANK CHARTER ACT.—QUESTION.

Mr. BAZLEY: With the permission of the House I wish to inquire of the Chancellor of the Exchequer, Whether he has consented to recommend any peculiar facilities to be extended to the Bank of England during the existing monetary panic, and what may be the nature of the indulgence, provided he has consented to meet the wants of the mercantile community?

The CHANCELLOR of the EXCHEQUER: I stated, in the commencement of the evening, that representations had been made to me from quarters of the greatest influence and credit with respect to the extraordinary state of alarm and distress prevailing in the City to-day. I stated that those representations had come to me from gentlemen representing in particular the private banks of London, and I expected that I should shortly receive similar representations from those connected with the joint-stock banks. Those representations I have received accordingly, and they were pressed even more earnestly and urgently than I anticipated. I stated, also, at the time when I had the honour of addressing the House, that the effects of the day's proceedings in the City through the Bank of England had not been fully given to us. Since that time we have become acquainted with those results, and we find that the Bank, moved by a just desire to sustain the commerce of the country, and to avert disaster, has extended its loans and discounts to-day to a sum of something more than £4,000,000. The effect of that large accommodation was to reduce the reserves of the Bank to a sum not very far short of £3,000,000 of money. Under these circumstances, as far as the facts are known, and — there being no reason to believe that any great change has occurred in the state of things, the estimate is sufficiently accurate for all practical purposes—we find the Bank reserves reduced in a single day from a sum approaching £6,000,000 to a little exceeding £3,000,000. The Government have felt that this is a state of things which, combined with the uneasiness prevailing in the mind of the public in regard to monetary matters, calls for intervention on their part. We have taken the opportunity during the evening of considering the state of the facts, and the result has been that we have determined to address a letter to the Governor and Deputy Governor of the Bank, substantially the same as was addressed to those high officers in 1847 and 1857. That is to say, if the Bank, proceeding upon its usual prudent rules of administration, shall find occasion, in order to meet the wants of legitimate commerce, to make such advances from the Issue Department as shall exceed the limits allowed by law, we recommend that they should not hesitate to make that issue, and we undertake, in the event of the arrival of that contingency, to make immediate application to Parliament to sanction that proceeding. There are other points of detail, but that is the substance of the letter which shall be in the hands of the Governor and Deputy Governor of the Bank to-morrow, and which we earnestly hope may have the effect of allaying the feeling of uneasiness which prevails in the country, especially as it does not arise from any general unsoundness in the condition of our commercial relations, but only from causes of a peculiar and specific character. In that respect we are able to draw a favourable distinction between the present crisis and others in former times; but there is also another distinction, and that is the extraordinary rapidity with which the crisis has come upon us, and which has reduced the opportunity of deliberation given to the Government within very narrow limits indeed. We have not, however, hesitated to act, to address ourselves to the subject with all the means in our power, and we trust that our proceedings will meet with the approbation of Parliament.

SUPPLY.—REPORT.

Resolutions [May 10] *reported.*

Mr. CHILDERS took the opportunity to correct an answer which had been given last evening, and to state that the proceeds of captured slave ships were paid to the captors and not into the Exchequer.

Resolutions *agreed to.*

LUNACY ACTS (SCOTLAND) AMENDMENT (*re-committed*) BILL.

(*Mr. Adam, The Lord Advocate, Sir George Grey.*)

[Bill 127.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Mr. BOUVERIE proposed a new clause to enable directors of Chartered Public Asylums to grant a superannuation allowance to their servants after a certain number of years service. He thought the principle so reasonable that no objection could be raised to it.

The LORD ADVOCATE hoped the clause would not be pressed. If adopted, it ought to apply to pauper asylums as well as chartered asylums; in practice it would lead to difficulty in the case of asylums that depended upon endowments and upon voluntary contributions, and at present he was not prepared to adopt the clause.

MR. BOUVERIE said, he was sorry to persevere against his hon. and learned Friend, but he was willing that the clause should be made wider in its application, if that were desired. His hon. and learned Friend was estopped from opposing the principle of superannuation, because he had proposed it with reference to another class of public officers, and, in fact, great public establishments, involving the employment of public officers, could not be properly conducted unless superannuations were granted. The asylums named as presenting difficulties were comparatively modern; but the clause as proposed would apply to old establishments, the directors of which had not that legal power of granting superannuations which existed in England. A clause in the English Act specifically provided that officers should have superannuations.

SIR EDWARD COLEBROOKE said, that the hon. and learned Gentleman who opposed the clause ought to advance a good reason why it should not be considered, for it only embodied a reasonable and sound principle, capable of defence in point of justice, and practically acted upon in England.

MR. M'LAREN said, that in Scotland the asylums were erected by voluntary contributions, and he thought the right principle was to allow each institution to do as it thought fit.

THE LORD ADVOCATE said, he would, before the Report was brought up, take into consideration the question as to whether Parliamentary interference was necessary.

Clause *negatived.*

THE LORD ADVOCATE, in moving to add a new clause, explained that it had been introduced for the purpose of empowering Parochial Boards, as well as public asylums, to raise money for enlarging their wards for the reception of lunatics. It provided, however, that monies borrowed by Parochial Boards should be repaid in annual instalments of not less than one-thirtieth of the whole amount borrowed.

Clause *added* to the Bill.

The Lord Advocate

Preamble.

SIR JAMES FERGUSSON drew attention to the fact that the Bill did not provide for the remuneration of a very meritorious officer, the Chairman of the Lunacy Board, who at present discharged his duties gratuitously.

THE LORD ADVOCATE replied that the expenses of the Lunacy Board in Scotland were rather heavy. He did not dispute that it would be desirable to assign a salary to the Chairman, but that was a matter which did not rest entirely with him.

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Friday* next, and to be *printed.* [Bill 157.]

SOLICITOR TO THE TREASURY BILL.

(*Mr. Childers, Mr. Brand.*)

[BILL 152.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. CHILDERS said, it was merely a formal measure, having for its object the enactment of a clause which had been accidentally omitted from the Act regulating the office of the Solicitor to the Treasury. He gave notice of his intention, with the permission of the House, of passing the Bill through the remaining stages on Monday next.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

HOP TRADE BILL—[BILL 128].

(*Mr. Huddleston, Sir Brook Bridges, Sir Edward Dering.*)

CONSIDERED.

Bill, as amended, *considered.*

MR. DODSON called attention to the clauses of the Bill requiring every package or pocket of hops to be marked in a certain way with the names of the grower, and every particular respecting the place of their growth, their weight, &c., and said, that the Bill converted what was intended as a privilege to the trader into a burden. The business was now thrown open, and this Bill would interfere with the new class of growers and traders. How could a seller of hops by retail be supposed to fix these marks on the smallest possible packages? He admitted the object of the Bill was to prevent fraud in the sale of hops, but this was too arbitrary a measure. If a system of compulsory marking were to be adopted, he did not see why cotton should not be marked, and brewers' barrels be marked. The argument that hops furnished an exceptional case was the monopolist argument. With the view of assimilating legislation with regard to hops to that which related to other commodities, and bringing this Bill into harmony with the Merchandise Marks Act, 1862, he should propose the omission of the second and third clauses. He moved the omission of Clause 2.

Amendment proposed, to leave out Clause 2.—(*Mr. Dodson.*)

MR. HUDDLESTON could have wished that the hon. Member had given the House the benefit of his suggestions on the occasion of the second reading. [Mr. DODSON: I was in the Chair.] The hon. and learned Member recapitulated the regulations of the existing law, and insisted that it was desirable not only for the planter but the consumer, and the brewer especially, that the class of hops desired should be obtainable in the market. This Bill involved no new principle, and only provided that the mark of the year and weight should be put on by the owner instead of by the Excise officer. 154 petitions had been presented, signed by 1,700 persons in favour of this proposal. Growers, factors, and merchants had signed these petitions. The Legislature had already declared in favour of exceptional legislation with regard to hops. And before the Committee of 1857 evidence was given that the marking of hops was essential for the protection of the trade against frauds. The objection to the Bill came from the Sussex growers, who grew an inferior quality of hops which, without being compulsorily marked, as proposed, might appear in the market with the Kent brand upon them.

MR. BERESFORD HOPE opposed the Bill, and should vote against the retention of the clause.

MR. GREENE, as a brewer, said, it was necessary for the protection of the trade that this Bill should be passed. It was sometimes necessary to pass an Act of Parliament to make men honest. He expressed his surprise that any hon. Member should be found to oppose this Bill.

MR. ALDERMAN LUSK said, there was no necessity for protecting the brewery trade. Hops should go into the market like any other article, and be dealt with as the trader felt disposed.

MR. LOCKE said, the brewers felt that such an Act of Parliament was necessary to prevent fraud. Without it they were unable to discover the fraud until it was too late. To deal with hops as the trader pleased led to fraud, and the only way to prevent it was to compel the grower to mark them. The Bill would be worthless without the clauses to which the hon. Gentleman the Member for West Sussex objected.

Question put, "That Clause 2 stand part of the Bill."

The House *divided*:—Ayes 60; Noes 20: Majority 40.

Bill to be read the third time upon *Monday* next.

WRITS REGISTRATION (SCOTLAND) BILL.

Select Committee on Writs Registration (Scotland Bill [April 16] *nominated*:—The LORD ADVOCATE, Mr. DUNLOP, Mr. WALPOLE, Mr. BOUVERIE, Mr. ATTORNEY GENERAL for IRELAND, Lord HENRY SCOTT, Sir WILLIAM STIRLING-MAXWELL, Sir JAMES FERGUSSON, Mr. EDWARD CRAUFURD, Sir ROBERT ANSTRUTHER, Mr. CRUM-EWING, Mr. SMOLLETT, Mr. GRAHAM, Mr. WALDEGRAVE-LESLIE, and Major WALKER:—Power to send for persons, papers, and records; Five to be the quorum.

EDINBURGH ANNUITY TAX ABOLITION ACT (1860), AND CANONGATE ANNUITY TAX ACT.

Select Committee on the Edinburgh Annuity Tax Abolition Act (1860), and the Canongate Annuity Tax Act [April 30] *nominated*:—Mr. M'LAREN, The LORD ADVOCATE, Mr. BOUVERIE, Sir GRAHAM MONTGOMERY, Mr. DUNLOP, Sir JAMES FERGUSSON, Mr. HADFIELD, Mr. GRANT DUFF, Mr. INGHAM, Mr. CUMMING-BRUCE, Mr. JOHN BENJAMIN SMITH, Mr. ADAM, Mr. BAXTER, Mr. CRUM-EWING, and Mr. WILLIAM MILLER:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at half after One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, May 14, 1866.

MINUTES.]—*Took the Oath*—The Marquess of Westminster.

PUBLIC BILLS—*First Reading*—Burials in Burghs (Scotland) * (112); Drainage Maintenance (Ireland) * (113).

Second Reading—Inclosure * (107); Harbour Loans * (104); Superannuation (Officers Metropolitan Vestries and District Boards)* (91).

Committee—Attorneys and Solicitors (Ireland) 1866 (60); Contagious Diseases * (95).

Third Reading—Labouring Classes Dwellings * (69), and *passed*.

MINUTE OF COUNCIL ON EDUCATION—THE CONSCIENCE CLAUSE.

QUESTION.

THE ARCHBISHOP OF CANTERBURY said, he would now put to his noble Friend the President of the Council, the Question of which he had privately given him notice respecting "the Conscience Clause" of the Education Code. He brought this question forward in no spirit of hostility, but with the sincere desire that this long-vexed question might be peaceably settled, and he hoped that the answer the noble Earl might give would tend to that effect. The questions he was about to put arose out of a correspondence which had lately taken place between two clergymen of the Church of England and the Secretary of the Committee of Council on Education. The Rev. Mr. Caparn put two questions—first,

> "Whether the Apostles' Creed was one of the formularies of the Church which a parent might require his child not to be taught; and secondly, whether the managers of a school might make the daily reading of the Bible absolutely necessary for all children."

The reply of Mr. Lingen, the Secretary of the Committee of Council, was in these words—

> "In answer to your first question I am directed to state that the Apostles' Creed being a formulary of the Church of England, might be required not to be taught to a child by its parent who belonged to a communion wherein that Creed was not used. In answer to your second question, whether the clause aforesaid allows the promoters of the school to make the daily reading of the Bible by every child an absolute rule of the school, I am directed to state that the clause allows the managers to do so, so long as the text of the Bible is not employed to enforce doctrine which (*ex hypothesi*) is that of the Church of England, but is not also that of the parents."

That answer was interpreted to signify that no clergyman was to be allowed in the ordinary teaching of a school to lay down any doctrine of the Church of England to which the parents of any child might object. Of course, if that was the case, not only might any doctrine of the Church of England be excluded from the teaching of the school, but the very first article of belief in the existence of God might be excluded. The second correspondence took place between the Rev. Mr. Scott and Mr. Lingen. Mr. Scott was very anxious to ascertain what obligations would be imposed on him if he accepted the conscience clause. He stated that in the case of the schools he had presided over

> "The practice was to allow the children to attend at whatever Sunday school and at whatever place of worship their parents preferred; also, if desired by the parents, the teacher allowed the child of a Dissenter to omit the Church Catechism, or, at all events, that part of it to which Dissenters chiefly object; but he had a strong objection to bind himself not to teach the doctrine as well as the formularies of the Church."

Mr. Lingen's answer was that the managers were bound to make such orders as would extend the benefits of the schools to such children as, not being connected with the Church of England, were not desirous of being instructed in its formularies, and that otherwise the managers were not to interfere with the teaching of the formularies of the Church as by law directed. Mr. Scott expressed his wish that their Lordships would allow the omission of the words "doctrine or" in Clause 2. He said—

> "My objection to the insertion of the word 'doctrine' is its latitude. In the doctrine of the Church of England is included the whole range of Christian truth; so that by engaging that children may be exempted from being taught the doctrine of the Church of England we should, in fact, be engaging that in a Christian school superintended and in a great measure supported by a Christian minister, children should, on the demand of an infidel, be brought up without any Christian instruction at all."

Mr. Lingen answered—

> "The principle of that clause is that no child ought to be compelled to receive religious instruction contrary to the profession and declared wish of its parent."

Mr. Scott declined altogether to accept the conscience clause on that interpretation. It was with the hope of arriving at a more definite explanation of what the clause really meant, and the obligations imposed by accepting it, that he wished to ask the noble Earl the Question of which he had given him notice—namely, Whether a clergyman of the Church of England would meet the requirements of the conscience clause by exempting the children of Dissenters from attendance in school during the reading of the formularies of the Church, or whether he would be bound to abstain from teaching in the schools any doctrine of the Church of England which the parents of a child might desire should not be taught to his child?

EARL GRANVILLE said, that it was hardly necessary for him to state that he never apprehended that this question was likely to be put in a hostile spirit; and he was induced to hope that a settlement of the question, which could not long be delayed without injury to all concerned, would soon be arrived at. There was some hope that the matter might be dealt with in a manner to give satisfaction to the clergymen of the Established Church. Some inconvenience had arisen in connection with this question from the fact of individual promoters of schools putting abstract questions to the Council Office on matters with which they were not called upon to deal practically, but which were of a speculative character; and the consequence was, that the Council Office were sometimes compelled to give answers which, when applied to facts, might seem ambiguous. At the same time, there was the greatest desire on the part of the Council to give the most perfect information. With respect to the first question, put by the most rev. Prelate in two parts, he could not answer either part in absolute terms. With respect to the first part of the question—whether a clergyman of the Church of England would satisfy the requirements of the conscience clause by exempting the children of Dissenters who objected from attendance in school during the reading of the formularies of the Church?—it was clear that that description did not meet the requirements of the conscience clause; for it would not be acting justly to the Dissenters if the managers of Church of England schools were to allow the children of Dissenters to withdraw while the formularies of the Church were being read, and to be brought in again to hear the doctrines of the Church taught. He would read the following extract from *The Church and State Review* of November 1, 1865—

> "We cannot help thinking that, if Dissenters were aware how little effect the mere Catechism has in the creation of Church people, they would not make such a fuss about a conscience clause; and we are quite certain that, unless our dogmatic teaching is to be of a very different kind in future from what it has been heretofore, we may just as well save ourselves the trouble and the odium of struggling against its imposition. If, instead of puzzling their brains with lists of Old Testament kings, our children were impressed with the lesson to be learnt from the fate of Korah, with the application of it to our own times as enforced by St. Paul and St. Jude; if they were carefully instructed in the perpetuity of the ministry founded by the Apostles; in the necessity of that ministry in order to the validity of sacraments, and to the existence of a true Church; in the unchangeableness of the one faith, and the character assigned by St. Paul to all 'new gospels,' and deviations from it; in the guilt of schism, as part of that one faith; in the primitive and apostolical mode of maintaining that one faith, by means of synods and councils; in the distinction between the Church and the world, and the independence of the former society from the rules of the latter; in the mutual equality and yet inter-dependence of bishops; in the Scripture way of salvation, and the necessity of a heavenly life if we are to attain to Heaven;—if such were considered as necessary a part of the instruction of the children of the Church as the three R's, which she has nowhere been commissioned to teach, we venture to think that the rising generation would be very different from the present."

He did not say that the opinions put forth in this article represented the real opinions of any considerable portion of the Church of England; but it was quite clear that a small number of Churchmen might be able, in schools unprotected by the conscience clause, to outrage the feelings of a great number of Dissenters in this country. He, therefore, thought it was evident that doctrines as well as formularies should be included within the scope of the conscience clause. It must be obvious to their Lordships that not only did the conscience clause not interfere with the religious instruction in the schools, but it absolutely required that no interference should take place by forcing that instruction on the unwilling. This was clearly shown in every letter which emanated from the Council Office, and the conscience clause did not in the slightest degree touch the religious teaching of the Church of England in schools promoted by the Church of England. The only thing it enforced was, that a child should not attend that portion of the religious instruction to which his parents objected.

THE ARCHBISHOP OF CANTERBURY said, he thought that on the whole the noble Earl's answer was satisfactory. It appeared to throw a considerable light on the question and it would relieve many clergymen from great anxiety. He understood that if a clergyman accepted the conscience clause he would not have the general instruction of his school in any way interfered with; but that if a parent chose to withdraw his child from any part of the instruction he was at perfect liberty to do so.

THE BISHOP OF ST. DAVID'S said, that there never was a time when he did not consider the principle of the conscience clause was not only consistent with, but was absolutely required by common justice and charity; but there was also a time when, while he assented to the general principle, he did not see the necessity of its compulsory imposition. The object of the clause, as he always understood it, was not in the slightest degree to restrict the liberty of religious instruction in any Church of England school, but simply to secure liberty to parents who objected, to withdraw their children from a certain portion of the instruction given in the school. He believed that the object of the Question which had been put by the most rev. Primate was to ascertain from the highest authority whether there was or had been anything to prevent clergymen of the Church of England from accepting the conscience clause, and making it the rule of their conduct in the religious instruction they gave in their schools. There was a time when he was not convinced of the necessity of the compulsory imposition of this clause, because his own experience in his own sphere had led him to believe that the principle was so uniformly adopted in practice that it was not necessary to resort to other measures. But recent proceedings had convinced him that he was wrong in that respect. He deeply deplored that those proceedings had issued in the present most unhappy breach between the Committee of Council and the National Society, but he hoped that it was not too late for that breach to be healed. The answer given by the noble Earl would contribute in a considerable measure to that most desirable object. He must say that it was the absolute duty of the Committee of Council to insist on the conscience clause.

THE EARL OF CARNARVON expressed his regret that a discussion should have arisen on so grave and important a subject, under circumstances which precluded the possibility of its being satisfactorily dealt with. His sole object in rising to say a few words upon it was to guard against the supposition that he, at all events, accepted the views with respect to it which had been laid down by his noble Friend the President of the Council, or the right rev. Prelate who had just spoken. He denied that the questions arising under the conscience clause were so easily disposed of as the noble Earl seemed to imagine. If time had allowed, he should have been prepared to enter into the whole question, and he trusted an opportunity for doing so would before long be afforded. Meantime he would content himself with observing that the clause referred to was one which had never been formulated in a Minute of Council, which had never been laid before Parliament in any shape, and which rested on no other authority than that of the President of the Council himself.

LORD LYTTELTON also expressed a hope that their Lordships would have an opportunity of discussing the question on a future occasion.

ATTORNEYS AND SOLICITORS (IRELAND), 1866, BILL—(No. 60).

(*The Lord Chelmsford.*)

COMMITTEE.

Order of the Day for the House to be put into a Committee read.

Moved, That the House do now resolve itself into a Committee.—(*Lord Chelmsford.*)

THE LORD CHANCELLOR said, that when the Bill was before the House on a previous occasion he said that he regarded the principle of the Bill as a sound one, inasmuch as it proposed to assimilate the law in Ireland on the subject with which it dealt with that of England; but he had subsequently received communications from Ireland which led him to entertain serious doubts as to the expediency of passing the measure. In that country the Society of the King's Inns was presided over, and had been for more than two centuries, by the Lord Chancellor, all the Judges, a certain number of Queen's Counsel, and other distinguished legal functionaries, who exercised authority not only over the Bar, but also over the attorneys and solicitors. Unlike the case of England, solicitors might be members of the Society of the King's Inns just in the same way as barristers; proper lecture-rooms were provided for them, and lectures given, and they paid a certain sum to the Society in return for the accommodation thus afforded. The present Bill, however, proposed to do away with that system, and to take away from the Society, as now constituted, the funds out of which the lecturers were remunerated. The proposal was one, he could assure his noble and learned Friend (Lord Chelmsford), which was regarded with considerable dissatisfaction by the Judges and high legal functionaries in Ireland, and it was, under the circumstances, one which he did not feel himself justified in supporting.

LORD CHELMSFORD said, that when he undertook the charge of the Bill he was under the impression that there would be no opposition to it, and he was surprised to learn that it was looked upon with disfavour by the Benchers of the King's Inns and other distinguished legal functionaries in Ireland. When his noble and learned Friend on the Woolsack informed him that such was the case and furnished him with the Report of the Committee of Education of the King's Inns, which put forward the objections of that Society, he felt disposed to withdraw from the Bill altogether. But on reflection he deemed it to be his duty not to do so unless he found that the opposition to it was well founded; and he was bound to state that although the Report of the Committee of Education of the King's Inns had attached to it the signatures of the Lord Chancellor and Lord Justice Blackburne, he did not think it furnished any conclusive argument against the proposal which he asked their Lordships to sanction. The Society of the King's Inns was not, he might add, established by charter or by Act of Parliament, but constituted a purely voluntary association, of which the Benchers were the governing body. There was also an Incorporated Law Society, composed of solicitors and attorneys, in Ireland, as in England, but all the solicitors were obliged to become members of the King's Inns; but had never for more than a century been permitted to form part of the governing body (which was self-elective), although they paid fees amounting to more than double the sum paid by the same class of persons in this country. They had, in fact, no share whatever in the management of the affairs of the Society, and no control over the administration of its funds. The original constitution of the King's Inns, it was also necessary to state, gave the Society no authority over the solicitors, and it was not until 1710 that it began to exercise that authority. In the year 1792 the Society obtained a charter giving them certain powers over Attorneys, which they had long exercised in fact, and that charter was confirmed by Act of Parliament; but so strong an opposition to that charter was raised both by the Bar and the solicitors that the Act was in the following year repealed, and the Society reverted to its original condition—that of a voluntary association. The Benchers, notwithstanding that, however, made in 1794 rules and regulations for attorneys, founded, not upon any legal right, but upon long usage, and among the other regulations laid down was one to the effect that every person who was admitted as a solicitor should become a member of the Society, and should pay certain fees. Those fees were exacted from them from 1794 to 1838, when a question was raised as to the legality of the exaction, and it was pronounced by Mr. Serjeant Warren (himself a Bencher,) to whom the case was submitted, to be his opinion that the Society of the King's Inns was a mere voluntary society, and that the Benchers were not entitled to exercise control over attorneys or their apprentices, except in so far as they, by becoming members of the Society, had subjected themselves to its rules and ordinances. The Benchers, however, still continued to require that all attorneys should be members of their Society; they took fees as before on the admission of apprentices; and from a Return which had been made to the House of Commons in 1856, it appeared that the total amount of the fees received by the Society from attorneys between 1794 and that year was no less than £87,000. What did the Benchers of the King's Inns do for that large sum which they had received from the Attorneys? They certainly gave them a building called the Solicitors' Buildings in the Four Courts; and probably they had laid out in its erection about half the money they had obtained from the Solicitors. But they had another most important duty to perform—namely, to make regulations for the training and education of apprentices, and to institute an examination for the purpose of seeing that they were duly qualified before they were admitted as attorneys. In their Report the Benchers said they had done that duty—that, in addition to the making of general regulations for the binding of apprentices, they now maintained and had maintained for years a Professor for the purpose of delivering lectures, and an Examiner for conducting the legal examination of apprentices before they were admitted to the profession. The words "for years" almost necessarily implied that for a very long time that course had been adopted; but the fact was that from the year 1794 down to 1860 there was no provision whatever made for the examination or the instruction of those apprentices. In 1846 a Committee of the House of Commons inquired into the state of legal education in Ireland, and in their Report they said that for the solicitor's apprentice there was not any opportunity afforded for obtaining a legal education; that he was treated chiefly as a mechanical agent for carrying out the practical processes of the profession; and that consequently whatever higher or more comprehensive education he might acquire, he owed almost exclusively to himself. Master Lyle, in his evidence before this Committee, said—

> "No attendance at a University, a college, or any other institution was required; no course of legal lectures was insisted upon; and his attendance at the Courts of Law need only be of a purely formal nature."

The present Judge Longfield being asked whether he would exempt the solicitors from the payment of fees to King's Inns, answered—

> "Yes; that he thought there was no fair object in requiring them to pay them; and that he could not see on what principles of justice solicitors should be obliged to pay fees to an institution from which they derived no benefit."

In 1855 the Solicitors presented a memorial to the Benchers of the King's Inns praying them to make some arrangement for the examination of apprentices applying for admission to practice, and calling their attention to the fact that no course of studies was prescribed. In their reply the Benchers admitted that they had failed to devise a plan of that kind; and they added that the only course by which that could be done was by establishing law lectures—a proceeding which the state of the Society's funds rendered impossible. At last the Solicitors got a Motion made in the House of Commons for a Committee of Inquiry into the subject. That Motion was vehemently opposed by the Benchers, and it was only after the Committee of Inquiry was granted, that in 1860 that Institution appointed for the first time a Professor with a salary of £100, and an Examiner with a salary of £30. So that the whole sum voted by the Benchers of the King's Inns for the purpose of legal instruction, which was so essential, was only £130 per annum; whereas from the year 1794 down to 1856, the Solicitors had contributed to their funds no less a sum than £87,000; and this was the way in which the Benchers had discharged their duties to the Solicitors. Scanty as the provision was it was only extracted from them after long years of patient endurance. Yet, in their Report, the Benchers claim credit for having discharged their duties properly, and maintained that it would be quite wrong to take away from them powers which had been so well exercised. But their authority having commenced in usurpation, the duties which it involved had been entirely neglected. But the Solicitors of Ireland were not desirous of withdrawing themselves altogether from control; all they sought was to place themselves in precisely the same position as their brethren in England occupied. In England the solicitors were under the control, first of all, of rules and regulations made by the three Chief Justices and the Master of the Rolls. Examiners were appointed by the Incorporated Law Society, who examined candidates for admission to the profession. What the attorneys of Ireland proposed was that they should be placed under rules and regulations framed by the Lord Chancellor, the three Chief Justices, and the Master of the Rolls before indenture and before admission, and that they should be examined by the Examiners of the Incorporated Law Society. He did not know why the Benchers of the King's Inns should be so extremely desirous of retaining their powers over the Solicitors, unless it was on account of the large fees which they had so long obtained from them. The Solicitors had little imagined that there would be any objection to that measure. In answer to a letter addressed to him on the subject, Mr. Serjeant Armstrong, one of the Benchers, promised that the Bill should have every aid in his power. With such strong evidence before him, therefore, he (Lord Chelmsford) did not feel warranted in abandoning the measure, and he trusted their Lordships would now pass it through Committee.

The Earl of ELLENBOROUGH said, he knew nothing of the Bill except what he had just heard from the two noble and learned Lords; but if, as had been stated, the Benchers of the King's Inns had no legal right to collect these fees, and yet the Bill transferred them from one body to another, that would be giving to them a Parliamentary recognition, and would have the effect of creating a new text.

The LORD CHANCELLOR said, that

after the speech of his noble and learned Friend (Lord Chelmsford) he would no further say anything against the Bill; as it seemed to him that his noble and learned Friend had made out a case fully justifying its introduction.

On Question, *agreed to:* House in Committee accordingly; an Amendment made: The Report thereof to be received *To-morrow.*

FINANCE OF RAILWAYS—RAILWAY LEGISLATION.—OBSERVATIONS.

Lord REDESDALE, in calling Attention to Matters in connection with the Finance of Railways, and particularly in reference to Legislation on the Subject, said, that just before Parliament adjourned for the Easter holidays he called their Lordships' attention to the subject he now begged to resume—namely, the state of the railway system of this country as regards the manner in which its financial operations were carried on. He then stated that when he again brought the subject under their notice he should direct their Lordships' attention to the state of legislation in respect to it, and would propose for their consideration the advantage of amending certain of their Standing Orders, with a view to create a new and improved system on which the finance of these companies should be conducted. Since that time he had received various communications from different parts of the country, highly complimenting him on the course he had taken, and pointing out the advantage of bringing the matter before the public. He believed that at that period the extent to which the evil had spread was not generally known, and if he had delayed for a time to take the matter in hand again, it was because he was satisfied that his case must be strengthened during the interval, and that expectation had been completely realized; but he had hardly expected that his anticipations would have been borne out to the extent they had been by what had since occurred. When he last addressed their Lordships a railway contractor of great eminence and respectability had just failed. They had now learnt the failure of perhaps the very largest of all these contractors; and he was convinced that the system on which the construction of our railways had been carried on for a very long period had completely broken down, and they could not hope that it would be possible to re-construct it on the same principles. It was in 1864 that the difficulties began to arise, the railway contractors then experiencing pressing difficulty in obtaining money for their undertakings; and certain "finance companies" were formed for the avowed purpose of providing the capital which would enable contractors to carry out their schemes. Last year all the schemes which were brought before Parliament by Bills more or less looked to these finance companies for assistance. But what had occurred must have satisfied their Lordships that not only had the finance companies failed to support the railway system, but that the railway system had in a great degree contributed to destroy the finance companies. He was convinced that when the history of the great firm of Overend & Co., which had recently failed, came to be known, it would be found that their difficulties had been in a large measure occasioned by advances made by them to railway companies or to contractors on railway securities. When they considered the nature of those advances, and how these affairs were carried on, their Lordships would see that there was no foundation for expecting any soundness in those transactions. What was the system? It was a paper creation of credit, founded on works that were not completed, and which of themselves offered no security at all. The system not only led to great difficulty in completing the works—it also led to great delay. Even short lines of only twelve or fourteen miles in length were sometimes five or six years in the course of construction. During that time the interest of money had to be found, and that interest accumulated upon the cost of construction. It was only necessary to show that the system allowed of such latitude on the part of contractors and those interested in raising the money, and the only wonder was that the system had not broken down before. There was a case brought under his notice which he would state to their Lordships as it appeared from the statements made at a meeting of the shareholders—he alluded to the Carmarthen and Cardigan Railway Company. The original capital of the company was £300,000 in shares. There was a further sum of £93,400 in borrowed money. At that meeting it was stated that of the original capital only £29,000 was ever subscribed. That

£158,780 was raised by preference shares and £60,355 by debentures. In addition to this there was raised £733,833 in Lloyd's bonds; making the total capital £983,968 for the construction of a line for which a capital of only £393,400 had been allowed by Parliament. So that nearly three times as much had been spent upon the construction of the line as the authorized capital. There was another remarkable instance of the operation of the system, in the case of a very large concern. It had been working for a considerable period, and was a very energetic line, which stopped at no expenditure in carrying out its objects. He mentioned it because it was connected partly with the contractors who had recently failed, and when their Lordships heard the proceedings that had occurred in regard to the raising of the capital of the line, they would not be surprised at the failure of the contractors or the financial embarrassment of the company. Last year there was a new scheme for the extension of that line into the City, for which a separate capital was raised for a large amount. In the course of the year those contractors went to the Credit Mobilier Company for £1,100,000. [A noble LORD: What was the name of the Company?] The London, Chatham, and Dover Railway. They raised that sum on the following terms:—For £21 cash there was given £40 of fully paid-up stock—thus sacrificing £19 to obtain £21. It was, in effect, getting £577,500 by a sacrifice of £522,500. And this was noted at the time as a most successful operation on the part of Messrs. Peto and Company, who were quite satisfied at getting the money on such terms. During the present year the value of money had increased, as had also increased, most probably, the embarrassment of contractors. It was therefore announced that £100 stock could be had for £27 10*s.*—and by this means, on a capital of £2,270,000, a sum of £624,250 was raised at a sacrifice of £1,645,750. When they heard such facts as these, was it possible to suppose that a system so reckless could ever stand, and was it either reasonable or proper to allow it to go on? They were all feeling at this moment the state of the money-market, which he believed had been largely occasioned by such operations. Speculation had been carried on for some years to an enormous extent, and even three or four months ago, before the alarm was given, it was notorious that the rate of interest in this country, notwithstanding its vast capital, was much higher than it was in France. This was a system which interfered with all legitimate undertakings, because it made it so much the more difficult for persons who were carrying on a sound business to obtain the money they required on reasonable terms. Formerly, before any new work was undertaken, the persons who were to form the new company were expected to enter into a subscription contract for a considerable portion of the capital required for the works. The old Standing Order required that three-fourths of the capital should be subscribed beforehand. In the early history of railway enterprize those contracts really represented a large amount, if not the whole, of the capital required. But the mania of 1845-6 led to the starting such an enormous number of schemes with large capitals that fictitious subscription contracts were made, and Parliament became dissatisfied with a system that seemed to offer a very imperfect security for finding the capital put down, and not very wisely abrogated the system of subscription contracts, substituting for it what they thought a reality—a system of deposits. But the deposits not being connected with the subscription contract, and not necessarily forming part of the capital required, the result was that while the subscription contract was really founded on a sum of money which was provided by those who had got up the scheme, the deposits were advanced by those who got out their money on bond after the Bill had passed. Thus the latter system, instead of being an additional security for the construction of the line, was mischievous rather than otherwise, because the money was borrowed at great cost, and was of no good to the promoters of the line. For a time he had thought that to make the deposits a reality would be sufficient in order to secure a sound system for those undertakings; but what had occurred lately, and further consideration of the subject, had satisfied him that Parliament must revert to the old system of subscription contracts, and make them a reality by attaching to them a real deposit. He knew he should be met by the assertion that if that were done new railways would not be constructed, and an end would be put to that branch of national enterprize. He thought it very possible that under the change he proposed a temporary check would be interposed. The very formation of a subscription contract required time, and some little time would elapse before people could accommodate themselves to the new system. But their Lordships would agree that a little repose in the railway world at the present moment would be attended with considerable advantage. He would say to noble Lords who might have to attend on Committees on opposed Railway Bills that it would be their duty under present circumstances to be very careful how they gave their sanction to very speculative lines that required large sums of money. They were passing through a very trying time—although, perhaps, not so bad as had been apprehended—and unless something was done to prevent the country from being flooded with this system of false credit, the greatest injury would be likely to arise; and he did not know but what a moderate check to such schemes would be extremely desirable. He was aware that some of those who were interested in railway undertakings, and who had good opportunities of forming an opinion on the subject, but who at the same time were apt to look upon it under the influence of prejudices—he meant gentlemen of the Bar and Parliamentary agents—he was aware that these parties would object to the alteration he proposed, and thought that it would injuriously affect railway enterprize altogether. But he asked their Lordships to consider whether what had been done once could not be done again. It would also be well that their Lordships should bear in mind that even now the line was the foundation on which credit was obtained by the contractor; but if they asked for an advance of money on Lloyd's bonds, the security given was shares issued at 40 or 50 per cent discount. He believed that if his proposal were adopted, the schemes would be more cautiously got up, with the view of inducing people to advance their money upon them; more careful surveys and calculations of traffic would be made, and there would be no difficulty in raising the money from those who were always looking out for investments. Capitalists were ready to subscribe very large sums for all sorts of schemes all over the world, and when a new and sound system of railway construction was established money would be found as in former times for these projects. The old subscription contract was for three-fourths of the capital. What he should propose was, that it should be for two-thirds of the capital; and he took that amount because borrowed money was now allowed by Parliament to the extent of one-third; and if two-thirds were first subscribed, and the one-third required under the estimate for the completion of the line was authorized to be borrowed, the remainder of the share capital would soon be forthcoming. One objection to the present system was, that practically there was now no company at all. A very small capital was subscribed, and subsequently, perhaps, one or two country gentlemen were put nominally upon the list of directors, but in many instances the contractor was practically the sole director. He gave a certain number of shares to his nominees, in order to enable a meeting of the company to be held for the purpose of making calls—and of doing nothing else whatever. How could things go on under such a system? One of the advantages of the change he proposed would be, that persons would be put into the management of the line in whom the public would have confidence. The next point to which he would refer was the amount he thought desirable to have for the deposit. He proposed that one-eighth of each share subscribed should be subscribed as a deposit. He selected that amount upon the subscription contract because it was as nearly as possible the same proportion as was as present required—namely, 8 per cent upon the whole capital. For example, on £300,000 capital a deposit on the plan proposed would be £25,000, while on the present plan it was £24,000. In addition, he proposed that the shares subscribed for should not be transferable until three-fifths of the amount were paid up. As it might be thought that the first deposit and the restriction on the disposal of shares might operate against persons entering into subscriptions, he should propose a clause authorizing the payment of interest out of capital on calls at the rate of 4 per cent; the payment on the deposit to commence from the 15th of January, and on calls, of course, from the day on which payment was made. That was an alteration of the principle hitherto adopted by Parliament in not allowing interest on calls; but if they adopted the system of subscription contracts, it would be desirable to depart from the present practice, and to offer inducements to parties to subscribe—by that means they would probably get more sound subscription contracts. He knew it would be said that landlords and others who were interested in a district would not care to subscribe more than they do at present, although they benefited their estates by the construction of the line. The present system had a tendency to discourage such subscriptions, as in almost every instance an issue of preference capital became necessary, whereby those who came forward to construct a line, and who subscribed 20*s.* in the pound, were the parties to suffer most—if they did not, as in too many instances they did, really lose all the money they had advanced. A system of preferred and deferred shares had been introduced, which enabled persons desirous to promote the interests of a company at some personal sacrifice on account of the advantage to be secured to their properties, to subscribe to the same amount, or to a larger amount than they might be disposed to do at present without incurring greater liabilities. Under this system a share was divided into two parts, and when a portion was paid on one-half the other half was thrown upon the market with a secured preference. The effect was, that a person was enabled to increase his subscription without increasing his risk, that the necessity for raising preference capital was probably avoided, and the money required being found, the line would be constructed without delay, the shareholders knowing what they are about. Another matter, in respect of which he desired an alteration of the Standing Orders, was one of very great importance: he referred to the amalgamation and the sale of lines. He proposed to require that the terms upon which these amalgamations and sales were to be made should be stated beforehand. The rule at present was for general powers to be taken to enable line A to absorb line B by lease or purchase; but the proprietors of the railways really knew nothing about these transactions, and had not the means of inquiring into them before their companies were bound to the terms, whatever they might be. In each case notice was given of a general special meeting to sanction an agreement which had been entered into between the one company and the other for the transfer of one concern to the other; but the shareholders were not told anything about the terms; they had no means of making inquiries; and he had no hesitation in saying that the grossest jobberies had been perpetrated by means of amalgamations, purchases, and arrangements effected in this manner. He proposed that notice of every proposition for the amalgamation or sale of a line should appear in the November *Gazette* notices, and that the terms upon which the arrangement was proposed to be carried out should be set forth in the notice. There would then be time for the shareholders and others interested to make themselves acquainted with the terms, to ascertain what were the receipts of the line it might be proposed to purchase or lease, and to consider how far it might be advantageous that the amalgamation should be carried out. It was also desirable in these matters to increase the control of Parliament, which was allowing such control to pass too much out of its hands. Arrangements ought to be entered into in a more formal way than they were at present. These were the alterations in the Standing Orders he wished to submit to their Lordships, affecting the points to which he had called attention. He would lay on the table the formal alterations he proposed, but he would not ask their Lordships to agree to them without full consideration; and therefore, without positively pledging himself to the day, he would name that day three weeks as the day on which he would move the new Standing Orders.

Lord STANLEY of ALDERLEY said, that their Lordships were much indebted to the noble Lord the Chairman of Committees for having brought the subject under their notice. It was one of very great importance. At the same time, the proposals which the noble Lord had signified his intention to submit involved changes of the greatest magnitude, and he was inclined to think it would not be desirable that their Lordships should come to a decision upon them without entering into some communication with the other House of Parliament. No doubt there were abuses in the existing railway system, but in remedying them care must be taken not to throw unnecessary impediments in the way of the construction of railways which might materially benefit the country. He would appeal to their Lordships in their capacity of landowners to consider the bearing the matter might have upon the construction of lines in which they were peculiarly interested. The lines contractors now made were chiefly such as opened up country districts in connection with great trunk lines, which were often opposed by them; and if great difficulties and impediments were thrown in the way of their construction they might not be made at all. He was not sure that if measures were adopted to make a deposit a more effective reality, the desired object would not be to a large extent attained; and if it were required that the money deposited with the Treasury should not be taken away until the line, or a considerable part of it, was constructed, the public would obtain the security that could be required for the construction of a line. One of the suggestions which had been made by the noble Lord was founded upon reason and propriety—he referred to the suggestion that the terms of an amalgamation should be set forth, so that the subscribers or shareholders interested in the matter might learn what they were.

THE MARQUESS OF CLANRICARDE said, he thought that the alterations proposed in the Standing Orders did not go to the root of the matter. The noble Lord the Chairman of Committees had referred to the failures that had taken place recently; but how had such disasters in relation to railways originated? They were due to the fact that we had from the first gone upon an entirely wrong system; that very system which his noble Friend the Chairman of Committees proposed to bolster up and to restore in certain details which had been unwisely abandoned. To say that a Committee of that House could enter into the full consideration of everything appertaining to a railway speculation for the accommodation of the country was, from beginning to end, an absurdity. In matters of this kind there ought to have been some supervision on the part of the State; the Government ought to have had a control which might have been exercised for the benefit alike of the country and of speculators, and which might have been a source of great public economy and convenience. The money estimated to have been laid out in the construction of railways in this country he believed amounted to about £450,000,000; but the accommodation which the public had received might have been given for £250,000,000. What had made that great difference? It had occurred because our railways had been made higgledy-piggledy, one at a time, without any comprehensive plan, and under no supervision, which, if it had been properly applied from the first, might have given us gradually a system of railway accommodation, without the close competition, the battles of the gauges, the struggles of town with town, and the jealous rivalries which had done so much injury. Had there been any supervision by the Board of Trade, or by a Department of the State, lines would also have been laid out with more regard to the public convenience, and the evils of unregulated competition might have been avoided. One result of our want of system and of supervision was that we were paying high fares, although, with the exception of Belgium and some parts of France, fares ought to be cheaper here than in any other part of the world. We were paying extravagant fares, and monstrous sums had been expended on our railways. Yet it was now proposed that speculation should be checked and the construction of railways stopped. Why should that be done? Nobody could deny that railways had led to very beneficial results, nor could any one doubt that the great increase in the wealth of the country of late years had been greatly owing to railways. See, too, how they had brought out the wealth of France. Indeed, they formed one of the requirements of the civilization of the present age, and the country ought, therefore, to be properly, gradually, steadily, and wisely supplied with them everywhere. He agreed, however, that that could not be done under the present system, and thought, therefore, that far greater alterations should be made than those proposed by the noble Lord the Chairman of Committees. The Select Committees now appointed to consider Railway Bills knew nothing whatever of the country through which the railways were to pass. For instance, the last Committee of which he was a member was appointed to inquire into a scheme for constructing a railway in the east of Yorkshire. He had no interest in the country, and knew nothing about the matter; the noble Lord who presided came from Cornwall, and two other noble Lords who sat on the Committee were, like himself, from Ireland—in fact, all the members were selected because they were supposed to have no interest in the line, and to be perfectly ignorant of everything connected with it. In the case to which he had just referred it was only proposed to make a line from Goole to Doncaster, but it turned out that all the northern and western counties and their railways were interested in the subject. Now, he maintained that such a scheme ought to have been submitted to some person who was thoroughly conversant with all those systems of railways. The Committee on that occasion came to a conclusion totally different from that which had been arrived at by the Committee appointed by the House of Commons, and the parties were in consequence sent back for a whole year—in the course of which, however, the matter in dispute was satisfactorily settled; but the Committee might have settled it in a very unsatisfactory manner indeed. No one appeared on the part of the public, though some resistance was offered by a few landed proprietors. Noble Lords and hon. Gentlemen were chosen to sit on the respective Committees simply because they had no interest in the matter and knew nothing about it. He was afraid that the Government of the late Sir Robert Peel did wrong when they refused to place the railways under State control, for at that time a general supervision of the railways might have been provided by the State. He thought their Lordships ought to proceed very carefully in the consideration of a proposal to place fresh obstacles in the way of making railways. If railways ought to be made, he did not see why the construction of them was to be stopped. He did not believe that the noble Lord the Chairman of Committees could, by the proposed system of deposits and paid-up calls, put a stop *in toto* to such proceedings as he had described. You might impose a fine, and thereby put an obstacle in the way of persons who wanted to make a railway; but what was called "financing" would still go on, for means would be found of driving holes through any Standing Orders which might be made. He hoped their Lordships would consider whether a system could not be devised much better than, and totally different from, that which had prevailed up to the present time. He was aware that all statesmen, whether in or out of office, would be averse from undertaking such a task, but still it was their duty to do so. The penalty paid by men in high office, or who had attained political distinction and renown, was the dealing with difficult questions like this one—which, he might remark, was not in any way a party question. In conclusion, he urged upon their Lordships the necessity of considering the whole matter with great care and circumspection.

Lord OVERSTONE was understood to express his thanks to the noble Lord the Chairman of Committees for having brought this subject before the House, and for the valuable and prudent observations with which he had accompanied his proposal. He would not at present give any opinion as to the proposed alterations —he would only say that he quite approved their general object and purpose. It was painful to contemplate the commercial immorality which had prevailed in this country of late years, and which he feared could end only in disgrace to our national character. He attributed the position in which we were now placed in regard to our railway system to the imperfection of previous legislation, the consequences of which he had foretold long ago; and he welcomed the suggestions of the noble Lord, not only because he thought they would improve legislation on the subject of railways, but because he looked upon them as a first step towards a return to more sound, more healthy, and more just views than those which had prevailed for a very long time past.

Earl FORTESCUE said, he joined in acknowledging that the House owed a debt of gratitude to the noble Chairman of Committees for the luminous and valuable statement which he had made, and he quite concurred with the noble Marquess (the Marquess of Clanricarde) as to the unsatisfactory legislative proceedings of both Houses of Parliament with regard to railways. He could not help feeling that successive Governments and successive Parliaments had been drifting too much and steering too little with respect to railway legislation. There had been too much fear, or too much neglect, in laying down general principles for the guidance of the Committees on Railway Bills. It seemed to him extraordinary that after so many Railway Bills had received the sanction of Parliament no general principle should have been laid down by either House for the guidance of its Committees, and that at this very moment no one could tell, except from his knowledge of the individual opinions of the members of a Committee, whether the fact of a line being competitive was to be held as a recommendation or an objection to the Bill authorizing its construction. Years ago he did hope, when he was a Member of the other House, that the Government of Sir Robert Peel, under the guidance of a much lamented and most able Member of their Lordships' House (the Earl of Dalhousie), would have laid down some general principle for the guidance of Parliament in legislation on this subject. Millions and millions had been wasted since that time; scheme after scheme had been passed, and scheme after scheme had been rejected by different Committees on the same ground—that the line was a competitive one. He ventured to hope, before it was too late—before the remaining links in the railway communication of the United Kingdom were connected—some general principles would be laid down for the guidance of projectors and Committees, and, above all, that Parliament would authoritatively decide whether competition should be considered an objection or a recommendation to a line.

The Earl of BELMORE wished to direct attention to the manner in which the borrowing powers of companies were exercised. The public were told that Parliament had put a limit upon these borrowing powers; but they all knew that under the semblance of this limit, money was every day borrowed beyond the authority which Parliament had given. The question was, what remedy they could apply to this state of things. He did not want to try to make it safe for people to jump in the dark—you cannot do that, but he thought that every company ought to be compelled to make periodical Returns, coupled with some system of registration, which should be open to public inspection; this would enable the public to judge for themselves. Last Session he introduced a Bill on this subject, which passed their Lordships' House, but, owing to the lateness of the Session, did not go further. This Session a Bill, which was substantially the same as his, had been introduced into the other House, and had gone as far as the second reading; but its further progress was postponed for the present, until a Bill brought forward by the Government on the same subject would reach the same stage. He trusted the Government would have no objection to refer both Bills to the same Committee, in order that a principle of registering the securities of railway companies might be considered.

Lord REDESDALE, in reply, said, that his object in proposing these alterations was the same as that of the noble Lord on the cross-bench (Lord Overstone)—his desire to see a sounder system of finance in respect of railways. The noble Marquess (the Marquess of Clanricarde) seemed to be of opinion that no legislation could put a stop to "financing," and that whenever a speculator desired to borrow money for his schemes some means would be found for driving a hole through any Standing Orders that might be made. But the effect of having the required capital to begin with would prevent the necessity for having resort to these measures for raising money, which became more objectionable at every step, and which raised money by offering more and more ruinous terms. With regard to what fell from the noble Lord opposite (Lord Stanley of Alderley), he did not desire to make the subscription contract more stringent—what he wished was to add the deposit to the subscription contract in order to test its soundness. The money would, of course, be applied to the completion of the scheme, and was not to be returned to the person who had subscribed it. He should deprecate any direct communication with the other House on this subject. The other House had constantly altered their Standing Orders without any communication with that House, and he did not see why their Lordships should not do the same. But he should be sorry to do anything without giving the whole House and the public the means of knowing precisely what alterations he proposed. If they were likely to be beneficial there was every reason to anticipate that they would be adopted by the other House. Yet there were interests that did operate to prevent measures which were thought desirable from being carried into effect. More than two years ago measures were proposed in the shape of Standing Orders, with a view of carrying out a system of efficient deposit available for the construction of lines; but they were defeated. He should therefore recommend their Lordships to wait and see how the proposals he made were received by the other House and the public; and if they saw that the alterations proposed would be advantageous, he hoped they would have prudence and courage to adopt them, in order to insure that some change should take place in a system which, if suffered to go on, would lead to the greatest and most serious inconvenience.

House adjourned at half past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, May 14, 1866.

MINUTES.]—New Writs Issued—*For* Devonport, *v.* John Fleming, esquire, and William Ferrand, esquire, void Election.

New Member Sworn—Ralph Bernal Osborne, esquire, *for* Nottingham Town.

SELECT COMMITTEE — On National Gallery Enlargement *nominated.*
SUPPLY — *considered in Committee—Resolutions* [May 10] *reported.*
PUBLIC BILLS—*Ordered*—Belfast Constabulary.*
First Reading—Belfast Constabulary * [159].
Second Reading—Re-distribution of Seats [138]; Companies' Act (1862) Amendment * [139]; Pier and Harbour Orders Confirmation * [170]; Court of Chancery (Ireland) [19].
Committee—Life Insurances (Ireland) * [141].
Report—Life Insurances (Ireland) * [141].
Third Reading—Crown Lands [98]; Convicts' Property * [105]; Landed Property Improvement (Ireland) * [118]; Grand Juries Presentment (Ireland) * [89], and *passed.*

GALWAY TOWN ELECTION.

House informed, that the Committee had determined,—

That Michael Morris, esquire, is duly elected a Burgess to serve in this present Parliament for the Town or Borough of Galway.

That Sir Rowland Blennerhasset, baronet, is duly elected a Burgess to serve in this present Parliament for the Town or Borough of Galway.

And the said Determinations were ordered to be entered in the Journals of this House.

House further informed, That the Committee had agreed to the following Resolutions :—

That the Petition presented by John Orrell Lever, esquire, so far as relates to Michael Morris, esquire, is frivolous and vexatious.

That the Petition presented by Nicholas Stubber, esquire, so far as relates to Michael Morris, esquire, is frivolous and vexatious.

That it was proved to the Committee that John Dillon received £5 from John Kirwan.

That James Mullins received £5 from Michael O'Brien.

That Patrick Needham received the value of £5 in clothes and money from John Kirwan.

That Andrew Coen received £5.

That John Garraghty, Peter Garraghty, John Barritt (senior and junior), Geoffrey Murphy, Benjamin Matthews, Michael Curran, and other Voters, received the value of £5 in money and bread stuffs from James Power Keane, on account of having voted for Sir Rowland Blennerhasset, baronet.

That it was not proved to the Committee that such bribery was committed with the knowledge or consent of Sir Rowland Blennerhasset, baronet, or his Agents.

That the Committee have reason to believe that corrupt practices have extensively prevailed at the last Election for the Town or Borough of Galway.

Report to lie upon the Table.

Minutes of Evidence taken before the Committee to be laid before this House.—(*Mr. Hussey Vivian.*)

THE ANNUAL INDEMNITY BILL.

QUESTION.

MR. BAINES said, in the absence of his hon. Friend (Mr. Hadfield), he would beg to ask the Secretary of State for the Home Department, Whether, as the Parliamentary Oaths Amendment Bill has been passed and the Qualification for Offices Abolition Bill having passed both Houses of Parliament, he will consider it necessary in this or in any future Session to bring in a yearly Indemnity Bill, or whether he considers such Indemnity Bill will be unnecessary when the Royal Assent is obtained to the Qualification for Offices Abolition Bill ?

SIR GEORGE GREY replied that the principal object with which the Annual Indemnity Bill was passed had been put an end to since the Qualification for Offices Bill had received the Royal Assent. It was, however, desirable, before entirely dispensing with such a Bill, to carefully consider the various Acts of Parliament which might make such a Bill necessary. The question was at present being investigated.

POLICE AT THE HOUSES OF PARLIAMENT.—QUESTION.

LORD ROBERT MONTAGU said, he wished to ask the Under Secretary of State for the Home Department, Whether the Police Constables on duty at the Houses of Parliament have lately been raised from the Third Class of officers to the First Class ; if so, whether the extra pay of First Class Constables, which was authorized by the Secretary of State has been paid to the House of Commons Police ; whether their present remuneration (including the gratuity paid to them for their extra services) is not now as low as it was twenty years ago ; whether a half of those Constables—who do duty at the Houses of Parliament during the Session, but receive no extra pay during the recess —will receive during the recess their pay on the First Class scale or on the Third Class scale ; whether Police Constables receive an addition to their pay throughout the year for service at the various Government Offices ; whether Constables who have contributed to the Extra Pension Fund have not, under the regulations of 1864, been deprived of the privilege of the Extra Pension Fund ; and, whether the retiring pension of Constables of thirty years' standing will be calculated on the basis of a guinea a week, or on that of the pay of First Class Officers — namely, twenty-three shillings?

MR. KNATCHBULL-HUGESSEN replied that the police constables at the Houses of Parliament were promoted, as were other constables, by seniority, unless passed over for misconduct; they were all in the first or second classes as entitled by seniority, and received the pay of those classes—namely, first class, 23*s.*; second class, 22*s*, raised in each case by regulation of the Secretary of State to an uniform allowance of 28*s.* per week. Their pay was the same as was settled more than twenty years ago. It was higher pay than that of any other class, except three constables at the Stationery Office, and equal to a first-class serjeant's pay. Those constables (about half) who do duty at the Houses of Parliament during the Session, but who receive no extra pay during the recess, then receive the ordinary pay of the class they were in. In a few instances police constables employed at the various Government Offices received additional pay, in the majority of instances they only received the ordinary pay of their class, and they were all paid by the respective departments. The constables who have contributed to the Extra Pension Fund had not, under the regulations of 1864, been deprived of the privilege of the Extra Pension Fund. All retiring pensions were calculated on the pay the constables received according to the classes they might be entitled to by seniority of service.

JAMAICA—BILL OF INDEMNITY.

QUESTION.

MR. M'CULLAGH TORRENS said, he would beg to ask the Secretary of State for the Colonies, Whether, having before him the Report of the Jamaica Commissioners of Inquiry, he has advised Her Majesty to disallow the Bill of Indemnity passed by the Colonial Legislature for acts done in repressing the disturbances of October last?

MR. CARDWELL replied that it was quite true that Her Majesty's Government had received the Report of the Jamaica Commissioners, but they had not yet received the whole of the evidence upon which that Report was founded, and therefore they did not think it right to take any steps with regard to the Indemnity Bill.

ELECTORAL STATISTICS.—QUESTION.

VISCOUNT CRANBOURNE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the Government are in possession of any estimates tending to show the relative extent to which urban and rural populations enter into the composition of each constituency under the new Bills and the number of Electors which each franchise would add to each constituency?

THE CHANCELLOR OF THE EXCHEQUER stated that the Government had no such statistics to lay before the House. The matter was simply one for argument, and not for statistical proof.

LOTTERIES FOR CHARITABLE PURPOSES.—EXPLANATION.

THE LORD ADVOCATE said, he rose to explain that in answering the question on the subject of Lotteries for Charitable purposes put to him on Thursday evening by the hon. Member for Peterborough (Mr. Whalley), he was under the misapprehension at the moment that common informers could prosecute for breaches of the law in reference to lotteries, whereas the Act of 1845 took away the right of private prosecution for such offence.

RE-DISTRIBUTION OF SEATS BILL.

(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers.*)

[BILL 138.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

MR. DISRAELI: Sir, when the right hon. Gentleman the Chancellor of the Exchequer introduced this Bill to the notice of the House, he favoured us with the views of Her Majesty's Government with respect to the subject of small boroughs. According to the views of Her Majesty's Government, those boroughs are not really liable to the charge that has so frequently been made against them; while, on the other hand, one of the merits that has usually been alleged in their favour was, according to the Chancellor of the Exchequer, not deserved. With regard to the first point — namely, the imputation of bribery, Her Majesty's Government are of opinion, and I entirely agree with them, that no charge can be made against the small boroughs particularly on that head. Unfortunately, it is not only the small boroughs of the country that are open to the imputation of venality in election matters. On the contrary, we know very well that in the large proportion of small boroughs the elections are conducted in a manner creditable to their reputation. No doubt there are some in which a portion of the constituency are affected by the same improper influences that prevail in some of the larger boroughs. But that is an exercise of bribery which, however it be deprecated and deplored, is at least an evidence of a conflict of opinion. There are, unquestionably, cases of small boroughs in which it has been proved to the satisfaction of this House that venality has been organized and has been generally exercised; but the House has never met with any difficulty in dealing with such cases. Long before the Reform of the House of Commons, the instance of Grampound, among others, showed that our predecessors were perfectly able to deal with such cases, and St. Alban's and Sudbury, in our own time, have furnished similar examples. I shall not refer to the conduct of constituencies now under judicial inquiry, beyond expressing a hope that in the case of any constituency, where the charges made against it before a Committee of the House of Commons are satisfactorily proved before the tribunal appointed to investigate them, the precedents of Grampound, St. Alban's, and Sudbury will not be forgotten, and that we shall not see placed at the head of one of these new groups of boroughs a town which ought, I think, to be provided for in a very different and in a less honourable manner. With regard to the second point—the alleged merits of the small boroughs, to which the Chancellor of the Exchequer believes they are not entitled, —I well recollect the speech of the Chancellor of the Exchequer in 1859 on the subject of small boroughs—a speech which we, of course, all listened to with gratification, but which, I must say for myself, I heard with some degree of amazement. It appeared to me, indeed, to be the echo of the debates of 1832, which upon that subject were merely traditions of the 18th century. I would not attempt in any way to vindicate the small borough system, because these small boroughs have been the means of introducing into the House of Commons a Pitt, a Fox, and a Canning. In a free country, and under a popular Constitution, such men as Pitt, Fox, and Canning, will always, I believe, find a place in this Assembly. But I cannot help thinking that the view which Her Majesty's Government have taken of the system of small boroughs is too contracted and of too meagre a character; and, as I believe that in a right appreciation of the question very important consequences are involved, I would take this opportunity of begging the House most deliberately and seriously to reflect upon the subject and its consequences. Now I apprehend, or will at all events accept, that the real cause of all these Reform Bills which have been introduced since the passing of the great measure of 1832, has been to render this House a more complete representation of the country and of its various attributes. It is not difficult, it requires no profound or adroit statesmanship, to secure for the great producing interests of this country an ample and a satisfactory representation. The counties of England offer to the land, with its various products, and its accumulated capital, a natural and an easy mode of being represented in Parliament. The chief seats of industry furnish competent men in sufficient numbers to represent the wealth, the ingenuity, and the skill of our manufactures. Perhaps the mode by which a merchant may get into this House is not altogether so easy and obvious. But still we know that there are, and that there must always be, influential constituencies connected with the commerce and navigation of the country to whom a merchant of eminence may appeal with confidence for support. But there are a variety of interests in England, and connected with England, not only various but important and material interests, which cannot be ranged under the three heads of land, manufactures, or commerce. There are a variety of important trading interests of that character. There are also classes which are, perhaps, the most educated and enlightened in the country, and most considerable in their influence upon that public opinion which ultimately regulates our affairs—I mean the professional classes. And in employing that term, I do not refer merely to the learned professions, one of which cannot sit in this House and another will not—and, although I should deplore the time when we had not in our active legislation a sufficient number of gentlemen of the long robe, and should regret our again having an *indoctum Parliamentum*, I would refer particularly to those who, in the present day, carve out their fortunes and obtain their incomes by the application of science to social life, like the great body of civil engineers, for example, men of letters, too, and those who pursue the liberal arts as a profession. But, besides all these, we are to recollect that England is the metropolis of a great Colonial Empire; that she is at the head of a vast number of colonies, the majority of which are yearly increasing in wealth; and that every year these colonies send back to these shores their capital and their intelligence in the persons of distinguished men, who are naturally anxious that these interests should be represented in the House of Commons. And last, and perhaps the chiefest, there is our great Indian Empire. It was always the boast of this country that that distant, extensive, and gorgeous appanage was always represented in the House of Commons, and that no question could arise without the House, from the very bosom of its Members, and not merely from official sources, being able to command the assistance and information of men of accurate knowledge, and of the soundest judgments upon the matter. While we are, therefore, upon the second reading of the Bill for the Re-distribution of Seats, I wish to ask in what way these various interests and individuals are to be represented in the House of Commons if you do not retain the small borough system, or furnish some substitute for it? Let the House observe how the present system practically operates. A county Member, as a general rule, must be a resident. It is not merely that it is the custom of the country, but it is a practice which arises from the necessities of the case. The representative duties of a county Member are not confined to this House. They are also local and continuous, and therefore it is most natural that men, for such offices, will elect their neighbours and those who live among them. But the same feeling has of late years been equally characteristic of our great towns and cities. They have increased so much in population, in wealth, in education, and in intelligence, that they are able to find in their own community men capable of representing them in this House, and who possess not only the requisite knowledge and education, but the still rarer gift which before they could not command—leisure. This local feeling is becoming so strong generally that you will find it prevails to a great extent in all our considerable towns and cities. I always watch with interest the proceedings of general elections, and of the last three general elections I have observed this characteristic—that the local feeling is perpetually developing itself, and that in great numbers of constituencies where it was previously influential it has now become entirely predominant. What is the practical consequence of all this? Half of the House of Commons is really shut to all the considerable interests which are not ranged under the heads of land, manufactures, and commerce, to all the professional classes now growing daily more influential, and to the due representation of our colonial and Indian interests. These are very serious considerations, and they must be well weighed by the House before they consent to destroy or greatly change the machinery by which so desirable a result has hitherto been attained without, at all events, substituting some method equally efficacious. Now the House must remember that this is not a question as to whether the pride, the vanity, ambition, or even the interests of particular classes and particular individuals should be gratified. The presence of these men in this House may confer importance upon them, but their presence is equally important to the House itself. What I desire is, to see these interests and these views adequately represented, for, depend upon it, we shall lose influence if we are only represented by landlords and manufacturers. The question is one, therefore, which concerns the House of Commons as much or even more than the particular classes and individuals to whom I have referred. Now, I want for a moment to put this question as to the influence of small boroughs practically before the House. I will not indulge in rhetorical routine about Mr. Pitt, Mr. Fox, and Mr. Canning. I will bring you to the world in which we live, and ask you to form your opinions from instances and examples drawn from daily life. For example, I see before me a gallant Gentleman, a man acknowledged to possess brilliant accomplishments and attainments, but who upon one subject—his knowledge of the East—is perfectly unrivalled. If to-morrow the affairs of Persia, or any question connected with Central Asia, or the farthest Ind, came under discussion, he is precisely the man to whom the House would look for advice; and it is most expedient, therefore, that he should have a seat in this House, although, unfortunately, he sits on the other side. But why is he here? Because he has been sent here by the small borough of Frome, which you are going to disfranchise. [Sir GEORGE GREY: We do not propose to touch Frome.]

I beg your pardon; it was touched in your first list; but, at any rate, the correction will not invalidate my argument—for to what place were we first indebted for sending the hon. and gallant Gentleman amongst us? It was the small borough of Reigate, which you do propose to disfranchise. There is a question which at this moment is even more interesting than even Parliamentary Reform or peace or war, and that is our monetary state. It is a subject which will probably be under our discussion very shortly, and the opinions of men of experience will be received by the House with interest upon the matter. I see before me a gentleman who, if he is not at this moment, was formerly Governor of the Bank of England. He was, I believe I may say, one of the best Governors that the Bank has ever had, and to what place do we owe his presence in this House? The small borough of Bridport, which you are going to disfranchise. But I will not take my instances entirely from the opposite side. I have below the gangway a friend whom everyone acknowledges should have a seat in this House, and who is looked upon as one admirably fitted for a place in this assembly—not on account of his great wealth, although we recognize him as the prince of British merchants, but on account of his character, integrity, and intelligence. He owes his presence in this House to the small borough of Huntingdon, which you are going to disfranchise. I am of opinion that men in the position of the Governor of the Bank of England should always be Members of the House of Commons. I have had some experience of the advantage of communication with Governors and Deputy Governors of the Bank, to whom I owe much. The Governor and the Deputy Governor of the Bank of England, with whom I was placed in official communication, are both of them now Members of this House, though sitting on different sides. But they both sit for small boroughs. There is not an important colony at this moment which is not represented in this House by men of local experience, and yet they all sit for small boroughs. And now for India. The representation of India is not as strong as in the last Parliament. One cause of the present deficiency is the loss of a Minister whose absence I think we must all deplore. He had not, perhaps, all those qualities which enable a man to control a popular assembly; but every man must acknowledge that for administrative capacity and experience few men are equal to Lord Halifax. He was perfect master of the business of the great Departments of the State, and I have rarely met any man who was his equal in quickness of perception. Yet, when he spoke on Indian affairs, which he thoroughly understood, he spoke under the control and correction of independent Members who were his equals in that knowledge. I remember some who have been very much looked up to in this respect—Sir James Hogg, Sir John Willoughby, and Mr. Prinsep. Sir James Hogg was Member for Honiton, which you are going to disfranchise; Sir James Willoughby was Member for Leominster, which you are going to disfranchise; and Mr. Prinsep was Member for Harwich, which you are going to disfranchise. These are important facts, and the House should consider them seriously. I have, perhaps, as little interest in this question as any Member of this House. I do not owe my entrance into public life to a small borough, nor is there any probable prospect of my seeking refuge in one for the future. Nor do I think the party with which I have the honour to be connected, has any special interest in this particular system of small boroughs. But when we find that the complete representation of this country in its various attributes appears to have greatly depended upon this system of small boroughs, should we not very carefully consider the steps which are taken in regard to it? Thus, if you either destroy or greatly qualify that system, we should at least supply some adequate substitute. That is the point which I wish to impress upon you. Well, by this Bill it is proposed to deal very extensively with this small borough system. The measure proposes to disfranchise seventy-one seats. The assertion that the disfranchisement is not complete is simply a quibble; it is disfranchisement in disguise. Virtually you are reducing the small boroughs by one moiety, for I take it that the small boroughs may be set down as between 150 and 160. The reasons given for taking these seats are two. The first is that representation should be given to communities that have developed since the Reform Act of 1832 was passed. I entirely concur with Her Majesty's Government in that. I acknowledge that since 1832 have come into existence communities which in population, character, and property are worthy of direct representation in this House; and it is wise to give it to them. We have a list of such boroughs in the Bill before us; it is not very considerable in extent, and does not vary much from one which I recommended to your consideration seven years ago. I only regret that they have been denied during those seven years representation in Parliament. But how is that representation to be effected? Should it be effected, in the first instance, by adding to the number of Members of this House? I decline, Sir, upon this occasion, to give any definite opinion upon that point, because it is a complicated question which has never been properly discussed in this House, and would now lead us into discussions inconvenient to this debate. It is a moot point, and we leave it so at present. But there is a way by which representatives can be given to those boroughs without increasing the number of the Members of this House, and that is by decreasing the representative power of existing boroughs. I do not mean to say that that can be done upon any principle. It can only be done by virtue of what the Venetians called "reason of State;" and action from reason of State should be had recourse to with reserve, and only in order to effect an end universally acknowledged to be beneficial. I think we are perfectly justified under the circumstances in following the course which, by-the-bye, we ourselves first proposed to pursue in 1859, and curtail what we may call the redundant representation of some boroughs in order to complete the representation of others. The first object for which this revolution is proposed is to secure representation for those communities, the propriety of whose appearance in this House no one questions. I entirely concur in that proceeding, and in saying that I believe I express the feeling of the House. But the Government propose this great change for another object. It is not merely to give representatives to those places which are not represented, but to add representatives to places which are already represented. Many of the great towns and counties are to receive another Member. For example, three Members are allotted to Leeds, three to Manchester, and to a considerable number of other towns and counties. Well, this involves a new principle in our representation, the principle of plurality of representation. I think it is one to be looked upon with some doubt and suspicion. I do not see how it is consistent with our electoral system, which recoils from plurality of voting. That a man shall have only one vote is, I think, a right principle. If our constituencies, for example, were founded upon the rights of man, or upon the rights of numbers, I could easily understand that you must immediately defend the minority; and I do not know that there is any more obvious or easy method of doing so than to establish plurality of voting. In fact, I have always held that if you went as far as universal suffrage, or if you submitted to any very considerable extension of the franchise, plurality of voting would be a necessary consequence. But, if you establish your constituency on the principles that hitherto have been accepted as the Constitution of this country, if you look upon your constituency as a political body or order, numerous and various—very numerous and very various, I hope, but select —then I do not think you can have plurality of voting. Then men should be equal. The elector with £50,000 a year should have his vote, just as the elector of the West Riding who lives upon his 30*s.* a week. The law of England recognizes, and I hold, nobly recognizes, equality—not of the man—but of the political citizen, who is invested with duties and privileges for the public good. I know it will be said that an elector with £50,000 a year has a great deal more influence than the elector who lives upon 30*s.* a week; he has the influence which results from his great fortune and his social following. I do not deny that he possesses that influence, and I say that he ought to have it. But does not the city of Manchester, when compared with one of the small boroughs represented in this House, also possess the extraordinary influence which the man of £50,000 a year has? The city of Manchester has only two Members, and the borough of Harwich has two Members. If, however, the interests of the city of Manchester are assailed, it is not the two Members who rise to support it, it is a score, it is a hundred Members, directly or indirectly interested in or connected with Manchester. But if the interests of the borough of Harwich are assailed what happens? We all know that a little before public business commences, one of the Members for Harwich rises, with representations from that borough; and though his arguments be perfectly irrefutable and his statements as clear as a mountain lake, yet you know they are met by loud cries of "Divide," and shouts of "Question." This is the way these unfortunate men, while vindicating the rights and interests of their constituents, are assailed; and then we are told that in the House of Commons Manchester and Harwich have the same degree of influence! Why, Members are sent to this House to represent opinions, and not numbers. Is it at all necessary to represent your opinions and advocate your interests, that you should have a troop of representatives? There is a constituency quite as great as that of the West Riding since its division, and with a population scarcely less than the population of South Lancashire when its boroughs have been deducted—the Tower Hamlets; and I ask most sincerely, is there any constituency in this House more ably represented than the Tower Hamlets, and by one man? That hon. Gentleman is always in his place, and one of the most valuable and indefatigable attendants on our Committees; when any questions connected with the interests of his constituents are raised, which are complicated and numerous, he is always present discharging his duty, while in general debate he offers his opinions and his arguments in a manner which commands respect. It is ridiculous to ask for numbers to guard the interests of any community; so long as the present arrangements continue they are safe. What would be the consequence if you were to pursue the principles which you are now laying down? You must necessarily have great monotony in this House. If you once adopt the principle that the population and property of places are only to be considered in apportioning Members, you cannot stop at three, and the small constituencies may be by degrees entirely absorbed. You will have trains and troops of Members coming from one county and one place to this House. It is absurd to see six Members for South Lancashire walking into this House, six Members for only one Riding of Yorkshire, and three Members for this town and three for another. By this system the Members will be so increased that, instead of this being a classic Senate, it will have something of the turbulent character of a Polish diet. I know it may be said, though I do not think it will be, that plurality of representation is no new arrangement, because it prevailed in the time of the Plantagenets. But that is a mere quibble, and no one will, I am sure, depend upon it. We know very well that when two Members were originally decided upon it was not with reference to any political principle or organization of political parties, which did not exist in those days. They were days when men really never acted alone. First of all, they had to travel to town together, because they were afraid of robbers. Then when they had to put up at an inn, they were obliged to sleep in a double-bedded room because they were afraid of ghosts. When taxes and benevolences were voted, with two members one was pretty sure to be present; and, on the whole, it was considered a convenient arrangement. As stated in the Paston Letters, two burgesses going to town from Norfolk would be good counsel to each other. It may be said with more reason that the Reform Act of 1832 did admit the principle of plurality of representatives. That is a graver answer; but although I think it is most wise as far as we can to adhere to the arrangement of that Act it is not immaculate; and the giving of three Members to half-a-dozen counties was not an acceptance by the Government of the day of the doctrine of plurality of Members, but a rough mode by which Lord Althorp settled the balance between the counties and the boroughs. It was thought absolutely necessary that there should be a certain number of county Members and a certain number of borough Members; but the original plan was to divide the counties with regard to the whole of England. There still was wanting a certain number of county Members, and Lord Althorp threw them to half-a-dozen—I think seven—counties, which he did not think large enough to divide. But he did not do this for the sake of plurality of representation. That evil precedent which has always been inconvenient, and never popular, appears to have been followed in the case of South Lancashire. Had, however, the suggestion of 1859 been accepted, the House need not have been in the situation to have followed that precedent. We proposed in 1859 that South Lancashire should be divided, and to give it two additional Members, but now you will be embarrassed by six. It may be said that the view I am now pressing upon the consideration of the House is inconsistent with those views which I have so long and so frequently urged as to the claims of the counties for increased representation. I think the House, if it will deign to reflect for a moment, will find no inconsistency so far as I am concerned in the matter. In the year 1847, in answer to Mr. Hume, when he brought forward his Motion for Parliamentary Reform, I first in detail laid before the House the claims of the counties. Mr. Hume's argument was this: he said that population was the only principle upon which representation ought to be settled. "Therefore," he said, "you must disfranchise the small boroughs, and give their representatives to the great towns." In general that was the scheme and the theory of Mr. Hume. Well, in 1847, it was my duty to reply to Mr. Hume's annual Motion. I then, for the sake of argument, accepted his premises; but I arrived at a different conclusion—namely, that you must give the representatives taken from the small boroughs, not to the great towns, but to the counties. Mr. Hume was the most good-natured of men, an indefatigable Member of Parliament, but he had certainly one fault: he would deal with every subject, and in dealing with Parliamentary Reform he did not bring to its consideration adequate knowledge, and could not clearly discern the right conclusion to be drawn from his own premises. We went on thus for several years, and when Lord John Russell, in 1852, in his Reform Bill, proposed a considerable disfranchisement of the smaller boroughs, he also proposed that almost all their Members, to the number, I think, of forty-five, should be given to counties, and he then said publicly that he did so in consequence of the views which I had placed before this House, feeling it impossible to resist the conclusion at which they pointed. But, although Lord John Russell accepted my premises, I never adopted his conclusions; I never proposed that all those Members should be given to the counties, because I knew that by this remarkable system of small boroughs now under discussion the counties did find a countervailing and compensatory influence, which, though it might not fully satisfy their just claims, did afford, in a certain degree, if not a complete, an ample representation of the landed interest. Therefore, I did not counsel a violent change, such as the destruction of the small borough spstem would involve, bound up as it is with so many other important interests. I was for keeping things as they are, for I have always felt that the partial representation of the landed interest by means of these small boroughs gives some variety, some valuable variety, to the representation, supplies a certain element of independent character, and, on the whole, I think, has acted beneficially upon the constitution of this House.

Having shown that what I have now stated is not inconsistent with the views which I mentioned before, I come to the general scheme of this Bill. How are all these new seats to be obtained? By what arrangement are we to have counties sending in their six Members and cities their three Members, giving so much uniformity of elements and character to the representation in this House? It is to be effected by what is called a system of grouping. This must be considered under two heads. In the first place, I would remind the House that grouping is altogether foreign to this country; in the second place, that the grouping of representative boroughs is altogether foreign to this kingdom. The House is well acquainted by this time with the grouping of boroughs proposed by the Government. My objection to this system of grouping, which consists entirely of grouping representative boroughs, is that it aggravates anomalies, and that by a process of wanton injustice. It succeeds only in producing an incomplete and imperfect local representation. In the first place, view it with regard to expenditure—a most important consideration. When you come to group representative boroughs, you are grouping societies, all of which have organized parties, have traditionary politics, have committees and agents, that for a century and more have managed the political interests of the society in which they live. When you address those coalesced societies, this group of boroughs, you are, in fact, involved in a treble expenditure. Instead of curtailing the vast expenditure which entrance into Parliament unfortunately entails upon a Member, you are legislating in a mode that must greatly increase it. But while you not only pursue a system which must greatly increase expenditure, you aggravate anomalies, and that by a process of what I would call unnecessary and wanton injustice. I will take a case, because, after all, there is nothing like an illustration; and I will take a borough which is represented on both sides of the House. Dorchester returns two Members to Parliament, and it is to be grouped with the borough of Wareham returning one Member. Dorchester and Wareham, now represented by three Members, are to be represented by only one. The united population of those places will be 14,500, represented by one Member and losing two.

But close by them is Poole, just above the magical number of 8,000, and represented by two Members! Take, again, the case of Bridport, Honiton, and Lyme. These three boroughs are represented now by five Members, and their united population will amount to 15,000. Instead of five Members they are to be represented by one; and close to them will be the borough of Tiverton, which being also just above the magical number will be represented by two Members. This is indiscreet and wanton injustice. I can understand your taking away one Member or two Members from these three boroughs, and to attain a great public object I can understand your taking away three or even four Members; but what I cannot understand is why the boroughs called on to make such immense sacrifices should find their united population of 15,000 represented only by one Member, when a borough close by with 8,000 inhabitants has two. A small borough may be considered an anomaly, and an ancient constitution will be always full of anomalies. But, at any rate, this must be said for the small boroughs, that they are ancient, and that they are convenient; but these groups are neither prescriptive nor convenient. The only result will be that you will create great jealousies, aggravate anomalies, and produce a constituency not homogeneous, and which can be only appealed to by costly and complicated means of corruption. What will result from grouping but the caucus system of America? Some able man will devote his energies —it will become a profession—to securing a majority in two of the boroughs, he will then make his arrangements with the candidate, and the third borough will be neither consulted or represented. The Chancellor of the Exchequer in dealing with this question was influenced by the example of the Scotch burghs, where this system of grouping is successful. But I think the Chancellor of the Exchequer committed an error—which I shall also have to advert to on another subject—he reasoned, I think, from a false analogy. There is no analogy between the grouped boroughs of Scotland and of England, as proposed by this Bill. In the first place, our boroughs to be grouped are represented boroughs, and in the case of Scotland they were unrepresented boroughs, or rather boroughs without constituencies. And the difference is very considerable. One of the great mischiefs in England will be the great distances at which some of these boroughs thus united are placed. No doubt, in Scotland, the distances are as great, or greater; but observe this difference between the two countries. Between the boroughs grouped in Scotland there is generally nothing but the country; but between the boroughs grouped in England, there are flourishing and rising unrepresented towns, which, many of them, far exceed in wealth and importance the boroughs that are thus grouped. All these towns may have submitted for a considerable time, and might yet submit, to what they deem to be the ancient Constitution of the country. But if you choose to change that Constitution, they naturally say, "Do not have recourse to so violent and fantastic a scheme as this, the combining of represented towns thirty miles apart, while we, in the interval, are left utterly unrepresented, being all the time in point of population, of property, and of the future that awaits us, the persons that ought to enjoy representation." I come then to the conclusion that any system of grouping founded on the grouping of represented towns must prove a complete failure, will disappoint all expectations, and is one that this House ought not to sanction. As a general rule, I should say, in periodically, but not too often, reviewing our representative system and making our borough representation more complete and satisfactory, the true principle is in moderation and discretion to reduce the representation of the old boroughs, and to apply that redundancy to the representation of new boroughs, so that no place shall be perfectly disfranchised. It has always been our custom in this country, and one which I trust we shall not depart from, to treat with tenderness prescriptive rights, and I am quite certain that any Minister who dealt in that spirit with the old boroughs, would receive a more sincere support than he possibly can attain by anything so violent and fanciful as the scheme of grouping represented boroughs which is placed before us.

But am I therefore an opponent of the system of grouping? Far from it. I think it is one that well deserves the earnest consideration of the House; it is a powerful and an efficient instrument, if used with vigour and discretion. But where I think it might be of great advantage would be if we were to leave the present boroughs alone, and yet avail ourselves of their redundant representation, applying the principle of grouping to our unrepresented boroughs. Now, I am quite certain if that were done, as I say, with vigour and discretion, you would add considerably to the efficiency of the constituencies, and at the same time you would go a great way towards the solution of those immense difficulties connected with the county franchise which beset every Ministry who attempt to deal with this question, and which the present Ministry have not attempted to encounter. Let me give a striking illustration of what would be the effect of adopting the system of grouping our unrepresented towns. I do not know that the advantage of the system could be put in a more striking manner than by reference to some places with which the House is familiar. Now, take the first of the new boroughs to be enfranchised—and I willingly and cordially approve the proposition to enfranchise them. Let me take the town of Middlesborough, in Yorkshire—a town which has very recently risen into existence, principally from the ironstone of the Cleveland hills. In 1859 it was impossible we could give a representative to Middlesborough; but it is now a town of 19,000 inhabitants, and, no doubt, it is increasing rapidly. That population is not so very large and extensive that its claim to a representative, if there was not a convenient opportunity for entertaining it, should disturb the country by the agitation for a measure of Reform. I do not, however, find fault with the Government for the proposal to enfranchise it, because I have great confidence in its future; but close to Middlesborough is an important and flourishing town, Stockton-on-Tees, with a population of 13,300. I would join the two, which would make an electoral population of 32,300. That is the way in which I would treat Middlesborough. Will the House now allow me to call their attention to Dewsbury. I mention it because it is the only one of those places—with the exception of Middlesborough, which did not exist—that I, as the organ of Lord Derby's Government, did not propose to enfranchise. I was perfectly well aware of its claims, but its population did not warrant such a proposal then. Even now it is only 18,100. There, again, you would not agitate the country for a measure of Parliamentary Reform to give a Member to Dewsbury; but you will find that it is the centre of a cluster of towns, engaged in the same industrial pursuits, and distinguished by the same energy. I would take all these towns, the furthest of which is not, I believe, more than five or six miles from Dewsbury. They are almost conterminous—Batley, with a population of 7,200; the parish of Birstall, including Cleckheaton, 44,721; Heckmondwike, 8,600; Merfield, 9,263; and others, making in all a population of 73,289. Joining these with Dewsbury, you would have a population of 91,389. That is what I call grouping. You would do more by such a system to improve the representation of the people than you can possibly do by those fantastic arrangements through which you are attacking ancient prescription. Let us come then to Burnley. It is our old friend; it was introduced by us in the Bill of 1852; and every one has been trying to enfranchise Burnley ever since. Burnley had only about 20,000 inhabitants when Lord Russell commenced with it. It has now 28,700—no doubt a very respectable population, but nothing extraordinary. You have near it Cilne, with a population of 6,300; Padiham, 5,600; Accrington, 13,800; Todmorden, 11,800—37,500. Add these to Burnley, and you will have a population of 65,200. That is the way to group. Take a fourth borough, one which we have all proposed to give a Member to. The population of Staleybridge has increased during the last seven years; but the population of towns near it—which were of importance in 1859, but not of sufficient importance to justify us in dealing with them—has also increased. There are three towns intimately connected with Staleybridge—Glossop, with a population of 19,000; Hyde, with 13,700; and Dunkinfield, with 15,000, or with a united population of 47,700. If you join these towns to Staleybridge you will have a population of 72,700. I will say nothing about Hartlepool, because I believe that it is proposed to unite the two Hartlepools, and I am sure that such a constituency will send us good men. Then I would add Dartford to Gravesend, and, the population of the former being 5,300, and that of the latter 18,800, you would have a population of 24,100. By grouping in this way I think you would obtain a very considerable accession to the constituency; and I believe that if you dealt with the question in such a manner you would have the friendly cooperation of the old boroughs themselves. Having touched on the question of grouping, and on the manner in which, if this Bill should be carried, additional Members are to be furnished, what I want to impress on the House at this moment is the important effect which dealing with the subject in this manner—if the Government would adopt it—would have on the vexed question of the county franchise, which I recommend to the earnest consideration of the House. Do not let us look on this Bill as a mere party measure, or as a Motion such as that of the hon. Member for Surrey, which may be carried or not this year, and for which, if it be carried or should fail, a remedy may be found next year. Let us feel that our legislation on this question of Parliamentary Reform will affect the future of this country. Generations after us will feel the consequences of what we are doing at this moment; and, for my part, I should be sorry that when I have left the scene my name should ever be recalled as that of one who supported a measure which injuriously affected the character of the Constitution of this country—a Constitution to which we are all so indebted. On a former occasion, though I did not evade the other portions of the proposal of the Government, I touched particularly on the subject of the county constituencies, because I thought it had not been sufficiently treated. I asked the House to consider what the effect would be on our county constituencies of a great reduction of the franchise when, at the same time, causes were in operation which were continually changing the distinctive character of those constituencies. Though I was ready, as I always have been ready and am ready now, to treat this question in a large and liberal spirit, what I contended for—not in the interests of party, not in the interests of this side of the House, but in the interests of the country—was that you should maintain the distinctive character of the county constituencies. If that be true which was said by the great master of politics—it is wise that the energy and enterprize of cities should be tempered by the repose and steadfastness of the country—if that be true, it is the interest of every one in this House that we should, if possible, make the character of the county constituencies really what it assumes to be. Unquestionably one of the means by which the character of the county constituencies is perverted is this—that in the counties there are a great number of towns which have distinctive interests of their own, and which ought to be represented, but are not represented. There can be no doubt that these towns very much change the character which otherwise would be peculiar to the constituencies of the counties; but if you were to group on the system which I have pointed out you might do much to get rid of that perversion of the character of the county constituencies.

There is another way of doing it which I placed before the House at great length on a former occasion, and which I will now merely allude to—that is, the revision of the boundaries of the Parliamentary boroughs. I was told at the time that when this Bill was brought forward we should find an arrangement which would meet objections of that kind. But I must say I have been entirely disappointed in that expectation. The argument of the Chancellor of the Exchequer on that head has been utterly unsatisfactory. I stated that the Parliamentary boundaries was the second great cause why the character of the county constituency is perverted. It is difficult to contend against that even with a high occupation franchise. But when you lower the franchise you aggravate all the sources of injury, and at the same time you offer no remedy whatever for the evils which exist. Now, what do I find? The Government repudiates altogether a general revision of the boundaries of Parliamentary boroughs. But it says, on the other hand, "We have a scheme, and that is that the boundaries of Parliamentary and municipal boroughs should be identical." [Sir GEORGE GREY was understood to express dissent.] I read in the Bill that the municipal and Parliamentary boundaries are to be identical. It is a slight matter, for, having gone through all the cases—I will not trouble the House with details, for I have taken up too much of its time already—where the municipal and Parliamentary boundaries are different, the instances are so rare that they will not at all affect the main issue, nor will they remedy the grievance of which we complain. According to the rest of the scheme, you propose to call the extra municipal population into the circle of the Parliamentary borough, if that population desire it. But that they would desire it, that the extra municipal population would become Parliamentary, appears to me to be very doubtful, because the reason why people build their mills and their houses without the municipal boundary is that they should not be subject to municipal rates. As the desire of the extra municipal population is to be the moving point of the arrangement, I believe that very little will be done.

Now, these are the two heads under

which the great evil of which we complain is aggravated. That great evil is that since the boundaries have been settled there has been an increase of 3,000,000 in the urban population, and from that population the county electors are to be qualified by this new Bill. There was an extraordinary argument used by the Chancellor of the Exchequer, and I allude to it because it is another instance of the false analogy in which he indulges. The Chancellor of the Exchequer said—"Take care how you revise the boundaries of Parliamentary boroughs. Take care not to press the matter too far. If we revise the boundaries of Birmingham and the great northern towns, we must revise the Parliamentary boundaries of other boroughs in England to which agricultural districts have been appended." Sir, that is no answer whatever. What I say is this, "Support the settlement made by the Reform Act." The balance of influence that was settled by the Reform Act, is what we want you to maintain. That settlement was not made in favour of the Conservative party. It was made by a Liberal Government—a Liberal Government supported by an immense Liberal majority, and therefore we have a right to conclude that very little favour was shown to us. We find that the boundaries for 1832 have in the large towns practically been entirely violated, and violated to the injury of the legitimate influence of the county population. And what is your answer? Where the population has not increased, because in that part of the country in which the agricultural boroughs are situated the population has not increased, in answer to us, who are seeking to maintain the settlement of 1832, and to save ourselves from the violation of our boundaries, you reply, "Oh! we must examine the boundaries in the other parts of England where they have not been violated."

Well, Sir, I have asked the House to consider those questions, which are particular points in the Bill we are asked to read a second time, and which refer principally to the borough franchise, but upon the right understanding of which the county franchise particularly depends. We are called upon greatly to reduce the county franchise. We complain that even as the franchise is now arranged there are certain evils which call for a remedy. There is a large mass of the population to whom we do not grudge the franchise, but to whom we say, "Exercise it where your industry, capital, and interests are placed." We complain that even with the present occupation franchise the legitimate influence of the counties is interfered with. You do nothing in this Bill, whether by the grouping of boroughs or the settlement of boundaries to give us relief. You offer no remedy in any way for that most anomalous grievance by which the freeholder of a borough votes not for the place in which his freehold is contained, but for a place with which he has no connection. That evil you immensely aggravate by the present Bill, because all those boroughs which we are going to enfranchise now possess a great number of freeholders, and there again you obtain a great increase of the county voters. In addition to this, you menace us with legions of town leaseholders. How are we to deal with the Government when they meet us in such a spirit? How are we to meet them? If the Government came forward and said, "This is a great occasion, and we are perfectly aware of the justice of your claims. In our judgment you may take an extreme view on this point. But we feel there is propriety in your requisition. At any rate, you may depend upon our anxiety to meet in a legitimate manner the different wants and wishes of all classes in the community." But the position in which we have long been placed, and which is an unjust position, is now to be agravated. You have additional sources of injury to turn against us. Now let me remind the House of the circumstances under which these measures have been introduced to us. What I am about to say is known to every Gentleman on this side, and I believe to the vast majority on the other. If, when Parliament met, a measure for the improvement of the representation of the people, temperate, well-digested, and tolerably fair, had been brought forward, it would have been my duty, with the entire advice and concurrence of all with whom I act, to have agreed to the second reading. No secret was made of that. It was unnecessary to intimate it. It was the course we have invariably pursued. In 1860, when Lord John Russell introduced his measure, that was the line of action which we followed. We immediately consented to the second reading, and that measure, though defeated, was not defeated by the Conservative party. Lord John Russell himself admitted that. He has left it on record, and I shall repeat his words. In his own terse language he says—

"I was defeated by the Liberal party—and not only by the Liberal party, but by those Members of the Liberal party who represent great constituencies."

I was astonished to hear the Secretary of State impute to us in 1860 that we loaded the paper with Amendments. What more natural? Is it not always understood that you are to exert yourselves to the utmost to improve a measure of this kind and make it generally advantageous! What an extraordinary charge! We had agreed to the second reading; and, singular proof of the hostility of the Opposition, we absolutely put Amendments on the paper. I say, then, that the extraordinary delay as regards this measure is not to be attributed to us. It is difficult to know to whom it is to be attributed—I would not say it is difficult, but it is disagreeable. My object to-night is to touch upon things of another kind. I will not advert to the unfortunate conduct of the Government in the management of their Bills. A great deal of time has undoubtedly been lost; but to whomsoever the fault may be attributed this I will say, it is not want of time that will prevent this Bill being fairly considered, and, if a good measure, being passed. We can all of us make a great effort if time be the only thing wanting. We could sit in the morning and in the evening. We could cheerfully devote ourselves to a task which was necessary, which the country required, the object of which was clearly understood by us, and which was clearly understood by its projectors. The House of Commons would soon make up for lost time. But, Sir, the cause of the Bill not advancing, the cause of the uncomfortable position in which the country, the House of Commons, and the Government are placed with regard to this measure is other than loss of time. I am sure I do not at this moment wish to say anything which could disturb the self-complacency of any individual in this House, but there are moments when one must be frank. When there is so much at stake—when there is so much at stake as the future of a great Empire, one must speak out; though so far from wishing to offend any one, I say that, to use an expression of the Chancellor of the Exchequer, if I do offend any one, I apologize for it beforehand. But it is not time, it is not want of time, that prevents our legislating in the matter. It is something else—I say it sincerely, and I wish to speak temperately —it is the want of maturity both in design and in preparation which has attended the measures of the Government in this matter. Now, Sir, permit me very briefly to prove that statement, for it is of importance when we are called upon to read a Bill of this magnitude for the second time after only a week's consideration. Talk of wasting time. At any rate, that was a course that was compensatory for such *laches*. When Parliament met we were promised information—papers upon the position of the borough franchise. They were not given to us for a considerable period. I wish to speak my own opinion sincerely with regard to those papers. I think them very valuable papers, and though they may have been, and unquestionably it was proved that they were, hurriedly prepared in some cases, I believe they were *bonâ fide*, and prepared with ability and sincerity. Well, Sir, those papers were placed before us; though the House will recollect the almost despairing expressions of the Secretary of State when we pressed him for those papers, which conveyed to the House little prospect of their ever appearing, only a few days or hours before the introduction of the Bill, when wet from the press, and confessedly, I think, not read by the Chancellor of the Exchequer, they were placed upon the table. They were, as I say, very important papers, and I, for one, received them with that respect which was due to the source from which they originated. Let it be remembered, however, that not only were they hurriedly prepared, but that the principal patron of the Government, the highest authority on the subject, after having examined them, rose in his place and informed the House that they were utterly untrustworthy. Well, Sir, there is another branch of information which was required upon this important subject, and that was information respecting the condition of the county franchise. None was given to us, to the great disappointment and surprise of the House. But, although no information, no statistics, no papers respecting the county franchise were given, it would be unfair in me if I did not admit that we were amply and frankly informed of the views of Her Majesty's Government on that important subject, especially with reference to the point which is the origin of this legislation—namely, the position which the working classes occupy in the constituencies. The papers which the Government hurriedly placed before us with regard to the borough franchise produced a considerable sensation in the House, because they proved, and proved, I think, conclusively, that the working classes already possessed a considerable status in the borough franchise. But Her Majesty's Government, though they gave us no papers respecting the county franchise, did frankly and explicitly give us the result of their deliberations on that subject, because the Chancellor of the Exchequer, the chief organ of the Government in this House, and especially on this subject, informed us that in the county franchise the working classes were an infinitesimal quantity; and, in fact, that no papers were produced as to their position with regard to the county franchise, because, in their opinion, they possessed no share in that franchise. You remember the expression of the Chancellor of the Exchequer. I, in an unhappy moment, not wishing to give any offence, made an observation across the table —I will never make one again — and on account of that observation I was violently denounced by the right hon. Gentleman, in fact, I was frightened out of my wits. "There may," he said, "be some few working men in your county who have votes, but in county constituencies the working man is as the fly in a pot of ointment." Those were his words—I never shall forget his glance. Well, Sir, from that moment I have been engaged, with the assistance of some gentlemen who are practised in such matters, in endeavouring to obtain information upon this subject. It is entirely foreign to my habit ever to offer to the House any statistical information which, as a private Member, I may obtain. I think that in our debates, as a general rule, nothing is more salutary than that we should argue, and certainly that we should legislate, only from authentic and official statistics furnished by the Government. But there are cases, when the Government makes statements which you doubt—when they do not furnish you with information—when they decline to furnish you with information—when they scoff at you for asking for information—there are cases when you are thrown upon your own resources, and I should be grateful to any man who had been long sitting in this House, and who had been not altogether unaccustomed to the management of such affairs, if, with the becoming modesty which such a situation would require, he offered—not for the adoption of the House, but for its consideration—such results as he may have arrived at. What, therefore, I am going to say I do not want the House to accept with any unreasoning credulity, but in that spirit in which I would accept them when in Parliamentary life I received such communications. We have—I will not yet say completely—but thoroughly investigated the subject, and we received communications from many parts of the kingdom. We received them from men in official positions who could give us authentic information, and I am bound to say we have received that information from Gentlemen of Liberal opinions as freely and as numerously as from gentlemen of Conservative opinions. We have only had one object, which was to arrive at the truth; and the result at which we have arrived at is this—of course the details are in some instances imperfect, but in others they are very ample—the result is this, and I believe it will eventually be demonstrated if the Government, as I hope, will give orders for an official investigation into these matters—that the working men of England have a larger share of the county constituency than they have even of the borough constituency, and by which the Government were so startled. I ask the House, then, is not this another evidence of the immaturity in which all these matters have been dealt with? Let me presume to say that in dealing with this portion of the subject —namely, the county franchise—a Government who really believed that the working classes had no share whatever in the constituencies were scarcely qualified to address the House in the manner in which we have been recently addressed, and told that if we did not pass these measures instantly Parliament should never be prorogued. And now I pass to the third subject, on which I venture to say the same immaturity has been exemplified, and that is the subject of Parliamentary boundaries. It is quite clear that when the Bill was first brought forward in this House this subject was one which had hardly occurred to the Government, and had occurred to them only as one of comparative insignificance. It is no answer to me to say, "You did not vigorously deal with it in 1859." We did something, but the years that have succeeded 1859 have immensely aggravated the circumstances; and what the House has to decide is not upon the comparative *laches* of one Ministry and another, but upon what ought to be done for the public good. I say, then, that the manner in which that subject has been treated, and now hurriedly dealt with by the Government, is a third proof of the immaturity of their proceedings in this matter. Well, Sir, the fourth proof, I think, is the Bill before the House. If there be a subject which can most tax the depth and discretion of a Ministry, it is the distribution of Parliamentary seats, which is, in fact, the distribution of political power in this country; and I say that it was impossible to have produced a scheme upon the subject more troublesome, more vexatious, and which, at the same time, produced less satisfactory results. But are we to be surprised at such consequences? Is it not notorious that when the Franchise Bill was introduced the Minister who introduced it never even contemplated a Bill for the redistribution of seats; and that this vast subject, which required so much thought, so much research, so much temper, at the same time such forbearance and such firmness, was never considered except in the few hasty days—or hours rather—which they snatched from other engrossing labours during the agitated fortnight between which it was promised and produced? Is this, or is it not, another proof of the immaturity with which all these measures have been prepared?

Well, Sir, I am told as I walk down to the House of Commons every day—by the man in the street as I walk down Parliament Street—*ibam fortè viâ sacra*—somebody tells me, "I hope you are going to settle the question." Sir, ignorance never settles a question. Questions must be settled by knowledge, and it is not the vexation of an opposition, from whichever side of the House it may come, that prevents this Bill from advancing. It is that we none of us see our way. I say it with a frankness that I trust will be pardoned, I do not believe the question of Parliamentary Reform is thoroughly understood by the country—is thoroughly understood by this House; and although I dare only utter it in a whisper, I do not believe that it is thoroughly understood by Her Majesty's Government. I often remember with pleasure a passage in Plato where the great sage descants upon what he calls "double ignorance," and that is where a man is ignorant that he is ignorant. But, Sir, in legislating there is another kind of double ignorance that is fatal. There is, in the first place, an ignorance of principles, and, in the second, an ignorance of facts. And that is our position in dealing with this important question. There is not a majority in this House that can decide upon the principles upon which we ought to legislate in regard to this matter; there is not a man in this House who has at his command any reliable facts upon which he can decide those principles. But then the question arises—What are we to do? I admit the difficulty. I do not shut my eyes to the position in which we are placed. The country, the House of Commons, the Ministry, are—it is a classical although it may seem an idiomatic phrase, as it was used by Dean Swift—in a scrape. I should despair of escaping from this perplexity and this predicament had I not an unlimited confidence in the good nature and the good sense of the House of Commons. We must help the Government. We must forget the last two months. The right hon. Gentleman must re-cross the Rubicon, we must rebuild his bridges, and supply him with vessels. The right hon. Gentleman is in a position in which he can retire from this question of Reform for the moment with dignity to himself and to his colleagues. He must not sacrifice his country, his party, or his own great name to a feeling of pique. He is still supported by a majority; he is not in the position of a Minister whose reputation and the fortune of whose Cabinet are staked upon individual measures in a House wherein it is known that he is in a minority. That has been the unfortunate position of others, but it is not his. He occupies a far different position. In deference to what I believe to be the wish of the country and the desire of the House of Commons, what has he to do? It seems to me that the most advantageous and the most dignified course for him to adopt would be this—Let him at once give instructions that complete and accurate statistics shall be prepared with regard to the borough franchise—not hurriedly, but with time and with attention, and in an impartial manner, so that no person shall be able to rise and say that we are called upon to legislate upon this question upon facts which are utterly untrustworthy. Let him, recognizing the unfortunate admissions which the Government made under the mistaken views which they adopted with reference to the county constituencies, give immediate orders that the most ample information should be acquired as to the share which the working classes of this country possess in the county franchise; let him direct that such information should be provided with care and discrimination. I think such inquiries may be trusted with safety and security to these persons who have provided us with the information we now have relating to boroughs, and which I believe to be imperfect merely on account of the hurried manner in which it was produced. Let the right hon. Gentleman, then, to-morrow, after consultation with his colleagues, give orders that sub-commissioners, acting under the Inclosure Commissioners, should visit all the Parliamentary boroughs of England and examine and report upon their boundaries. Let the right hon. Gentleman give up this scheme of grouping represented boroughs, which he must see is repudiated by both sides of the House; let him boldly acknowledge that the proper way of dealing with the subject is to appeal to the spirit of justice of the represented boroughs to spare him a few Members from their superfluity; let him prepare a well-digested and complete scheme, which will give representation where required upon the principle of grouping the unrepresented towns of the country; and, having done all these things, let him consider the results with his colleagues, and when Parliament meets again he will have the opportunity—which I am willing to give him every credit for—of submitting to our consideration a measure which will command the sympathies of the country, and which will obtain the sanction of Parliament.

Mr. CARDWELL: Sir, whoever undertakes to submit to this House a measure intended to reform the present system of the representation of the people must be prepared to encounter many difficulties and much criticism, involving many plausible objections, which, on a first hearing, it may be difficult to answer, because we are dealing with the most complicated form of government known to history; and it is a condition of the problem that we shall not found our argument upon abstract principles, but upon principles laid down by our Constitution; and we must endeavour, by amendment boldly made, to deal in a practical way with the great difficulties that Time, the great innovator, has permitted to grow up. If this is the natural expectation, the history of former Reform Bills shows that it is confirmed by experience. The great Reform Act of 1832 was met by objections far more formidable and criticism far more searching than that which the right hon. Gentleman has advanced against the present measure. Yet of that Bill the right hon. Gentleman himself was the supporter, and is now constantly the eulogizer and the advocate; and the noble Lord at the head of the party opposite, with the noble Lord at the head of the present Government, were among its most powerful and most eminent supporters; and it is now universally admitted to have been one of the most beneficial measures that has passed the Legislature within living memory. If we look at the Bills proposed of late years, we find that each of these Bills has been met in a similar manner on its introduction into this House. The first of those Bills—that of 1852—proposed to deal with the small boroughs precisely as the right hon. Gentleman has recommended to-night—it proposed to unite with the then existing boroughs the smaller unrepresented towns. Yet that Bill never lived to see the light of day; it was never put to the test of discussion in this House—and I believe it was a fortunate end, for its premature decease saved it from the trouble that was in store for it. If it had been debated in this House it would have been the most unfortunate of the whole series, for it had the largest number of enemies and the smallest number of friends of any Bill ever introduced upon the subject. Again, the Bill of 1854 was prepared with the most consummate care by two of the principal authors of the first Reform Bill. That Bill proposed a large disfranchisement of the small boroughs and a redistribution of seats. It was defeated, and we were told that it was unsuccessful on account of the large measure of disfranchisement it proposed. On the next occasion parts were changed, and the right hon. Gentleman opposite sat here, and we had our places on the other side of the House. The right hon. Gentleman in his Reform Bill proposed a very small measure of disfranchisement, and it was that small amount of disfranchisement that formed one of the principal objections to the Bill. Then in 1860 it became our turn, with the experience we possessed, to prepare another Reform Bill. The right hon. Gentleman, in criticizing that Bill, said that it either went too far or not far enough, but did not tell us which. Now we come to the present Bill, which is framed upon a different model, and has avoided all the objections that have been taken to former Bills; and the right hon. Gentleman, whom I do not understand to move the rejection of the Bill because he did not make any Motion at all, with the kindness and consideration which we might expect from him, advises us to withdraw it on the plea that we are ignorant of all the principles upon which it is founded, and of all the facts upon which those principles should be based, and tells us that should we withdraw it we shall be acting a part consistent with our honour, and with what the House expects from Government. I do not, however, think it a course the Government is at all likely to take. When the right hon. Gentleman himself sat in this place he felt it to be his duty to propose and submit to the House a Reform Bill. He did not then think that the House was in ignorance either of principles or facts, and he entered into a long statement, the effect of which was that the subject was ripe for consideration, that it called for decision, and that, although the Conservative party were in power, they would be wanting in their duty if, with their knowledge and experience, they made no attempt to settle the question. If that was the case at that time, how far more must it be the case now? and if with all the experience and knowledge since accumulated the House and the country are not able to dispose of the question, then I think the whole subject should be relegated not, as the right hon. Gentleman proposes, to a future Session, but to the indefinite period when there will be no prospect of passing any such measure. The right hon. Gentleman began his speech by what I had supposed to be so antiquated as to preclude the possibility of its being again heard in this House—an elaborate eulogy upon the advantages which are believed to be offered by the small boroughs. There sits beside him a noble Lord (Lord Stanley) who, in advocating the Bill of 1859, avowed with great frankness and great truth that if that Bill made a very small disfranchisement, that smallness arose not from the possibility of defending small boroughs, but from the fact that, looking at the question in a practical view, and knowing the difficulties which attended any large proposal of disfranchisement, it was not thought desirable to hazard the passage of that Bill by incurring those difficulties. I appeal from the right hon Gentleman to his noble Colleague, and to those who have written upon the history and the constitution of this country. The right hon. Gentleman has said there are two kinds of Reformers—those who would give all power to numerical majorities, and those whom he regards as true and constitutional Reformers, who would adapt the Act of 1832 to the England of 1859. But what was the Act of 1832? In the Act of 1832, the abolition of small boroughs was the principal feature. The principle of the Act of 1832 was the removal from small boroughs, subject either to nomination or corrupt influence, of the power of representation in order to confer it upon those great centres of wealth, intelligence, industry, and knowledge which constitute the real public opinion of this country. If, as the right hon. Gentleman has said, the characteristic of the true Reformer is to adapt to the circumstances of our own day the Act of 1832, then I contend that this measure which the right hon. Gentleman supposes to be founded in ignorance of principle and ignorance of fact, is a measure of sound and constitutional Reform; and that the course which the right hon. Gentleman has recommended to the House is opposed to the principle of the Act of 1832. In dealing with the subject of the smaller boroughs, the right hon. Gentleman abandoned the doctrine which may be called the doctrine of "young men." He admitted that when young men of ability seek their entrance in this House, the small boroughs are not the principal or the only means by which they can attain that result; but he insisted upon another argument, equally, I think, unfounded in fact, for he said that there were in this country a great number of interests and professions which it was most important should be fully represented in this House, but which, being neither mercantile nor agricultural, could not command representation either in the counties or in the great commercial towns of the country. Then he proceeded to give us instances, some of which I took down at the time as he spoke. He first referred to professional men, who, he said, were unable to enter this House unless elected for small boroughs—forgetting, I suppose, his own Attorney General and Solicitor General, the one a Member for a great county, and the other of a great city; the one in England, and the other in Ireland. He seemed to have forgotten that the present Lord Advocate represents the capital of Scotland, that Manchester is represented by the leader of the Northern Circuit, and that the present Solicitor General is the Member for a large seaport town in another part of the country. The right hon. Gentleman passed on to speak of those who, having spent their time in India or the colonies or in foreign parts, are acquainted with interests upon which, but for their knowledge, we might not possess much practical information, and he referred more particularly to my hon. Friend who now sits for Frome (Sir

Henry Rawlinson), and who was first elected as a Member of this House by Reigate. It was the Act of 1832, the spirit of which we now seek to follow, that first constituted Frome, and confirmed the representation of Reigate. With respect to the Members for Bridport (Mr. K. Hodgson) and Huntingdon (Mr. T. Baring), every one knew that the Gentlemen who represented these places could not be kept from the House longer than they themselves desired. They are the merchant princes, to whom the right hon. Gentleman himself has said this House is always open. The right hon. Gentleman then spoke of the small boroughs as being the only mode by which those acquainted with our colonial affairs could find access to this House; but, as showing that this is not the case, I would refer to the most recent election—that for Cambridge—where a Gentleman well acquainted with one of our most important colonies was returned as a Member to this House (Mr. Gorst). He then referred to India and said, you are going to lay hands upon Honiton, Leominster, and Harwich, boroughs which have sent to Parliament men of eminence and well acquainted with Indian matters. If this Bill passes, we are certainly going to follow the course alluded to by the right hon. Gentleman. But the right hon. Gentleman did not remember that in the Bill which he himself introduced in 1859 all boroughs possessing populations of less than 6,000 inhabitants were to have the sacrilegious hands of the then Government laid upon them; and it does so happen—for I have just referred—that these three boroughs, Honiton, Leominster, and Harwich were included in the list. As far, then, as the illustrations of the right hon. Gentleman are concerned—and illustrations, as he says, are superior to arguments—they have not added much force to the argument which he desires to recommend to the House. But, after all, what is this argument? Are we to have it seriously contended that in order to perfect the representation of this House we are to retain a large number of these small boroughs, which everybody knows, if not more accessible to corrupt influences, are far more accessible to nomination than larger constituencies? The fundamental principle of the Reform Act was the abolition of those smaller constituencies, and the substitution in their places of those great communities, the centres of wealth, the depositories of skill, industry, and of commerce, the Members for which when they come to the House bring with them, not only their personal qualities, their learning, and their intelligence, but bring also those influences which rightly enough are inseparable from the representation of great constituencies. If we are to act in the spirit of the Bill of 1832, let us just for a moment consider what are the changes with which, in the altered circumstances of the country, it is necessary to deal. The right hon. Gentleman himself, when undertaking the advocacy of a measure of Reform, did not then deliver a eulogium upon the smaller boroughs. He stated then that the true and the constitutional Reformers were those who walked under the guidance of the Constitution, who adapted the Reform Act of 1832 to the circumstances of 1859. If that was true in 1859, how much more true is it at the present time? No doubt in 1832 the great communities which received representation were large and flourishing; but if it were right in 1832 that Gatton and Old Sarum should yield up the franchise in order that Manchester and Leeds might be enfranchised, it is equally just in our day that the boroughs sacrificed in this Bill should be so dealt with, in order that larger and more worthy communities should receive the privileges which this Bill proposes to confer upon them. But the right hon. Gentleman spoke of aggravating anomalies by the present Bill. Really I have some difficulty in ascertaining what the right hon. Gentleman understands by anomalies. To me it seems an anomaly that the great constituency of South Lancashire should be so meagrely represented as at present; yet he seems surprised that we propose to give six Members to South Lancashire, and says we are making the House of Commons like a Polish Diet. It appears to me to be an anomaly that the constituency of South Lancashire, with its 627,000 inhabitants, should have no greater number of representatives than the towns of Honiton and Lyme, which have exactly 6,500. The time was when that was the opinion of the right hon. Gentleman himself. In his Bill of 1859 he proposed to make the same division of South Lancashire which we propose to make in the present Bill. And does not the right hon. Gentleman think it an anomaly that the Southern division of Devon, with its 413,000 inhabitants, should have only the same number of representatives as the borough of Totnes, which has a population of 4,000? Those constituencies which in 1832 received representation were, indeed, great towns in comparison with those deprived of the franchise, but they were small in comparison with what we now see around us. In 1832 the only railroad opened in the country was that between Liverpool and Manchester, and no trans-Atlantic steamers were in our ports. In the interval which has elapsed villages have risen into great towns. It is acting in the spirit of the measure of 1832, and in order to carry out the policy indicated by that Act, that the present Bill has been proposed to you. The right hon. Gentleman objects to the system of grouping; but we have acted in accordance with the principle which I believe he has always asserted should be followed by those who would frame a Reform Bill. We have not first inquired how many seats could be obtained by disfranchisement, but how many were demanded for the purpose of enfranchisement. The right hon. Gentleman has commended the choice of additional towns which we have made, and the proposals which he has himself made to the House sustain our arrangement with respect to South Lancashire and Yorkshire. But the right hon. Gentleman has addressed us upon what he calls plurality of representation. I do not know from what source he has gained enlightenment as to the philosophy of English representation; but if he had consulted Mr. Hallam he would have found that, when speaking of large and small constituencies alike having two Members, Mr. Hallam says it is an arrangement easier to wonder at than explain. At the time of the Reform Bill 150,000 was the amount of population considered to entitle a county to a third Member, and 150,000 is the number adopted in the present measure. Then the right hon. Gentleman complains that the system of grouping is foreign and new, that it causes expense and contributes to bribery, and that it is likely to be mischievous in its results. Although the right hon. Gentleman complains much of the ignorance of those who have framed this Bill, he cannot have paid much attention to the history of grouping, if that be his opinion. The system is not foreign and new to England and Wales, much less is it new to the representation of Scotland. It has not been found productive of expense; the Returns made by the agents of candidates for membership show that groups of small boroughs are the cheapest. The sum returned by the agent of Sir George Lewis, when the representative of the Radnor Boroughs, was one of the smallest ever recorded in connection with the £10 franchise. Then, with regard to bribery, does the right hon. Gentleman expect grouping will increase bribery and bring about a system of caucus similar to that prevailing in connection with American elections? I believe there is only one instance of a Member having been unseated for bribery in all the elections that have taken place for the groups of boroughs in Scotland. But Scotland, according to the right hon. Gentleman, is not a case in point, inasmuch as by the grouping proposed in this Bill large intermediate towns of importance will be passed over. But if the right hon. Gentleman had been more familiar with Scotland he would have known that Greenock—a not unimportant place having its separate representation—lay in the middle of a district of grouped representation. The experience which we have had of grouping in Scotland shows that it is not a source of expense, but rather a source of economy—not a source of bribery, but rather of purity of election—and if these have been its effects in Scotland we have good grounds for supposing that it will produce the same effects in England. It is all very well for the right hon. Gentleman to say that we might have proposed to take a single Member from some comparatively small boroughs which have two; but would he not have objected to that system when regarded in the light of its effect upon his own followers? Those who examine the question will find that in order to provide without the system of grouping a sufficient number of Members for the constituencies which it is proposed to enfranchise, it is absolutely necessary to resort to actual disfranchisement, or so extensive a removal of second Members from smaller boroughs as would cause great dissatisfaction. The Bill of the right hon. Gentleman merely to gain fifteen seats withdrew the Members from every borough containing less than 6,000 inhabitants; but in order to gain fifty seats we must have taken them from boroughs comprising much larger populations, if it had not been for the adoption of the system of grouping. I acknowledge that I am not one of those who would be particularly unwilling to see this one-sided disfranchisement carried further. With my views of Parliamentary Reform, it seems that a town with more inhabitants than 8,000 might very well be called upon to sacrifice its second Member. But I would ask the right hon. Gentleman how, with his views, he would give adequate representation to the larger constituencies by any other plan so easily as by that proposed? Why have we proposed this Bill? Have we done so without experience? The right hon. Gentleman speaks in bantering terms of the ignorance of those who have proposed this Bill. We may have been ignorant; but we were not ignorant, at any rate, of the fate which befell the Bill of 1854; we were not ignorant of the inadequacy of the Bill of 1859; we were not ignorant of the fate of the Bill of 1860. We were navigating waters, which had been already buoyed. We wished to avoid running this ship upon the former rocks; we desired to submit to the House a measure which we might honestly recommend, as deserving the confidence and the support of Parliament. The right hon. Gentleman has to-night come forward, not merely to criticise the measure of the Government, but to expound, with generosity and frankness, the views he entertains upon the subject of Parliamentary Reform. We know now what his views are, and what will be the policy aimed at in any Reform Bill which may hereafter be propounded by the right hon. Gentleman. The first aim will be to maintain all those smaller channels by which people now find their way to this House, whom larger constituencies would not send. Another aim will be to eliminate everything connected with commerce and industry from the county constituencies, and to make them purely and entirely rural. The right hon. Gentleman, in proposing the Bill of 1859, spoke a great deal of the duty of which fell upon the Ministry, and even a Conservative Ministry, to bring forward such a measure as would settle the question of Reform; but I should like to know whether what the country expects as a settlement of the question is the maintenance of the small boroughs and the elimination from the counties of all traces of commercial interest. The present measure has not been brought forward in ignorance, and it is not a measure which it is consistent with our honour to withdraw. The right hon. Gentleman further says we have neglected our duty in the matter of boundaries. What we have said is this—let the people be represented, not according to class notions, but according to the community to which they actually belong. In an able speech the other night the right hon. Gentleman the Member for Cambridge (Mr. Walpole) said that we did not want class representation, but that we wanted the representation of communities. That was a sound doctrine, and upon that doctrine this Bill proceeds in the matter of boundaries. If a community is associated in municipal affairs, if it contributes to the same municipal burdens, *primâ facie* it ought to have the same representation; but places like Croydon or West Bromwich, which were comprised in the Bill of the right hon. Gentleman, being parts of counties, and paying the county rates, ought to remain in the counties for the purpose of representation. The right hon. Gentleman says there ought to be a marked distinction between a rural and an urban constituency; but I differ from the right hon. Gentleman both as to the principle and the possibility of applying it. The argument of the noble Lord the Member for King's Lynn (Lord Stanley), when defending in 1859 the proposal of Lord Derby's Government for an uniform £10 franchise, was in favour of the practice we propose, for he said of dividing a borough from a county that that is just the thing you cannot do, and that towns extend themselves so gradually and imperceptibly that you cannot tell where the town ends and the country begins. I think the doctrine of the noble Lord is preferable to the doctrine of the right hon. Gentleman. Upon principle, I object to this marked distinction between classes. I do not object to the policy which gives a generally rural constituency, or a generally commercial constituency, the choice of representatives; but I say it would be a great misfortune, it would cut very deep into the principles of our representation, it would tend to create an antagonism of interests and a war of classes, if all our Members, or even a large proportion of them, came to this House as distinct representatives of a special interest. A certain number of such Members may be beneficial; but equally beneficial and equally important in this House are those Members who, being connected with a combination of interests, as many of us are, wield the force both of rural influence and commercial influence, and independent influence, and are able to form their views upon wider principles, and to mediate and moderate between those who take more special and restricted views. But this argument about boundaries is a dilatory and obstructive argument. It is not long since we were told that the House would not deal with the question until it had the whole measure before it. If you had had both Bills before you, the answer would have been, "It is very true you have told us that there are to be the Members for counties and there are to be the Members for such and such boroughs, but you have not thought proper to inform us what is to be the limit between county and borough; it is impossible for us to know what your plan of representation is, because you have not told us where the line is to be drawn between £14 on the one hand and £7 on the other; and therefore it is impossible for us to deal with your measure." But the right hon. Gentleman himself, while raising all these objections to our system of grouping, has recommended a new system of grouping of his own. He says it would be wise to group the small unrepresented towns into new boroughs. What, then, become of his objections to the system of grouping that it is foreign, that it is expensive, that it leads to bribery, and to a system of caucus? He forgot to explain why the grouping of new towns would be domestic, while that of old towns was foreign —or why the evils of expense, of bribery, and of caucus, so strongly present in the one case, would be absent in the other. I say, then, that the charge of the right hon. Gentleman, that we have neglected our duty in this matter of boundaries, is completely disposed of. We should have acted in a spirit contrary to that of the Reform Act of 1832 if we had sought to draw the closest line of demarcation possible between all the borough constituencies and the county constituencies in the kingdom, and should have involved ourselves in endless difficulties, with no prospect of bringing the matter to a final settlement. Neither can I admit the charge that the kind of grouping proposed is either foreign or expensive. It appears to me that if you want to put an end to the idea of Reform, and that if you wish to withdraw it and to throw it over to the Greek Kalends, there is scarcely a suggestion you can make more likely to effect that object than the suggestion that you should set to work and not take in the existing and well-known boroughs, boroughs which are fixed by statute, but the small towns scattered throughout the country, and endeavour to organize them into new constituencies, and give them a new representation. I say that if you undertake that duty, you will be involved in another which will require all these inquiries which the right hon. Gentleman has suggested before a Reform Bill can be brought in. As I before observed, I sincerely sympathize with the observations of my right hon. Friend the Member for the University of Cambridge, that we want representation by communities, and not by classes; and I quite agree that just and reasonable consideration ought to be given to the classes of which the future constituencies are to be composed; but I think that we are carrying that investigation too far when we speak of them as necessarily antagonistic interests. I am old enough to remember a time when class interests were much more conflicting than they are now; but the wise legislation of the House for the last twenty-five years has been such as greatly to diminish the violence of those conflicts, and almost to extirpate the causes of animosity themselves. I remember when it was otherwise—when the Duke of Wellington went down into Lancashire to open the first railway, and was encountered by the working classes with a manifestation of feeling growing entirely out of sentiments that have long passed away. I remember also the struggles which took place between different sections of the wealthier classes in this country, the various interests being marshalled one against the other with an amount of jealousy and animosity that happily exist no longer. In the year 1830 Mr. Huskisson, when making a speech in this House, pointed out how much class feeling guided the legislation of that day, and how much the burdens of the country were levied in conformity with class views and class interests. But for the last twenty-five years, by the wisdom of this House, every measure of legislation has been directed with a view not to the benefit of any particular class, but to the benefit of the whole community; and the result has been a change of public feeling, and a good understanding between every class of the community which it is delightful to witness, and to which in this argument we ought to bear constant testimony. I, therefore, trust we shall be less given to dwelling on class interests and class distinctions in this debate, and that this measure which is notdrawn with a view to the interests of any particular class, will be found to be equally beneficial to all. I have concluded the remarks which I now propose to make. I did not understand the right hon. Gentleman to give practical effect by any Motion to the suggestions which he has made. The right hon. Gentleman himself, seven years ago, explained to the House the reason why it was his duty to give effect to the promises which have been held out on the subject of Reform. It was very kind and very considerate, and no doubt exceedingly well intended on the part of the right hon. Gentleman, to recommend us to withdraw the present measure. But if we were to fail in prosecuting our duty, I think we should hear from him comments upon the course which we had pursued. My earnest hope is that this question may now be settled. I think it was our bounden duty, in this the first Session of a new Parliament, to submit the question to the best of our judgment and ability to the House. And I earnestly trust that by the moderation of all parties, and by that on which the right hon. Gentleman has justly as well as confidently relied—the good sense and right judgment of this House—the present Parliament may be able, in the present Session, to bring to a just and satisfactory conclusion the long agitated question of a Reform in the representation of the people.

MR. WALSH said, he trusted the House would extend its indulgence and kindness to him while he addressed to them a few remarks. This was not the first time that the small boroughs had been attacked; they had survived former assaults, and he trusted they might survive the present. These boroughs had never wanted able and eloquent defenders, and among the most eloquent and most able was the right hon. Gentleman sitting opposite. In 1859 the Chancellor of the Exchequer said—

> "I must frankly own it appears to me that to proceed far in the disfranchisement of small boroughs is a course injurious to the efficiency of the House of Commons. You must not consider in this matter the question only of the electors. You must consider quite as much who are likely to be the elected. . . . If you have nothing but large and populous bodies to return Members of Parliament . . . . you will not find it possible to introduce adequately into this House the race of men by whom the government of the country is to be carried on."—[3 *Hansard*, cliii. 1054.]

In the course of a speech made last summer the right hon. Gentleman, in addressing, he believed, the electors of Chester, held similar language, and said if this country wished to be served well it must return young men to Parliament; and, with all deference to what the right hon. Gentleman the Member for Oxford (Mr. Cardwell) had said, except in the case of some few favoured individuals, he did not see how this result was to be brought about unless through the medium of small boroughs. The right hon. Gentleman the Chancellor of the Exchequer it might be said, in words which were applied to another great statesman, that all parties were proud of him; and though he had quitted one side of the House and gone to sit at the other, he congratulated his new supporters on possessing such a distinguished advocate. But were they quite sure that that imagination, which in early youth had been dazzled by the splendour of Canning, and now in its maturer years was caught by the glitter of Birmingham, had finally settled? Were they quite sure it would not make another gyration? With a verbal alteration, he would address to them advice similar to that which fell from the injured father of Desdemona—

> "Look to her, Moor; have a quick eye to see;
> She hath deceived her father, and may thee."

To exhibit the vicissitudes of party warfare and to show how difficult it was for even our most distinguished statesmen to keep their hold upon the larger constituencies, he need only remind the House that the late Sir Robert Peel, Sir James Graham, and many others had been unable to keep their hold on the large constituencies, and would have been kept out of Parliament but for the smaller boroughs, and that it was owing to the little borough of Tiverton that the singular wisdom and genial authority of Lord Palmerston were preserved to that House so long. Since the Reform debates had commenced the Opposition had been deluged with good advice by Gentlemen sitting opposite, who suddenly manifested the most affectionate interest in their well-being as a party. Their advice, however, partook largely of the character with which in childhood they had all been familiar. Having in vain besought the Conservative party to shut its eyes and open its mouth and swallow the good things Lord Russell would send it, they were now told how much better they would be from taking the dose, they were promised a nice game of Downing Street afterwards, and that the Reform stick should be hid away in the cupboard. But he contended that any settlement to which the House was asked to agree ought to be fair and to have some prospect of finality about it. This Bill affected the seats of seventy-nine Members, forty-eight of whom were Conservatives, and thirty-one Liberals; and nothing had surprised him more than the number of 8,000 which had been fixed on as the electoral limit. In these days of decimal figures 10,000 would surely have been the natural limit. But on looking through the Returns with the assistance of *Dod*, a very easy explanation presented itself of the grounds for selecting 8,000 in preference to 10,000. He found that the seats with a population of between 8,000 and 10,000 which would have been affected by choosing the higher number were seventeen, and of these sixteen were held by Liberals and only one by a Conservative Member. The moderation, therefore, of the Government in fixing the limit at 8,000 no longer surprised him. He had only one more observation to address to Members who, like himself, represented one of the doomed boroughs. It was quite evident now that it was a question between their existence or that of the Government, and not merely of those boroughs in the present schedule — because once the principle established that mere numbers were to overrule the property and intelligence of the country, boroughs of 10,000, 15,000, and 20,000 inhabitants might number their existence by moments. Let them not be killed in detail. Very often offence was the best defence; let them join, therefore, in defeating a measure which, he believed, would be subversive of the best interests of the country, and in furnishing the hon. Member for Westminster (Mr. J. Stuart Mill) with a practical illustration of the way in which a minority could make its wishes respected and its interests cared for, even in the face of a powerful majority.

Mr. ARKWRIGHT: I can fully understand the very great difficulties which a Government must encounter in endeavouring to deal with such an important and intricate subject as that of the Re-distribution of Seats. I can well believe that an Administration, however conscientious, must inevitably lay itself open to the charge—or at any rate to the suspicion—of inconsistency and unfairness, considering the numerous and conflicting interests which this Bill touches; and considering too how much, as in this case, is left to the arbitrary discretion of its promoters. I should, therefore, be unwilling to attach too much importance to the curious chain of concidences which in the Bill now before the House does, undoubtedly, expose it to the accusation of being formed as a party measure. I will not unduly insist on the curious fact that the figure of 8,000, arbitrarily fixed upon as being the minimum population which is to return two Members, cuts off a very large proportion of Members who sit on this side the House, while the obvious and intelligible limit of 10,000 would, I believe, deal with exactly the same number of Liberal and Conservative seats. I will not ask why almost all the seats thus placed at the disposal of the Government go to places which will support this Government. I will not ask why, after the returns of population and electors which have been made with such care, we should go back five years, to the last census for the purposes of this Bill, and make no use of the knowledge we have of the numbers or character of our electors. I will not ask what precedent there is for the obnoxious proposal of grouping boroughs already represented, and thereby increasing all their alleged defects and taking away their obvious benefits. Going more into detail, I will not ask why Bewdley, with its decaying population already under 7,000 is left untouched, and with its 391 Liberal electors not grouped with Droitwich with its 407 Conservative electors; these two towns being ten miles apart and in the same county, while Woodstock is brought twenty miles from its own county to be amalgamated with Wallingford. I will not ask why Brecon and Radnor, with their population under 8,000 and their Liberal representatives remain unaltered. The Government has reserved to itself the right of dealing arbitrarily with all these questions, and let us not blame them too much that their justice is tempered with the charity that begins at home. But, when a strict and definite rule is laid down, and when, curiously enough, the only exceptions made to it are made to the disadvantage of Conservative constituencies, then, I say, it is time for every honest man, and for every Member who has an especial interest in the seats injuriously affected, to come forward and demand an explanation of the circumstances. The Government Bill lays down the rule that every constituency which had in 1861 a population of more than 8,000 is still to retain its right to return two Members to Parliament. By this rule the towns of Chicester, Guildford, Lewes, Malton, Poole, Stamford, Tavistock, Wycombe, and Windsor, all of which have a population between the mystical number 8,000 and 10,000, keep their privilege; well and good. Now, there are ten groups of boroughs which have more than 9,000 inhabitants. It is obvious, therefore, that by this rule all the groups should at least retain the above-mentioned privilege; but, an exception is made, and these ten groups, not one of which would return two Liberal Members, and certainly five of which would return two Conservative Members, are not to have two representatives unless their population amounts to 15,000. Now I ask how, in the name of consistency and fairness, can this exception be supported? I will take the case of the group of boroughs in which I am personally interested, Ludlow and Lominster, and ask why are we not to have two representatives unless we have a population of 15,000? Is it because our electors are few? Our united electors number 765, while not one of the ten privileged towns I have named has more than 719. Is it because we are accused of corruption and undue local influence? Such a suggestion has never even been whispered, and while the names of Windsor and Lewes, of Tavistock and Malton, are so notorious, we can safely say that that is not the reason. Is it because we are decaying places? No: both constituencies are flourishing and increasing steadily in proportion, while the comparatively recent railways are just beginning to develop new sources of wealth and influence. Is it because we have no vested rights. At this moment Ludlow and Leominster return four Members to Parliament, and in the latter place, at least, we point back with pride to a long line of distinguished representatives. No! the only method on which this spoliation of small boroughs has been conducted is—

> "The good old rule, the simple plan,
> That they should take who have the power,
> And they should keep who can."

We small boroughs hold in our hands a banner. It is not so imposing and brilliant as that which still floats from the Treasury Bench. Our warriors are few and comparatively unskilled in the combat, but we have the advantage of having justice on our side, and we wage the battle of right against might. This Bill may be passed through the House by a small majority, and we know the tender mercies that are extended to the weak in Committee; but I shall have this satisfaction, that the first words I have uttered in this House—words which if this Bill become law may be my last—have been against as illogical and tyrannical an injustice as has ever been contemplated by any Government.

MR. JOHN HARDY said, it was hard that the borough of Dartmouth, which he represented, and which had been tampered with by the Reform Bill of 1832, should again be singled out for attack. If the right hon. Gentleman who framed the Bill had grouped Dartmouth with other towns on the coast having similar interests, such as Brixham, and Paignton, and Teignmouth, he might not have complained; but what had Dartmouth to do with such way-side boroughs as Ashburton and Totnes, the last of which was of no good repute, and the other was so completely out of the way—for nobody went there—that if a man found himself there by chance he would have to ask where he was. Dartmouth, too, was one of those boroughs which had won its charter and done the State some service long before many of the larger boroughs had been heard of; and, although a man ought to submit to see a small borough disfranchised with equanimity, if the country were likely to be benefited by the sacrifice, it was rather hard to have one's seat handed over to a Democrat, and to be called upon to make way for the Scotch Radicals. For his own part, he was not in favour of making any addition to the number of Members already in the House. The House could not well contain a greater number, and the great majority of the present Members were unable to express their opinions on any important debate. But, beyond that, the Bill was full of anomalies, which he would illustrate by the single instance that one Member was to be taken away from the cathedral town of Lichfield, while Tamworth, with 200 or 300 electors less, was left untouched. When the Franchise Bill was brought forward there was the usual cry that it was an honest Bill. But he called nothing honest that did not tell the truth. He would not detain the House longer, as he would have opportunities of attacking its details in Committee, but he could not avoid taking this opportunity of expressing his opposition to the Bill.

MR. KER expressed his dissatisfaction with the mode in which it was proposed in the Irish Reform Bill to deal with Downpatrick, the borough which he represented.

MR. SPEAKER said, the hon. Member was not in order in discussing the Reform Bill for Ireland, as that measure was not before the House.

MR. KER, under those circumstances, would reserve his observations till the Irish Bill came on.

Mr. DUTTON said, he was not disposed to object to the second reading of the Bill, because he was of opinion that a Committee composed of half-a-dozen Members from each side of the House might in a very short time make this Bill into a very useful measure. His own opinion was that instead of grouping boroughs already enfranchised, it would have been a wiser course to have partially disfranchised all boroughs of under 15,000 population, and thus acquired sixty seats, which could have been distributed among the populous places which were at present unrepresented. He thought that the system of grouping boroughs adopted by the Government would be very unsatisfactory to the residents in these boroughs, and most inconvenient to the hon. Gentlemen who represented them. In some cases of proposed grouping it was extremely difficult to see any reason for the grouping, geographically or otherwise. In reference to his own case, he could not conceive why Cirencester, Tewkesbury, and Evesham should be joined. The people of those towns knew nothing of each other, and any person going the round of the three towns would have to travel over several branch lines, to go a distance of forty miles, and to change carriages five times. In reference to two boroughs in his own county, Lymington and Andover, he thought that it would have been far better, instead of being grouped, that they should have one Member each, and that unrepresented towns should be thrown into groups. In reference to the distribution of seats he found that South Hants was not to have a third Member, though from the large population and from the rapid increase of the constituency in consequence of the large towns, such as Portsmouth and Southampton, that division of the county had upwards of 100,000 inhabitants, more than the number considered to entitle other counties to the extra Member. He was glad that the Bill was to be allowed to go into Committee, and he had no doubt that the Chancellor of the Exchequer would meet hon. Gentlemen on the Conservative side in a spirit of fairness, and that on the other hand the proposals of the Government would receive due consideration; for without mutual concession no measure of this kind could be carried, and he was anxious to see the much-vexed question of Parliamentary Reform settled during the present Session.

Sir STAFFORD NORTHCOTE said, he should be glad to know the position in which the House stood with regard to the Motion of which the right hon. Member for Kilmarnock (Mr. Bouverie) had given notice. The right hon. Gentleman had given notice that in the event of this Bill being read a second time, he would move—

> "That it be committed to the same Committee with the Representation of the People Bill, and that it be an Instruction to the Committee that they do make both the said Bills into one."

The course to be followed with regard to this Bill might be materially affected by the decision which the House might arrive at on the Motion of the right hon. Member for Kilmarnock. The right hon. Gentleman was not then in his place, but it would be convenient that the House should know in what position they would stand in the event of this Bill being read a second time without a division. There was no disposition, as far as he knew, on that side of the House to object to the second reading; but they would be glad to know whether the Motion of the right hon. Gentleman could be made when the Committee on this Bill was fixed; whether the Government were prepared to assent to that Motion; and if it should be agreed to, in what position the House would be as regarded any Amendments on the question, "That the Speaker do leave the Chair." He was not aware that it was intended to move any Amendment on the Motion for the Speaker to leave the Chair, but it was desirable there should be a clear understanding as to the position in which the House stood. There was no wish on the part of the Opposition to gain time or take any unfair advantage of the Government.

The CHANCELLOR of the EXCHEQUER said, he thought the question of the hon. Baronet was a perfectly fair one. When introducing the Bill he said that as regarded the question of procedure he would endeavour to gather the feeling of the House, and he naturally looked to the termination of the discussion on the second reading as the period at which the Government would have received a sufficient indication of that feeling. They had supposed from the course matters had taken previously, that there would have been a longer discussion on the second reading; but the information they now had led them to believe that it would, on the whole, meet the views of the majority of the House if the two Bills should be combined together. As a matter of fact, he believed that was the only point which had remained in any doubt; and on the part of the Government he had to say that he was prepared to accede to the Motion of his right hon. Friend the Member for Kilmarnock. He supposed that Motion would be made on going into Committee, which, with the permission of the House, he would fix for that day fortnight.

MR. SPEAKER, in reference to one of the questions asked by the hon. Baronet, said, that an Instruction to the Committee was not in the nature of an Amendment to the Motion for going into Committee; and, therefore, Amendments on that Motion had not been interfered with by the Instruction.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday,* 28th May.

CROWN LANDS BILL—[BILL 98.]

(*Mr. Chancellor of the Exchequer, Mr. Childers.*)

THIRD READING.

Order for Third Reading read (Queen's *Consent* signified).

Motion made, and Question proposed, "That the Bill be now read the Third Time."

MR. AYRTON said, that among the other provisions of this Bill was one giving power to Her Majesty to retain Claremont for her life. He had wished a few nights ago to make a few remarks when the Report on that Bill was considered; but having understood that it was not intended on that occasion to proceed with the Bill, his accidental absence had deprived him of an opportunity of doing so. He now, however, wished the House to consider seriously what they were about to do in this matter. They were violating a very important principle which had been laid down with reference to the disposal of public property and public revenue by the Crown. It was a long time since the Crown had possessed the power of disposing at its pleasure of the lands or the revenues which constituted its hereditary revenue. It was found that so many abuses had crept in through the freedom in that respect which had been reserved by the Sovereign, and that he was liable to so many importunities, that Parliament was at last compelled to enact that no grants should be made of Crown lands to any person except under the most stringent conditions. But the general revenue was also in former times left to a large extent at the disposal of the Crown; and that likewise was liable to so much abuse that at length Parliament determined that the whole of the revenue should be paid into the Exchequer, and that only a certain sum should be placed at the disposal of the Sovereign for the purposes of the civil Government, or, as it was described, for the expenditure of the Civil List. In the early part of the reign of George III. even that modified system still left the door open to very great practical abuses. It was found to be so difficult for the Sovereign to resist the arts and importunities of persons about the Court that large sums had been granted by way of pensions, and that all sorts of secret contrivances were resorted to to conceal them from the knowledge of the public. It was therefore determined that the best mode of securing the due appropriation of the money set apart as a Civil List for the benefit of the Sovereign and the use of the nation was, as far as possible, to repress the practice of allowing the Sovereign to grant any monies or pensions to any person whatever except under conditions then laid down, of the most precise and stringent character. One mode of checking abuse was to prevent any pension being granted secretly, to be paid in a covert manner; and it was required that every pension should be paid to the Exchequer. It was further provided that no grant should be made except upon a Message sent by the Crown to Parliament, in order that it might be patent to the public to whom any such grant was made. That extended, however, only to the larger class of pensioners; and all those under £1,200 were still left at the absolute discretion of the Crown. But, to restrict the power of the Crown to grant these pensions, the Civil List was divided into classes, and a certain sum only was placed at its disposal to be appropriated according to its pleasure for pensions or other gratuities. That state of things continued, with some modifications, until the accession of the present Queen, when a new arrangement was entered into, by which the practice of putting a large sum in the gross at the service of the Crown for pensions was abolished, and the still more precise method was adopted of allowing the Queen to grant pensions to persons who had earned them by some kind of merit to an extent not exceeding £1,200 in any one year. That system, therefore, having been found necessary in order to prevent the misappropriation of the public revenue, it had resolved itself into this—that Her Majesty should not have the power of granting away any part of the public revenues except upon a public announcement in the House of Commons of the person to whom the grant was to be made; and it was necessary to have the assent of the House in all cases save those coming under the provision that he had mentioned; while, on the other hand, where any discretion was left to the Queen respecting the grant of the smaller pensions, those pensions were made under the very stringent conditions of a Resolution of the House of Commons, which was incorporated in the Act passed for the settlement of the Civil List upon the accession of Her Majesty. Now, without any regard to these proceedings, it was proposed that an estate of £1,200 a year, being part of the land revenue that nominally belonged to the Crown, should be placed at the unfettered discretion of Her Majesty without the House having any communication whatever of the objects and purposes for which that grant was to be made. Probably the precedent in respect to Frogmore, which had ceased to be occupied by a member of the Royal family, but was afterwards resumed, would be relied upon in that case. But when the application for Frogmore House for the use of Her Majesty was made, it was distinctly represented that it was absolutely necessary for the convenient enjoyment of Windsor Castle that the Frogmore property should be deemed and taken to be part of the honour and manor of Windsor, inasmuch as it would be extremely disagreeable if that property were let out to a stranger who might become a very near neighbour of Her Majesty, almost participating in the enjoyment of Windsor Park. On that representation the House was pleased to acquiesce in the Bill by which the mansion and domain of Frogmore was not granted to Her Majesty as a separate estate, but was annexed to Windsor Castle, to be held and enjoyed as part of that property for the personal use of the Queen. All these facts were stated most precisely in the Act of Parliament to show the ground on which such a grant was made in addition to the settlement of the Civil List. But on the present occasion there was no statement whatever in the Bill of the reason why the grant was to be made, and they were entirely departing from all the principles which had regulated the management of the Civil List since the measures of economical reform passed at the instance of Mr. Burke. Before they opened the door to the abuses of former times they ought to have a clear explanation from the Chancellor of the Exchequer. They had been told that that grant was not exactly for the personal use of Her Majesty, but for the use of somebody or other; but, in accordance with the spirit of the Acts to which he had referred, the House was entitled to have a distinct statement of the persons and purposes to which that property was to go, and also of the circumstances under which it was proposed to reverse their past policy and legislation in these matters. His object was that there should be an emphatic declaration on the part of Parliament that the property was to be granted only to some person who had a claim upon the nation on account of meritorious services rendered to the State. If granted as a matter of private favour, it was the bounden duty of the Minister to communicate to the House before the grant was completed the object and purposes for which Her Majesty desired that this property should be placed at her disposal. It was with that view that he moved that the Bill be re-committed.

Amendment proposed, to leave out from the word "be" to the end of the Question, in order to add the words "re-committed in respect of Clause 27,"—(*Mr. Ayrton,*) —instead thereof.

THE CHANCELLOR OF THE EXCHEQUER said, he had no complaint to make of the history fraught with constitutional lore which had been given by his hon. Friend the Member for the Tower Hamlets. The practical question to which his hon. Friend referred was one of great importance—namely, how the revenues for the support and enjoyment of the Crown had been made by other persons a means of private enjoyment and public abuse. He quite admitted if his hon. Friend could show that there was anything in the proceeding now proposed that bore any affinity to that subject he would be entirely justified in asking the House to adopt his proposal. But the first objection he had to make to the proposition of his hon. Friend was, that it would be, in his opinion, entirely inoperative. As far as he could judge, the section of the Act of 1 & 2 *Vict.*, which related only to grants of pensions—that is, of money—would not be applicable to any grant by Her Majesty under the Bill, not of the revenues of Claremont, but simply of the use of the

House. Nevertheless, he could not agree to the insertion of the words of his hon. Friend's Resolution, for reasons which he endeavoured on the previous occasion briefly to state, but which he feared he had not conveyed to his hon. Friend. He did not mean to impute that circumstance to a want of apprehension on the part of his hon. Friend, particularly on a night when a very high and just eulogium had been passed upon him by a distinguished authority in that House. That eulogium would entirely secure his hon. Friend from any censure from him upon that occasion. His hon. Friend complained that there was no recital in the Bill determining the motives of the grant. But the reason was that there was no analogy between this grant of Claremont and any previous grants. In the case of Frogmore, for example, it was proposed to make an addition, for the sake of Her Majesty's own comfort, to the number of palaces, houses, and mansions, which were at the disposal of Her Majesty, and were to be maintained for Her Majesty at the public charge. That might fairly be called an uncompensated grant to the Crown, and if there were now any intention to make such a grant, it would be right to give a full explanation to the House. But the case of Claremont was a peculiar case in this respect—that it had been a place of residence of Her Majesty in the earlier portion of her life, and had for a long time been enjoyed by the late King of the Belgians under peculiar circumstances; because, while entitled by Act of Parliament to an income of £50,000 a year, some £35,000 a year had been regularly paid back into our Exchequer for a long series of years. The consideration that it would have been painful to the King of the Belgians that his palace at Claremont would be made a mere matter of merchandize for the purpose of obtaining a small sum for the public revenue was one which if it were necessary to dwell upon would have great weight with the House. But the ground upon which Her Majesty's Government had asked this grant from the House was extremely simple—it was, in fact, a mere matter of business. It was that the grant formed part of an Act which was highly beneficial to the public—an Act in which questions of great importance connected with the Crown lands were solved to the public advantage. Questions relating to improvements of the Crown lands and to their minerals would for the future be decided upon principles common to settled estates. The bargain would be for the benefit of the public, and he hoped also of the Crown Estates. But that arrangement could not have been legally made without the full and free consent of Her Majesty. Then there was the question of foreshores—that long-vexed question not only in that House, but in the country. In Scotland at this moment it formed a subject of very serious controversy. Well, that question of foreshores would be put in a train of settlement most satisfactory to the interests of the public by the provisions of the Bill. There would be no longer any rights of the Prince of Wales as reversioner of the Crown Estates—those rights would no longer interfere with those arrangements which, on the ground of public policy, might be thought best by the Government of the day. It was well known that upon many occasions when they had been debating in that House the management of the Crown lands it had been the duty of the Government to urge upon the House—and the House had never been slow to admit the fact—that, whatever might have been true as to the propriety or necessity of the renewal from time to time of the arrangements which placed his property in the hands of the public, yet, while the rights of the reversioner remained, they were bound to respect them absolutely; but that absolute respect in many instances had been a bar to their taking measures which, on the grounds of public policy, would be perfectly justifiable. But the difficulty with respect to the foreshores would be removed by this Bill. Again, these arrangements with respect to the New Forest would be mutually beneficial with respect to the shooting, as it would confer the rights necessary to give to Estates of the Crown in the New Forest their full market value. That arrangement would have the effect of bringing revenue to the Exchequer which it did not now enjoy. It was a part of this plan that in consideration of these great benefits the Government felt themselves justified in doing that which they would not otherwise have felt justified in asking Parliament to do—namely, to make over to Her Majesty the use and enjoyment of Claremont for her life. This, however, would not involve any new demand on the liberality of Parliament. The concession made by this Bill would not entail any burden whatever, and it would not be necessary to ask an annual Vote from Parliament for the maintenance of the house and grounds. As an act of policy advantageous to the public interest it was recommended to this House, and he felt sure it would not be the less acceptable because it was also agreeable and convenient to Her Majesty and the Royal Family. It was obvious, therefore, that the grounds upon which the proposal stood were entirely new and distinct, and he hoped his hon. Friend would be satisfied with that explanation, and would not press his Motion to a division.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

COURT OF CHANCERY (IRELAND) BILL.

(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

[BILL 19.] SECOND READING.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [9th May], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Whiteside.*)

Quastion again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

SIR HUGH CAIRNS said, he had had the honour to serve on the Commission on whose recommendations a measure of this sort had been adopted. There were some details of the measure which might not be consistent with the Report of the Commission, and which he thought might be the subject of Amendment when the Bill was in Committee. But the Bill was one which he thought would produce the greatest possible benefit in Ireland. He hoped it would lessen expense and delay, and would confer upon Ireland some of the benefits which had resulted in this country from the reforms in Chancery. He was anxious that the Bill should become law, subject to some changes in detail.

Question put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

The Chancellor of the Exchequer

BELFAST CONSTABULARY BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to authorize the Town Chuncil of Belfast to levy and pay charges in respect of extra Constabulary, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 159.]

House adjourned at a quarter after Nine o'clock.

* * *

HOUSE OF LORDS,

Tuesday, May 15, 1866.

MINUTES.]—*Took the Oath*—The Lord Fitzhardinge.

PUBLIC BILLS—*First Reading*—Crown Lands* (114); Grand Juries Presentment (Ireland)* (115); Convicts' Property* (116); Landed Property Improvement (Ireland)* (117).

Committee—Selling and Hawking Goods on Sunday (92 & 119); Inclosure* (107); Harbour Loans* (104); Superannuations (Officers Metropolitan Vestries and District Boards)* (91).

Report—Attorneys and Solicitors (Ireland) 1866* (60); Contagious Diseases* (95); Inclosure* (107); Harbour Loans* (104); Superannuations (Officers Metropolitan Vestries and District Boards)* (91).

CATTLE DISEASE IN IRELAND.

QUESTION.

THE MARQUESS OF CLANRICARDE asked, Whether Her Majesty's Government had received any accounts confirming the statements contained in the morning newspapers that the Cattle Plague had broken out in Ireland?

EARL GRANVILLE: My Lords, in answer to the Question of the noble Marquess, I may state that the only information which the Government has received to-day consists of a telegram to the following effect:—

> "Professor Ferguson had reported that cattle plague had broken out in the townland of Drennan, county Down, within a few miles of Belfast, that the infected cattle had been killed and buried, and an 'infected district,' under the Irish Act, marked out and watched by the constabulary, no egress or ingress of cattle being permitted. Sir John Larcom telegraphed that certain fairs in the immediate neighbourhood of the 'infected district' ought to be stopped. Assent was telegraphed, and doubtless the Lords Justices of Privy Council will stop the two fairs in question."

SELLING AND HAWKING GOODS ON SUNDAY BILL—(*The Lord Chelmsford.*)
(No. 92.) COMMITTEE.

Order of the Day for the House to be put into a Committee read.

Moved, That the House do now resolve itself into a Committee on the said Bill.—(*Lord Chelmsford.*)

LORD TEYNHAM said, that in moving as an Amendment that the Bill be committed on this day six months, it was no part of his case that the noble and learned Lord who introduced the Bill (Lord Chelmsford) had overstated the amount of Sunday trading. On the contrary, he was ready to admit that the noble and learned Lord had understated rather than overstated the matter. The noble and learned Lord had said that 10,000 shops were kept open on the Sunday; but he should have said that 20,000 poor traders were dependent on Sunday trading for their means of livelihood. Taking the whole of the country, to which the Bill was intended to apply, the habits and practices of many hundred thousands, the poorest of the poor for the most part, would be affected by the Bill. Not only for the sake of the poor, but for the sake of religion, and on the grounds of humanity and political wisdom, he hoped to persuade their Lordships to reject the present measure. Their Lordships were aware that in order to effect a diminution of Sunday trading various Christian and moral forces had been brought into operation. A large number of worthy men were now employed as missionaries, and their labours were especially exercised among the buyers and sellers on Sundays. From year to year they reported progress, and they declared that their labours were not in vain, but that from their influence and persuasion a considerable number of persons were ready to give up Sunday trading. The Saturday half-holiday and the payment of wages on Friday had, no doubt, likewise tended to diminish trading on the Sunday; but so many were those who remained unaffected by these circumstances that the necessity for Sunday trading remained to a great degree untouched. The noble and learned Lord had referred to Sunday fairs held in various parts of the metropolis; but, while the adoption of means to diminish that evil was a fit subject for Christian and patriotic consideration, it should be borne in mind that the present Bill not merely affected the practices of individuals, followed by them for an insignificant period of time only, but in attempting to "stamp out" in a day the rooted habits of the lower classes in the metropolis, it attacked a system which had existed from generation to generation. The noble and learned Lord regarded the Act of Charles II., imposing a fine of 5*s.* for trading on the Lord's Day, as too weak an instrument for his purposes. He would refer to one or two facts in illustration of his argument. Four or five years ago, owing to some circumstances, the police were ordered to take steps under the Act. Five women were taken up and brought before the magistrates for selling some trifling articles to children, and in two or three of those cases in which these poor persons were convicted it had been found necessary to distrain in order to obtain the fines which had been inflicted, therefore the apprehension of such women was discontinued. It happened also some years ago that Mr. Charles Pearson, the late Solicitor of the Corporation of London, had, backed by some other persons, determined to put the Act of Charles II. into force, with a view to put a stop to Sunday trading. Every Sunday, accordingly, people were employed for the purpose of detecting those who might be guilty of transgressing the law, and each Monday the offenders were summoned and fined; but it was discovered that in the greater number of cases it was impossible to get the fines without levying a distress, and the impression left on the mind of Mr. Pearson was that so much misery was thus inflicted by well-meaning persons upon their neighbours that they could not find it in their hearts to go on in the course which they had commenced, and eventually they were obliged to give up the operation of watching, fining, and distraining. Those facts occurred under the action of the existing law, and might be repeated as often as persons could be found cruel enough to put it in force; yet it was because the law which took the bed from under poor women and children was not strong enough that the noble and learned Lord asked their Lordships to put this new law upon the statute book. In asking their Lordships to reject that Bill he was not calling upon them to signify their disapproval of some imaginary scheme to put down Sunday trading which might be devised—he was arguing against a measure under the operation of which a fine not exceeding 20*s*., and not less than 5*s*., might be inflicted for each offence under its provisions; and if 5*s*. could not be recovered as matters at present stood from the poor women who were convicted of selling on the Sabbath without taking their beds from under them, how, he would ask, was the higher fine of 20*s*. to be obtained? He was not now, it must be understood, speaking of a state of things in which the law might or might not be put in force, but of a totally altered condition of circumstances; for if the Bill of the noble and learned Lord were to receive the sanction of Parliament it would become the duty of the police to see that its provisions were carried into effect Sunday after Sunday, and Monday after Monday the magistrates would be employed in the imposition of the proposed fines, thus being made the instruments of taking their little means from the poor and leaving their homes desolate. The people, he might add, who were generally occupied in selling in our streets on the Sabbath might be divided into two classes—the poor Irish and the poor costermongers. Their Lordships were aware how remarkable were the lower orders of the Irish for the strength of their domestic feelings and for the most part for the purity of their domestic conduct; but if the present Bill were to pass the officers of the law would be obliged to go into the courts in which they were collected together in the metropolis, and Monday after Monday to distrain the furniture of their little rooms; and would it, under these circumstances, be surprising if a spirit of antagonism to the police should be aroused among them? Was the noble and learned Lord prepared to answer for the peace of the metropolis when such was likely to be one of the consequences resulting from his measure? In the administration of the law it was at all times an exceedingly difficult matter to apportion the punishment to the offence, and he would invite their Lordships to weigh the offence against which it was proposed to legislate, and the punishment by which it was to be provided it should be followed. A poor girl might, under the Bill, be convicted of selling a few bundles of watercresses on a Sunday afternoon; and when it was borne in mind that after a first conviction for such an offence a fine of from 5*s*. to 20*s*. might be inflicted, was there, he would ask, a fair proportion between such a punishment and the same amount of fine inflicted, it might be, for selling cigars in a cigar shop? The Bill was one the operation of which would extend over the whole country, and many of their Lordships would, as Justices of the Peace, be compelled to adjudicate under it. He would, under those circumstances, appeal to them to say whether they were prepared to fine their poor neighbours for selling an article, however trifling or however innocuous it might be, on a Sunday? If not, they would feel it to be their duty to reject the Bill, for once it became law they would have no option but to act in obedience to its provisions. In Excise and Custom House cases, whenever an inordinately heavy fine was imposed, the person on whom it was inflicted might, upon the recommendation of the magistrate, apply to the head of the Revenue Department for some remission of the amount; but under the present Bill there would be no court or individual to whom an appeal from the decision of the magistrate could be made; so that, no matter how disproportionate to the offence committed the magistrate might think the penalty which he found himself obliged to inflict, there would be no means of obtaining redress. He would now pass to another view of the subject. Convictions and punishments, whatever their nature and extent might be, were recorded in juxtaposition in the newspapers. A man might be brought before a magistrate for well-nigh killing an unoffending person in the street, and if for that unprovoked outrage even the full fine of £5 were imposed upon him there would be no comparison whatever between that punishment and the amount of the fine which might be inflicted on a poor woman for selling, it may be, watercresses or some other trifling article on the Sabbath. Was it for the honour of our law, then, that people should week after week have the disproportion between the two classes of cases brought under their notice in the public press? With whom would the Bill, if it became law, deal? With hundreds and thousands of the lower orders of the metropolis and other large towns; for, although the measure was primarily directed against sellers, it would exert a moral effect upon the buyers, who were the neighbours and associates of the sellers; and, indeed, to a large extent, among the poorest of the poor, the buyers were sellers and the sellers were buyers. What was the state of civilization among that large portion of the community? The notion of their Lordships with regard to these poor people probably was that they were too violent and rude in their manners and habits, and stood much in need of education and instruction in religion and in gentleness. But would they teach gentleness on the part of a poor man towards his wife, his children, or his neighbours by going into the court or alley where he lived, and enforcing against him a measure like this of unheard-of violence and rigour? Moreover, there were already too many of those concerned in Sunday trading who were more or less tainted with crime, and had not a proper regard for the principles of honesty. But a Bill which inflicted fines for the selling of oftentimes innocent things on a Sunday, and which sought to recover those fines by going to their humble dwellings and violently taking away the few wretched articles of furniture which they might possess, would hardly teach those persons a due regard for honesty, or tend to make them refrain from preying upon the property of other people. Turning to the details of the measure, it would be found to hold that it was a right thing on the afternoon of Sunday to sell fruit and pastry, but that it was a wrong thing to sell water-cresses and shrimps at the very same hours—those who were guilty of selling water-cresses and shrimps on Sunday afternoon were liable to be fined and distrained upon; and those persons dwelt in the same courts and often in the same houses with the sellers of fruit and pastry, who were favoured by the noble and learned Lord. How would the Christian missionary who went among these people be able to reconcile such law as that with the religion which he had to teach them? How could they show these poor people the distinction between the criminal and the permitted trade? Again, was not that a class measure? At any time during the Lord's Day their Lordships might in their clubs buy what they pleased, and by this Bill they were called upon to legislate with respect to the offences of other people and not their own—they were invited to legislate concerning the lives of other people which were governed by circumstances that did not at all affect their own lives. He asked their Lordships to leave them alone. He appealed to the noble and learned Lord on the Woolsack, and also to other noble and learned Lords; he appealed especially to those Peers who were Justices of the Peace—whether it was possible on the principles of justice to carry into execution the penalties laid down in that Bill. A policeman acting under that measure might summon an individual for the offence of Sunday trading, and if the magistrate asked the policeman, "Supposing I convict this man or woman, what interest have you in the fine?" his reply might be, "That fine is to pay my wages. I shall be fed and clothed in part by it." He now came to the religious aspect of the question. The noble and learned Lord professed to have introduced the measure solely on municipal grounds; but it could not be concealed from their Lordships that the Bill would never have been introduced but for the ancient law given to the Jews that on one day in seven they should do no manner of work. The commandment which the noble and learned Lord would introduce was, that for three hours of one day in seven no manner of work should be done—for to that extent alone did the Bill really proceed. He did not know where the noble and learned Lord found his authority for a certain kind of observance of the Sabbath during a limited number of hours and for no other period, for that was the ultimate extent to which the Bill proceeded. On the other hand, when He who was Lord of the Sabbath went through a corn-field on the Sabbath day his disciples gathered of the corn and ate it, nor did He reprove them. The interpretation he put upon this was that a hungry man was authorized by Him to obtain food for himself throughout the whole of the twelve hours of the Sabbath day. The Sabbath was made for man, not man for the Sabbath. It is impossible in a statute to provide at once for exact obedience to a law forbidding all selling during all hours of the Sunday, the only law which would agree with the fourth Commandment; and also, when the need of man required, permitting buying and selling in any hour of the Lord's Day, the three selected hours of the noble and learned Lord not excepted. Whereas Keble, in his preface to Hooker, represents that that celebrated man urges the perpetual observance of the Lord's Day (carefully separating from it the name of Sabbath), as a sacrifice of one-seventh part of our time to God. And Joseph Mede, of Cambridge, no inferior scholar, reminds us that all nations had something in their ceremonies whereby they signified the God they worshipped. So in those of the Celestial Gods, and those which were deified souls of men, were different rites, whereby the one was known from the other, as—those Gods which were made of man, having funeral rites in their services, as cognizances that they were souls deceased. So the Jews, by sanctifying the seventh day, professed themselves worshippers of that only God who created the Heaven and the earth, and rested the seventh day, and who is the God of the noble and learned Lord, whose act of resting for three hours during one day in seven he would by this Bill require all England to celebrate. He asked their Lordships, therefore, to reject this Bill, and he would remind such of them as were Scotch Peers that many of them were requested by their countrymen, who were famed for their regard for the Sabbath, to support his Amendment. The Bill enacted that no person should hereafter expose for sale any goods, wares, or merchandise, or anything whatsoever except what was excepted by the Bill. He did not see how railway and steamboat travelling could be continued if this Bill passed, because it would prevent the sale of railway and steamboat tickets. A very large portion of the poor of London were engaged in buying and selling until one or two o'clock on Sunday morning, and was it a merciful thing that they should be required to resume their occupations so early on Sunday morning as that all their buying and selling should be finished by nine o'clock? He was informed that persons came all the way from places as distant as Gravesend to Middlesex Street on Sunday morning, for there only could they provide the garments required for their families. The details of the Bill were open to innumerable exceptions. Those who sold vegetables usually sold also the fuel to cook them with; but the present Bill allowed persons to sell the vegetables, but not the coal or coke their customers required. The noble and learned Lord utterly excluded the sale of tea and sugar on the Sunday, while he would allow a man to buy at the baker's, butcher's, or greengrocer's what he required. More than one person had pointed out to him the imperfections of the clause which contained the exceptions with regard to pastry, fruit, and certain beverages. They stated that there were many poor persons who eked out a scanty living by the sale of fruit, pastry, and those excepted beverages, who also sold ices and sweetmeats for children; but by this Bill they would not be allowed to expose the latter for sale on the Sunday in the same shop in which they sold the former; and yet it was by the sale of all this variety of things that they were able to pay their rents and obtain an honest livelihood. The noble and learned Lord intended to stop one-half of their trade. To a great many, the most interesting portion of the exceptions applied to the sale of newspapers, or, in the language of Parliament, periodical publications. These were allowed to be sold until ten o'clock on the Sunday morning. Among them there was one in particular—*The Observer*—a paper of some repute, which was published only on Sunday morning. Well, according to the Bill of the noble and learned Lord, as far as the railway could carry it up to ten o'clock the paper might be sold; but if the speed of the train would not allow the paper to arrive at ten o'clock it would be an unlawful and wicked thing to expose it for sale, and the seller after one conviction would be liable to a fine of 20*s.* for every paper sold. In the country—particularly on the Sunday—newspapers were sold by persons who also sold paper and envelopes, and there was a post to London on that day. Up to ten o'clock the sellers of newspapers would be held harmless; but to sell letterpaper or envelopes for the post would be a penal thing. Then the exception with regard to cook-shops was objected to by the poor on the ground that the effect of it would be to drive them in the afternoon from their homes to places of public entertainment; and not only that, but practically to compel them to buy cooked food when they might buy uncooked food more cheaply, and enjoy it with their families in their own homes. The clause with respect to bakers and licensed victuallers approached them with an air of gentleness. There were certain hours on the Sunday when their lawful business might be carried on. Under the present law if a licensed victualler was convicted for selling to ten or twelve persons within the prohibited hours he had to pay only one fine, but this Bill would bring him under the operation of the clause which multiplied the fine. On the grounds, then, of policy, of religion, and of detail, he asked their Lordships to support him in the Motion that the House go into Committee on the Bill this day six months.

An Amendment *moved* to leave out ("now") and insert ("this Day Six Months.")

LORD CHELMSFORD said, the course pursued by the noble Lord was one, to say the least of it, very unusual and open to very considerable objection. It might be in the recollection of their Lordships that when the Motion was made for the second reading the noble Lord made a speech against it. He began by expressing himself favourable to the Bill in one respect, because, unlike the measure of 1860, which was confined to the metropolis, it extended to the whole of England; but he was at a loss to understand how the noble Lord could think it a recommendation in favour of a measure to which he absolutely objected that the sphere of its operation was to be extended. The noble Lord, however, proceeded in the usual form to move the rejection of the Bill; but when the question was put, he found himself the only one to say "Not-Content," and he did not think proper to go to a division. Now, though he (Lord Chelmsford) might have no right to infer from that circumstance that their Lordships were in favour of the Bill, he was, at all events, entitled to say that the noble Lord expected there would be so large a majority against him that he did not think it prudent or even necessary to divide against the second reading. Under these circumstances it was not a very usual, nor did he think it a very fair course, for any noble Lord to interpose to prevent the Bill going into Committee. However, the noble Lord entertained a different opinion, and they must submit to the course which he had thought proper to pursue. Now, he had listened with great attention to the speech of the noble Lord, and to the arguments which he had offered against the Bill. These arguments were of various kinds, and many of them conflicting with each other; but if he understood him correctly, the noble Lord based his principal objection to the Bill upon the ground that it restrained Sunday trading at all, and he put forward that objection on behalf of the poor. The noble Lord admitted that he (Lord Chelmsford) had understated the amount of Sunday trading—that, instead of there being 10,000 shops open every Sunday in the metropolis, there were at least double that number, and, taking the whole of England, there were about 500,000 persons who were engaged in this unlawful species of trade. And the noble Lord seemed to say that this had been continued for such a number of years, it had become such an inveterate habit, that these people had a prescriptive right not to be interfered with to carry on their trade as before. The noble Lord having taken this strong ground, and objected to any interference with Sunday trading, then complained of the inconsistency of the measure in making certain exceptions, shifted his position altogether, took up the religious view, and complained of the three hours' exception, and then he attacked the Bill on the ground that its provisions were too stringent, and the penalties extremely high. The noble Lord had, perhaps, made out a case for the dealers in shrimps and watercresses and other persons in a humble position; and the way to obviate that objection was to leave the amount of the penalty to the discretion of the magistrates, under a certain maximum. He anticipated the petition which the noble Lord had presented, because a few days ago he read this paragraph in the newspapers—

> "Last evening a crowded meeting of the retail dealers and traders of Whitechapel and neighbourhood was held at the Exhibition Clothes' Exchange, Houndsditch, to protest, as stated by the circular convening the meeting, against the unjust and arbitrary Bill now before the House of Lords as affecting trading and hawking; Mr. Moss in the chair. Mr. Levy moved that the Bill introduced into the House of Lords in reference to selling and hawking on Sunday is most unjust and arbitrary, favouring many tradesmen, oppressing others, and deeply affecting many thousands of the poorer classes.

The district from which this petition emanated happened to be one of those most strikingly distinguished in all the evidence given upon the subject as being one in which Sunday trading was carried on to the greatest possible extent. The words the noble Lord had used—"a fair or market"—applied most strictly to the sort of dealing carried on there, in which he understood that every Sunday no fewer than 10,000 persons were engaged. It was all very well for those persons to characterize the Bill as arbitrary and unjust; and the noble Lord might come forward as their advocate, and insist that they ought not to be prevented continuing a system which had become to them so habitual as to give them a prescriptive right in it; but he (Lord Chelmsford) hardly anticipated that their Lordships would adopt that view, and say that the proposed law would be an arbitrary and unwise one. What was the state of the case? For nearly 200 years there had been a law prohibiting Sunday trading; that law had become utterly inefficient; the penalty was much too small, and there were no adequate means of enforcing it. No doubt, whatever, when the law was passed, the intention was that it should be efficient for its purpose; and the object of this Bill was to strengthen the arm of the law, which had been raised for so long a period against Sunday trading, but which had become almost paralyzed. What possible objection could there be, in point of principle, to the object of this Bill? It was to render the law efficient for its purpose, and to put down that which, in defiance of the law, had been carried on for so long a time, and which could not, as Committee after Committee had declared, be put down effectually by the existing law, so that further legislation was absolutely necessary. He was not, he confessed, apprehensive of the class of opponents just named, who offered no solid argument against the Bill; but he had more apprehension of the opposition of the good and conscientious persons who, upon principle, thought that there ought to be a strict and religious observance of the Sunday, and who objected to any relaxation of the law with regard to Sunday trading. He respected the motives of this class; but, at the same time, he would ask whether they were acting judiciously on this occasion. He trusted they would not suppose that the promoters of the Bill were not as sensible as themselves of the propriety of a general and reverential observance of the Lord's Day; at the same time, the promoters of the Bill were satisfied that it was quite impossible to enforce that observance by any legislation. They saw a state of things which had existed for a very considerable time, and which, he thought, had almost become a national reproach; they saw that in the most populous and crowded parts of the metropolis Sunday seemed to be almost especially selected for the purposes of traffic; they saw that thousands—he might say, tens of thousands—of tradesmen were drawn into the vortex, and, against their will, were compelled to resort to the same course of illegal trading; they observed that these persons petitioned their Lordships to interpose for their protection, and to ensure to them the blessings of the day of rest. The Bill now before their Lordships had been framed to attain that desirable object. They knew very well from former attempts of this kind that it was quite impossible to accomplish all they wished; but this class of his opponents would agree with him that it was a most desirable object to free tradesmen from the pressure which was placed upon them by the action of a minority who compelled them to Sunday trading in their own defence—it desired to set them free to employ the Sunday in accordance with the dictates of their own conscience, so as to leave them open to moral and religious influences. Was this class of opponents satisfied with the present state of things? Did they think that the desecration of the Sunday ought to be allowed to continue? They could not think so; and yet, unless they gave way in some degree—unless they admitted of some exceptions—it was quite impossible they could expect to advance towards the object which all their Lordships had in view. It would be a matter of regret to this class of objectors if, acting rigidly upon the principles they professed, they interfered with the passing of this Bill, and, by so doing, perpetuated a state of things which was a scandal and a reproach to the country, and deprived tradesmen of that day of rest which they earnestly implored the Legislature to protect for them. Having trespassed upon their Lordships' attention on the second reading of the Bill, he was unwilling now to occupy further time in defending its provisions.

The Bishop of CARLISLE said, he was one of the class whom the noble and learned Lord had just addressed who felt some difficulty in accepting the Bill simply on the ground of religious principle. In common with many others, he had no notion that such a Bill was on the table of the House until he read the speech of the most rev. Prelate who presided over the see of Canterbury, on the second reading. He did not wish to identify himself with the long series of incongruous arguments addressed to their Lordships against the Bill. As some machines were self-adjusting so some speeches were self-answering. He felt very deeply the importance of protecting their poorer fellow countrymen from a servitude continued from week to week and year to year—a servitude which was most galling to conscientious men, and which he knew had the effect of wearing out prematurely many a strong constitution—he had the strongest desire of doing everything that could be done to deliver a large number of tradesmen in London from the galling yoke of Sunday trading. While he wished for the success of the noble Lord's design, he hesitated to support the Bill. Their Lordships would perhaps allow him to state the predicament in which he was placed. His first difficulty was one of principle. It was a well-known proverb that the strength of a chain must always be tested by its weakest link. Now, the preamble of this Bill was a very strong link indeed, and so also was the first clause; but the weakness of the measure lay in the second clause, which contained the exceptions. He would ask their Lordships how, as a matter of principle, they could logically sanction the various exceptions contained in that clause? Many of them could certainly not be justified as falling within the class either of works of necessity or works of mercy. With respect to the delivery of meat, he had been informed that an association had been formed by West End tradesmen to put an end to the delivery of meat on the Lord's Day, and one of the arguments adduced in the address they sent to their customers—among whom, probably, many of their Lordships might be included—was, that there were no markets for the sale of meat on Sunday, and that, consequently, meat was not more fit to be used because it was delivered on that day. Again, the sale of pastry and vegetables did not appear to be a work of necessity or mercy; and the same remark applied to the sale of periodical publications. He hoped that in Committee the last-named exception, at all events, would be struck out of the clause. Again, was there any warrant for drawing a distinction like that drawn in the Bill between certain hours of the Lord's Day and the remaining portion of the day? He was aware that the evil of Sunday trading existed to a very large extent; but if they legalized it to some extent, by authorizing these exceptions and recognizing this distinction, would they not make themselves *participes criminis*, would they not thereby take upon themselves by this measure a national guilt? As education advanced and public opinion improved, the evil would be gradually put down. He was one of those who believed—and he was sure their Lordships were of the same opinion—that one great element in the success of any measure was the blessing of Almighty God; and how could they expect to have the blessing of Almighty God upon a measure which legalized certain acts of Sunday trading? In carrying out a measure for the prevention of Sunday trading it was necessary to enlist the support of the parochial clergy, the religious men of every parish, the Dissenting ministers, the City Missionaries, the Scripture readers, and all those who were working directly or indirectly to procure a better observance of the Lord's Day. He sincerely hoped that their Lordships would take the subject into consideration from that point of view. He might remark that the speech of the noble Lord who moved the Amendment contained some arguments which really bore upon the subject, for certainly the Bill made distinctions which could not possibly be maintained. How, for instance, could a distinction be consistently maintained between the sale of vegetables and the sale of the wood and coals required for cooking them? He wished, however, to allude to another feature of the measure. Its operation was not confined to the metropolis; indeed, if it had been, he should have been very loth to address their Lordships on the present occasion—on the contrary, it extended to the whole of England, and he would ask the House to consider whether the Bill would not, if passed in its present state, inflict upon many a village and small country town the very evils which were so much deplored in the metropolis. He had been for twenty years in active work as a parish priest. For four years of that time he was in a large town, the remaining sixteen years being spent in a country parish. Well, during the whole of the time he resided in the country Sabbath desecration was unknown, not because there were no persons who would have sold their goods on Sunday, but because there was a strong restraining public opinion, supported by law. But if public opinion were deprived of the support given to it by law, there would be persons in country villages who, bidding defiance to the laws of God and deaf to the wishes of their neighbours, would open shops for the sale of such goods as were allowed to be sold under the second clause of this Bill. And the mischief would not stop there. Other things than meat and poultry were perishable. He did not know any sight more instructive, more worthy of praise, than the observance of the Lord's Day in hay time and harvest. From earliest dawn till latest night for every one of the six days the husbandman toiled at gathering in these fruits of the earth. But let the day of rest come round and all labour ceased, even though the uncertainty of the weather might suggest many a fear. Such was the state of things now. But let this Bill pass, and gradually all this would come to an end. The result, of course, would be most disastrous to the cause of Sabbath observance. In his opinion, this measure would let in the thin end of the wedge, and he believed that the noble and learned Lord, instead of succeeding in his high and excellent enterprize of discouraging and putting an end to Sunday trading, would practically fail altogether in the metropolis, and would extend all the evils of Sunday trading to the whole of the country.

THE EARL OF HARROWBY said, he could not agree with the view of the right rev. Prelate (the Bishop of Carlisle), who seemed to think that the law must be held to sanction everything which it did not expressly prohibit. In all legislation there was the difficulty of deciding how much should be left to the domain of private conscience, and how much should be undertaken by law; and this difficulty, perhaps, existed in legislation upon the observance of the Lord's Day more than in any other question. The difficulty arises in this way—all classes—the wealthier not less than the poorer—make exceptions to the obsolete rule of abstinence from labour on that day, and thought themselves justified in doing so by considerations of convenience or necessity not very strictly interpreted. Their Lordships, no doubt, had all of their dinners cooked on Sundays, at least, if they imposed no other labour on their households, although the wants of nature might be sufficiently satisfied by cold viands. But there was this difference between their case and that of the poorer classes, that which their Lordships did took place privately within their own dwellings, and, except in pure wantonness, they had no occasion to go out into the streets and make purchases, and infringe a public law. But with the poorer classes it was otherwise. Their necessities, and their imperfect means of making and having provisions for the morrow, might compel them to make these open purchases on the Sunday, which would be quite wanton in their Lordships. It was clear, therefore, that without any wider interpretation of the law of necessity and convenience that the wealthier classes felt themselves entitled to adopt exceptions on behalf of the poorer classes, and their necessities must be admitted into any Bill which professed to give increased strictness to the laws against Sunday trading. Whether the exceptions proposed by the Bill, whether as to articles or hours, were the right ones, it was not then the proper opportunity for discussing. That was the business of the Committee. Exceptions of some kind, for perishable articles at least, always had been and must be made, and he should, therefore, feel himself entitled to go into Committee on the Bill; anxious, on the one hand, to make such exceptions as were necessary to meet the poor man's wants and convenience, and, on the other, to take additional securities against these needless invasions of the poor man's and the tradesman's day of rest, which are creeping in more and more, especially into the habits of our great metropolis, such securities as can be enforced consistently with the habits and necessities of a great population.

THE DUKE OF ARGYLL said, that having been intrusted with many petitions on this subject, he wished to say one word, and one word only. He had presented two petitions—one from the Sabbath Alliance in Edinburgh, and another from Glasgow, and both objected to this Bill on the religious grounds referred to by the right rev. Prelate. He thought this an erroneous objection, and it had been well replied to by his noble Friend who spoke last. He entirely concurred in the reasons his noble Friend had given as to the necessity for making exceptions. There was a large number of the poorer classes who could not live from day to day, almost from hour to hour, without the purchase of certain articles. Such an exception was, therefore, almost a work of necessity and mercy. The intention of Parliament was not to enforce a theological opinion, but to secure to the working classes of this country a day of rest sanctioned by the traditions of the Christian Church. They did not wish to force on any one their opinions as to the mode of keeping that day; their object was, if possible, to secure to the working classes that day of rest. There would be no necessity of legislation on the subject if the trading classes had free will in the matter; but under the pressure of the tremendous competition which existed, if one opened his shop others must, and therefore the protection of the Legislature was necessary to secure to them the rest of one day in seven. This was the only ground on which they ought to legislate, and he thought they were bound to legislate unless it could be shown that the provisions of the Bill would impose such restrictions as would be intolerable. But while their Lordships were bound to protect, so far as lay in them, the sanctity of the day of rest, they were also bound to provide for those exceptional circumstances under which they themselves did not suffer. So far from this being class legislation, he held the enacting clauses to be a protection to the trading class, and the excepting clauses a protection to the consuming class.

The Bishop of OXFORD said, he would not detain their Lordships for more than a single moment. He did not entirely agree with what had fallen from his right rev. Brother (the Bishop of Carlisle), but rather with the noble Earl (the Earl of Harrowby) who spoke from the cross benches. One thing only he wished to add. Of course if the Christian Sunday was really by God ordered to be kept as the Jewish Sabbath was ordered to be kept, his right rev. Brother's argument was perfectly sound. We must keep God's law as it was laid down to us to the full, come what might. But it was because he believed that the rest of the Lord's Day—one of the greatest blessings to a nation or an individual that could be conceived—was based on a different set of Divine charges from what the Jewish Sabbath was based on, that he thought they had full liberty to entertain the consideration of the weaknesses and wants of certain classes of the community, without being in any danger of incurring that Divine wrath. Holding himself quite at liberty in the Committee to deal with any of the exceptions contained in the Bill, he was quite ready to give his support to the present Motion.

On Question, That ("now") stand Part of the Motion? *Resolved* in the *Affirmative.*

House in Committee accordingly.

Clause 1 (Penalties for Selling, Offering, and Exposing for Sale) *agreed to.*

Clause 2 (Certain Cases to which this Act does not apply).

The Earl of SHAFTESBURY asked upon what principle the exceptions were constructed? If it was to exempt the sale of periodical publications it would be better to exempt booksellers' shops altogether, otherwise a person would be permitted to sell a penny newspaper of infidel tendencies or immoral character, while he would be liable to a fine of 20*s.* if he offered for sale *Bunyan's Pilgrim's Progress,* or even a copy of the Holy Scriptures.

Lord CHELMSFORD said, he was not aware that there was any general principle applicable to the exceptions. Each exception stood on its own ground.

The Earl of HARROWBY thought that some words ought to be introduced which would prevent persons from buying fish on Saturday and requiring their delivery on Sunday. The salesmen in the West End had complained of the delivery of fish and fowl on Sundays, and there had been an improvement in this respect; but the prohibition would relieve them from a labour still to some extent imposed upon them, while it would not affect the poor, who carried away their purchases themselves.

Lord STANLEY of ALDERLEY inquired whether the clause would prevent any newspaper being bought or delivered after ten o'clock on Sunday morning?

Lord CHELMSFORD replied that it would; but he had no objection to leave out the words excepting the delivery of periodicals after ten o'clock on Sunday.

Lord STANLEY of ADDERLY observed, that the effect would be to prevent persons who were living any distance from London from getting their Sunday newspaper.

The Marquess of WESTMEATH said, it would be a national sin to legalize the sale on Sunday of Sunday newspapers, which might contain infidel matter. If people wanted what they called Sunday newspapers they might get them on Saturday night.

The words "nor to the delivery" *struck out.*

Lord HOUGHTON understood that the Bill would prohibit the circulation of any important intelligence which reached on Sunday afternoon; and that it would have prevented the announcement of the fall of Sebastopol if it had been in operation at that time. He should therefore move an Amendment to leave out the words "before the hour of ten o'clock in the morning."

An Amendment *moved* to leave out ("before the Hour of Ten o'Clock in the Morning.")—(*Lord Houghton.*)

On Question, Whether the said Words shall stand Part of the Clause? their Lordships *divided*:—Contents 37; Not-Contents 13: Majority 24.

CONTENTS:

Cranworth, L. (*L. Chancellor.*)

York, Archp.

Marlborough, D.
Richmond, D.
Bristol, M.

Belmore, E. [*Teller.*]
Carnarvon, E.
Chichester, E.
Dartmouth, E.
Fortescue, E.
Harrowby, E.
Leven and Melville, E.
Morton, E.
Nelson, E.
Romney, E.
Shaftesbury, E.
Stanhope, E.
Strange, E. (*D. Athol.*)
Tankerville, E.

Clancarty, V. (*E. Clancarty.*)
Hardinge, V.
Hawarden, V.
Stratford de Redcliffe, V.

Carlisle, Bp.
Lincoln, Bp.
Oxford, Bp.

Berners, L.
Boston, L.
Chelmsford L. [*Teller.*]
Denman, L.
Dunsany, L.
Foley, L.
Hay, L. (*E. Kinnoul.*)
Heytesbury, L.
Redesdale, L.
Templemore, L.
Wynford, L.

NOT-CONTENTS.

Somerset, D.

Normanby, M.

Granville, E.
Minto, E.
Morley, E.

Abinger, L.

Granard, L. (*E. Granard.*)
Houghton, L. [*Teller.*]
Llanover, L.
Mostyn, L.
Oxenfoord, L. (*E. Stair*)
Stanley of Alderley, L. [*Teller.*]
Wentworth, L.

The LORD CHANCELLOR then *moved* after ("Morning") to insert ("Or after One o'Clock in the Morning.")

On Question? their Lordships *divided*:—Contents 17; Not-Contents 20: Majority 3.

CONTENTS.

Cranworth, L. (*L. Chancellor.*)

Somerset, D.

Normanby, M. [*Teller.*]

Chichester, E.
Granville, E.
Leven and Melville, E.
Minto, E.
Stanhope, E.

Tankerville, E.

Abinger, L.
Foley, L.
Granard, L. (*E. Granard.*)
Heytesbury, L.
Houghton, L. [*Teller.*]
Llanover, L.
Stanley of Alderley, L.
Wentworth, L.

Lord Houghton

NOT-CONTENTS.

York, Archp.

Marlborough, D.

Bristol, M.

Belmore, E. [*Teller.*]
Harrowby, E.
Romney, E.
Shaftesbury, E.

Hardinge, V.
Hawarden, V.
Stratford de Redcliffe, V.

Carlisle, Bp.
Lincoln, Bp.
Oxford, Bp.

Berners, L.
Boston, L.
Chelmsford, L. [*Teller.*]
Denman, L.
Dunsany, L.
Redesdale, L.
Wynford, L.

On Question that the clause as amended stand part of the Bill,

The Earl of SHAFTESBURY said, that the Act of Charles II. totally forbidding Sunday trading was not repealed by any provision in the present Bill. As both measures would be in operation simultaneously, he wished to know how one would work in connection with the other.

Lord CHELMSFORD said, there could be no doubt that the later law would prevail in the event of any conflict.

The Duke of MARLBOROUGH desired that this Bill might be the means of doing some good, but he was afraid that if they drew the string too tightly there would be a reaction against the law. If the Clubs were not allowed to receive their periodicals on Sunday there would be a great outcry.

Clause, as amended, *agreed to.*

Clause 3 (Provision as to distinct and separate Offences) *agreed to.*

Clause 4 (Police Constables to enforce the Provisions of this Act).

Lord STANLEY of ALDERLEY observed, that it was an entire novelty to require the police to put a law of this kind in execution.

Lord CHELMSFORD said, that the evidence given before Committees was very strong to show that unless the police were intrusted with the duty they might as well not pass the law at all. The omission of such a requisition was partly the reason why the Act of Charles II. had become a dead letter. People would not inform against their neighbours, and the only means of putting the law in force would be by the police.

Clause *agreed to.*

Clauses 5 to 8 *agreed to.*

Clause 9 (Limitation of Act).

The Earl of SHAFTESBURY said, that all that they had heard showed the extreme difficulty of Sabbath legislation, and he had been forced to the conclusion that it was utterly hopeless to pass any Bill of that kind which would be of real and permanent benefit. He had himself dissuaded his friends in hundreds of instances from attempting to pass such laws. He deeply regretted that the noble and learned Lord—of course, with the best of motives—should have introduced it on that occasion. It would have been much wiser, he thought, to leave matters alone. If it were extended universally throughout England it would do irreparable mischief. In most of the villages and small towns of the country the shops were shut up all day on Sunday; but once a legislative sanction was given to the carrying on of certain descriptions of traffic at particular hours on the Sabbath, he was much inclined to believe, from what he knew of the mercantile spirit, that many of those shops in the villages and smaller towns which were now closed throughout that day would be opened within the permitted hours. The great evil prevailed in large and populous districts, and therefore he thought that if the Bill were made to apply only to towns in England having a population of 10,000 persons, that would, he thought, do something towards the abatement of the evil. The noble Earl concluded by moving the insertion of words to this effect in the clause.

An Amendment *moved*, after ("to") to insert ("Towns containing Ten thousand Inhabitants in.")—(*The Earl of Shaftesbury.*)

Lord CHELMSFORD thought that this was a good illustration of the difficulty of legislating on this question. The Bill which he introduced in 1860 was rejected because it was confined to the metropolis; and now when he introduced a general Bill his noble Friend objected that it would be very prejudicial by causing persons in small towns to open their shops on Sundays. He (Lord Chelmsford) very much doubted whether any such advantage would be taken of the exceptions in the Bill; and he could not see why the application of the Bill should be confined to towns of 10,000 persons, rather than to towns of twice that population. He believed that such a limit to the operation of the Bill would introduce another element of discord; and therefore he proposed that the clause should stand as it was.

Earl GRANVILLE said, the extreme difficulty of legislating on that subject arose from the fact that they were attempting by legislation to do what they could only effectually do by the operation of moral means.

On Question, their Lordships *divided:*—Contents 7; Non-Contents 26; Majority 19.

CONTENTS.

Carnarvon, E.
Harrowby, E. [*Teller.*]
Leven and Melville, E.
Romney, E.
Shaftesbury, E. [*Teller*]
Carlisle, Bp.
Wentworth, L.

NOT-CONTENTS.

Cranworth, L. (*L. Chancellor.*)
Somerset, D.
Normanby, M.
Belmore, E. [*Teller.*]
Granville, E.
Minto, E.
Morton, E.
Stanhope, E.
Strange, E. (*D. Athol.*)
Tankerville, E.
Hardinge, V.
Stratford de Redcliffe, V.
Abinger, L.
Berners, L.
Chelmsford, L. [*Teller.*]
Denman, L.
Dunsany, L.
Foley, L.
Granard, L. (*E. Granard.*)
Hay, L. (*E. Kinnoul.*)
Heytesbury, L.
Houghton, L.
Llanover, L.
Redesdale, L.
Stanley of Alderley, L.
Wynford, L.

The Report of the Amendments to be received on *Thursday* next; and Bill to be *printed*, as amended. (No. 119.)

CHOLERA AMONG GERMAN EMIGRANTS.—MOTION FOR PAPERS.

QUESTION.

The Earl of CARNARVON, in rising to move for copies of Correspondence between the Privy Council Office and the local authorities of Hull and Liverpool, relative to a recent outbreak of Cholera, and to ask Her Majesty's Government, What precautions they had adopted in relation thereto? said, that the Question he had to put was of a very serious and pressing character. Several cases of cholera had recently occurred in Liverpool, and although there was nothing to cause panic, there was everything to justify the greatest caution on the part of the Government and the local authorities. There was no doubt as to the origin of this outbreak. A large number of German emigrants had landed at Hull, and had travelled by railway to Liverpool, and it was at Liverpool, without an exception, that all these cases had arisen. The most formidable outbreak had occurred on board a vessel that had sailed from Liverpool for New York. It was at Liverpool, again, and among this body of emigrants, that diarrhœa and typhus had been prevalent, and the House was aware that diarrhœa was the first stage, and, at all events, the harbinger of cholera. The habits of these emigrants were the reverse of cleanly, and they were congregated together in the most unhealthy quarters of the town. A case had been stated where 150 of these emigrants lived in one house in Liverpool, and forty in a single room. If these persons really came from cholera-infected countries, were these not all conditions that would justify them in expecting cholera to break out? Assuming that the theory of quarantine was a sound one, it was most desirable to take precautions against this through-traffic of emigrants from these cholera-infected districts. He did not pretend to point out how this was to be done, but probably the best way might be for Government to enforce the laws of quarantine that were already laid down, and to institute any fresh precautions that might seem necessary. A frightful mortality had already taken place, and there was no advantage to this country in running the risk of receiving emigrants who carried with them the seeds of cholera poison into a thickly populated town. A few days since there had appeared an Order in Council on the subject of cholera, which laid down four rules—first, that no one should land from a ship infected with cholera without the permission of the local authorities; secondly, that a medical inspection should take place; thirdly, that the sick should be removed to some hulk; and fourthly, that the bodies of the dead should be thrown into the deep sea. Looking at the question from a common sense point of view, these measures were, no doubt, good as far as they went; but they ought to have gone further. He did not know why such powers should have been placed in the hands of the local authorities. The prohibition to healthy passengers to land seemed to him to be of very doubtful advantage. They might say that the medical authorities would not give permission to the passengers to land unless they were healthy; but unless they exercised a constant surveillance over each person, to satisfy themselves that the disease was not incubating among the passengers, such inspection would be useless. To keep people separate from the rest of the community by detaining them on board ship would be a thing unheard of except during a state of strict quarantine. The regulations issued appeared to him to apply only to persons on board ship, and, if he did them no injustice, they made no provision for the separation of the sick and the healthy, which would be impossible without the provision of a proper floating hospital. He would be glad to hear what recommendations had been made to local authorities with regard to those persons who had landed, and how far those recommendations had been carried out. Accounts had been received from Liverpool which stated that some of the emigrants who had arrived there had been placed in the workhouse, that others had been placed in lodging-houses, and that a third party had been provided with a separate room by the workhouse authorities, and, having spent the night there, they were discharged next morning. If the latter were infected, it was obvious they would carry infection wherever they went. The requirements of a hospital were very simple indeed—a construction of the most temporary character would answer the purpose, so long as there was cleanliness and good ventilation. He believed that these requirements were effectually combined in hulks, and he would invite the noble Duke at the head of the Admiralty to state how far it might be possible to place a sufficient number of hulks at the disposal of the proper authorities. No doubt hulks would be only a temporary expedient, but the ventilation in them was very fair, and by means of their isolation might be rendered complete, and communication with the shore might be entirely cut off. The noble Earl concluded by moving an address for,

"Copies of Correspondence between the Privy Council Office and the Local Authorities of Hull and Liverpool, relative to certain Cases of Cholera."—(*The Earl of Carnarvon.*)

Earl GRANVILLE said, that the question had the serious consideration of the Government both this year and last year. If the Government did not adopt what the noble Earl called half measures they must do one of two things—either make no regulations at all and allow persons sick of cholera to land wherever they liked, or establish a rigid quarantine. It was doubtful whether even quarantine, as carried out by foreign Governments, was effectual in preventing the spread of cholera, for, notwithstanding quarantine, we knew how much Marseilles and other ports suffered from cholera. At this moment we were unprovided with any of the machinery necessary for maintaining quarantine with any chance of making it an absolute bar to the spread of cholera. In the opinion of the best medical authorities a quarantine of ten days was the shortest period which would prove any security against the spread of the disease; and to carry out such a quarantine between Dover and Calais would convert a passage of two hours into one of ten days; that, of course, would be impossible in the present state of our relations with Europe; and it was not the intention of the Government to attempt it. On hearing of the danger of the outbreak of cholera at the outports, the Government communicated with the local authorities in letters, which were in perfect accordance with those issued by the Derby Government in 1852. A letter of recommendation since issued insisted on the necessity of adopting all sanitary precautions, which really might be summed up in the terms — a plentiful supply of fresh air and fresh water to the town populations. That was the best precaution against disease. He quite agreed with the noble Earl that some of the outports really stood in urgent need of sanitary measures. They had offered to Liverpool and to the other ports to issue an Order in Council putting them under the Diseases Prevention Act; and a Bill to amend and extend that Act had been prepared and was before the House of Commons. In addition to all this, the Poor Law Board had communicated with the local authorities of all the outports. The Government had also issued the order to which the noble Earl had referred, and it did all that was practicable, unless they went to the extent of establishing quarantine. To keep people on board ship, as was suggested by the noble Earl, would endanger the lives of both passengers and crew, for emigrant ships were ordinarily much crowded, and to detain cholera patients on board them would be inhuman and fatal. He believed that the great influx of foreign emigrants into this country was practically at an end. The Government telegraphed to the Consuls at those ports from which the emigrants chiefly came that the shipowners here would take no more emigrants on board their ships. This intelligence did not produce at once the desired effect, because some emigrants had paid the whole of their passage money to the United States, and they chose rather to run the risk of coming to Liverpool than to stay in German ports. When this became known the Home Office communicated with the mayors of the outports respecting the arrival of the emigrants still expected. The Government also entered into communication with a view to arrangements for the return of passage money to emigrants on the Continent, so as to prevent their sailing for this country; and one result of the correspondence had been that the emigration agents at the outports of Germany whence the emigrants came had issued orders to their inland agents to make no further contracts whatever for the conveyance of emigrants to America, *viâ* Hull and Liverpool. In this way the danger from emigration had been stopped for the present. The Government were most anxious to co-operate with the local authorities, and to help them in every possible way in the measures they might adopt. Medical officers had been sent down to confer with the local medical officers, and the applications for the supply of hulks or vessels, which had been numerous, had been forwarded to the Admiralty. It would be convenient that the noble Duke at the head of the Admiralty should state what had been done by that Department.

THE DUKE OF SOMERSET said, there were very few hulks at the disposal of the Admiralty that were capable of being fitted up readily as hospitals; but one at Cork had been offered to the Emigration Commissioners for the use of the emigrants arriving there, and one at Plymouth, and another in the Thames had also been placed at the disposal of the Commissioners. To prepare and fit up other hulks for a similar purpose would involve an expenditure of £3,000 or £4,000 each, and a delay of some weeks; and, therefore, the Admiralty were practically restricted in the number of hulks they could supply to meet the emergency. Where hulks had been already used as hospitals, the Admiralty would readily lend them for the purpose.

THE EARL OF CARNARVON said, the noble Earl the President of the Council had somewhat misunderstood him. What he urged was that there should be separate accommodation, and that patients should be drafted to hospitals on land or on sea, so as to be entirely isolated from the rest of the community. He had never dreamt of putting the whole country, from Dover to the Land's End, under quarantine—all he said was that quarantine should be more strictly performed at Hull and other ports at which emigrants arrived. He should like to be informed as to the exact amount of accommodation already provided by the local authorities at Liverpool—whether they had established an hospital on sea or land, no matter of how temporary a character.

Earl GRANVILLE said, the accommodation provided consisted of the two vessels to which he had alluded. Some of the sick persons, however, had been removed to the emigration depôt. He hoped that Liverpool would make greater exertions in order to supply more ample accommodation than it had hitherto done.

Motion *agreed to.*

WAR BETWEEN SPAIN AND CHILE AND PERU—BLOCKADE OF THE CHILEAN PORTS—BOMBARDMENT OF VALPARAISO.—QUESTION.

Lord HOUGHTON desired to ask the noble Duke the First Lord of the Admiralty, What were the instructions given to Rear Admiral Denman with regard to the Blockade of the Chilean Ports? Serious hostilities had for some time existed between the Republic of Chile and Spain, which had resulted in the bombardment of the town of Valparaiso by the Spanish fleet. The town of Valparaiso stood on a coast which was open and unprotected; it had no fortifications, but at the same time was an important commercial port of the Republic of Chile. Well, the Spanish Admiral had thought it his duty, not only to blockade Valparaiso, but to bombard the town in such a manner as to occasion a very large destruction not only of Chilean but of British and other foreign property. As to the act itself, it did not become him, on the present occasion, to give any opinion upon it. It might have been within the rights of war, but he thought—though he might be wrong—that to bombard a perfectly innocent town, which had not offered any resistance, and had not fired a single shot, was an act without a parallel in the recent annals of war. He did not believe that during the extremities of our war in the Crimea, either in the Black Sea or the Sea of Azor, any town had been bombarded which had not assumed offensive operations against us. That, however, was a matter which might be brought before the House at some other time. On the present occasion his question referred to the conduct of the British Admiral. Rear Admiral Denman was well known in this country, and certainly he was not a man to shirk responsibility under any circumstances. His conduct on the West Coast of Africa would be in the remembrance of their Lordships. He was then in a position of great difficulty, and the error he committed—if he committed any at all—had been on the side of enterprize and courage. But the British merchants at Valparaiso, having lost a very large amount of property, naturally felt annoyed, and they seemed to imagine that the conduct of Admiral Denman was not what it might have been. He had been informed that they held a meeting after the bombardment, and passed resolutions condemnatory of the conduct of Rear Admiral Denman. It was stated also at the meeting that the Admiral had given them some assurance, or something which they took as an assurance, that the British and American fleets would intervene to prevent a bombardment of Valparaiso. He believed that Admiral Denman had only one ship, and that a wooden one, while the Spanish Admiral had an iron-clad, and the American Commander had a turret ship of peculiar construction, but well suited to the present mode of warfare. He mentioned these circumstances, because they might have had some effect upon the decision of Admiral Denman. The ultimate fact, however, was that the British Admiral altogether declined to interfere in a defensive manner between the Spanish fleet and the Chilean town, and the bombardment took place. A very large amount of British property was destroyed, and the merchants there, and he believed some commercial bodies in this City, were inclined to make Rear Admiral Denman, and through him the British Government, in some degree responsible for the loss which had been sustained. He desired that this matter should be clearly stated, and that justice should be done to all parties. He therefore begged to put his Question to the noble Duke.

The Duke of SOMERSET: In order to answer the Question of the noble Lord (Lord Houghton) it is necessary that I should first state what were the instructions originally given to the senior officer on the coast of Chile. The first instructions were sent out as early as the 17th of November last. At that time we first heard that there was a blockade of the coast of Chile. The fact was communicated by the Secretary of State for Foreign Affairs, and the first instructions were sent to Commodore Hervey, who was at that time Senior Officer in the Southern Pacific. These instructions contained a copy of the despatch forwarded by the Foreign Office for the guidance of Her Majesty's Chargé d'Affaires in Chile. That despatch was to this effect—

> "Her Majesty's Government rely upon your using your utmost exertions for the protection of lives and properties of British subjects in the lamentable state of things which prevails in Chile; but you will be careful not to transgress the limits of intervention permissible to the agent of a neutral Power; and Her Majesty's Government would be prepared to approve the exertion of any friendly influence which you might bring to bear on the contending parties within those limits, to mitigate the horrors of war, or to bring about a cessation of hostilities until reference could be made to the Spanish Government in Europe."

At that time Admiral Denman was not on the coast of Chile, but he was on his way there; and when he was at Panama we sent to him these clear instructions, to the same effect as those which had been sent to the previous Senior Naval Officer—

> "My Lords desire me to inform you that the course hitherto pursued by Commodore Hervey in regard to the hostilities between Spain and Chile has been fully approved by Her Majesty's Government. You are to observe the strictest neutrality towards the contending parties, and to give all the assistance in your power to Her Majesty's Chargé d'Affaires in Chile in his endeavours tc protect British interests and to bring about a settlement of the dispute which has been so prejudicial to neutral trade. My Lords have communicated the contents of your despatches to Her Majesty's Secretary of State for Foreign Affairs, who has informed their Lordships that he entirely concurs in the instructions now given to you."

Your Lordships will, therefore, perceive that under these instructions Admiral Denman was ordered to be strictly neutral between the contending parties. Now, if he had interposed in any way to prevent the bombardment of the city it is obvious that he would have been taking a decided part on one side, and acting, therefore, in direct contravention of the instructions which had been given to him. I believe that this was what actually occurred. When Admiral Denman arrived at Valparaiso he communicated with the Senior Officer of the American force there, and they thought that—although, I understand, the American officer had received much the same instructions as had been given to Admiral Denman—they thought that any bombardment of the town, if done on a sudden, would be attended with such loss of life, and would be an act of so much cruelty that they might protest against it. Accordingly they made it known that if the bombardment did commence without a notice of a few hours at least being given to the town in order that the women, children, and non-combatants might retire, they would proceed to interfere to prevent it. That was a measure of humanity alone proposed to be carried out by Admiral Denman in conjunction with the officer in command of the United States forces. Even that, however, was somewhat beyond the instructions which had been given. But, in fact, a notice, not of a few hours merely, but of four days, was given of the bombardment, and the conditions, therefore, which would, in Admiral Denman's opinion, have justified his interference no longer existed. He was then strictly bound by the letter of his instructions, and could do nothing else but withdraw and allow the Spanish vessels to fire upon the town, or rather the railway station and other buildings. I have heard that in consequence of the withdrawal of the inhabitants there has been hardly any loss of life. I believe that only two persons were killed, and they were looking after their property, and were killed rather accidentally than in consequence of the bombardment. The loss of life, therefore, has been very small. In regard to the loss of property, as the bombardment was directed against the Custom House, and as that was full of English, French, and other foreign property, I am afraid that a very considerable loss has fallen on all the foreign merchants; but with respect to that I must add that notice had been given to the merchants early in December, and it had been proposed by the English Chargé d'Affaires that they should remove their goods from the Custom House. That gentleman had communicated with the Chilean authorities, who expressed their willingness to allow the merchants to withdraw their goods on certain conditions; but the conditions were somewhat vexatious, and the foreign residents, moreover, trusted that no Power would in these days attack an unoffending town, and therefore they preferred leaving their goods in the Custom House to taking them out on the conditions which were proposed, and the result has been that a great destruction of their property has taken place in consequence of the bombardment. I believe I have now answered the question of the noble Lord.

Lord DUNSANY said, he could not help thinking that the terms in which the conduct of Admiral Denman had been spoken of by some of the residents were very ridiculous, although great allowance must be made for the exasperation of men who had just seen their property destroyed. But no one who knew that gallant officer could for a moment believe that he would be backward to undertake any work in which it was his duty to engage. The noble Duke had alluded to a contingency which might have happened, and the British Admiral would then have found himself in a position in which he ought never to be placed. The residents had certainly a right to expect some notice before the bombardment commenced, and with the view of obtaining it Admiral Denman no doubt gave the intimation he did to the Spanish Commander-in-Chief; but he thereby placed himself in a very awkward predicament. If he had felt it necessary to resist the Spanish fleet he would have found that he had no adequate force for that purpose. He believed, however, that an iron-clad had now been sent out to him, although he feared it was rather late.

The Duke of SOMERSET said, that there could have been no use in sending out an iron-clad ship to Admiral Denman unless new instructions were sent to him at the same time. But his instructions were that he was to remain strictly neutral between the belligerents; and however much that which had occurred was to be regretted, the evil might have been increased if we had mixed ourselves up with the quarrel. Admiral Denman's instructions were that he should remain strictly neutral; but the intimation he gave to the Spanish Commander-in-Chief was no doubt to induce him to allow sufficient time for women, children, and non-combatants to leave the town, and probably it had the effect desired.

House adjourned at a quarter before
Nine o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 15, 1866.

MINUTES.] — New Member Sworn — Hon. Egremont William Lascelles, *for* Northallerton.
Public Bill—*Ordered*—Colonial Bishops.
First Reading—Colonial Bishops [160].

THE LOSS OF THE "EUROPEAN." QUESTION.

Mr. GRAVES said, he would beg to ask the President of the Board of Trade, Whether it is his intention to cause an inquiry to be made into the recent destruction of the steamer *European*, with fifty lives, at Colon, from the effects of a quantity of highly explosive oil, called glonoin or nitro-glycerine, which had been forwarded from Germany, through Grimsby, to Liverpool, where it was shipped on board of the *European;* and whether any, and what, steps have been taken to prevent the reception or transmission of this article without proper notice?

Mr. MILNER GIBSON: Sir, it is not intended to institute an inquiry into the destruction of the *European* by the explosion referred to, as there has been an inquiry on the spot by a Naval Court under the Merchant Shipping Act. The Report has just been received, and will be published. In regard to preventing the shipment of the explosive oil except on certain conditions the law gives us no power now of interfering in the matter, but the subject is under consideration.

THE CHOLERA—EMIGRATION AGENTS. QUESTION.

Sir ANDREW AGNEW said, he wished to ask the Vice President of the Committee of Privy Council, Whether he is aware of the extreme danger to the health of the community arising from the neglect of sanitary precautions on the part of Emigration Agents and Contractors; and, whether Her Majesty's Government are prepared to take steps to oblige agents and contractors to provide suitable accommodation for all passengers landed by them at any British Port?

Mr. H. A. BRUCE said, in reply, that the Government were quite aware that the accommodation for the reception of emigrants on the eastern coast of England was altogether inadequate, and was fraught with considerable danger to the public health. Her Majesty's Government had communicated with all the ports at which emigrants were landed, and called the attention of the local authorities to the necessity for providing proper accommodation. This appeal had not only been made to them by the Privy Council, but the Poor Law Board had also instructed its inspectors to urge the same recommendations. Her Majesty's Government had communicated with the foreign countries from which emigrants came, and had represented to them that the principal Liverpool steam companies had refused to convey any more emigrants. The effect of this would be to stop emigration from the North of Europe, with the exception of a certain number of persons who had already paid their passage money. The Secretary of State for the Home Department had written to the Mayor of Liverpool, recommending that the companies conducting emigration should be urged to return the passage money of emigrants coming from infected ports, and taking their passage from our ports, and this recommendation was, he believed, being acted upon. The greater part of these emigrants came from Northern Germany, which was free from cholera, but considerable numbers of them passed through Rotterdam, where cholera prevailed. Every effort was being made to stop the flow of emigration from the infected regions and ports.

SPECIFICATIONS OF PATENTS.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask Mr. Attorney General, Whether he is aware that the printing of the Specifications of Patents is often many months in arrear; and whether, both in the interests of the public and of the patentees, such Specifications ought not to be printed as soon as possible after the patentee has deposited his complete Specification?

The ATTORNEY GENERAL stated, in reply, that the printing of the Specifications of Patents had been in arrears in consequence of an insufficient number of clerks, but the numbers had now been increased, and the arrears he hoped would be cleared off in the course of three or four months.

THE DUCHY OF CORNWALL.

QUESTION.

Sir LAWRENCE PALK said, he would beg to ask the President of the Board of Trade, If any arrangement has been made between the Crown and the Duchy of Cornwall for defining their respective rights to the foreshores of South Devon, and their respective jurisdictions; and, if so, whether he will state the nature of such arrangements; and, whether it is true the Duchy have claimed Petty Customs on some of the goods in vessels recently wrecked at Broadsands, as if they had been regularly imported?

Mr. CHILDERS replied, that by a grant of Edward III. to the Black Prince what were called the Waters of Dartmouth were given to the Duchy of Cornwall, and under that grant the Duchy claimed certain rights not only in the Port of Dartmouth, but on certain portions of the coast of Devonshire. After the grant of a portion of the foreshore, some years ago, those rights became the subject of inquiry, and an arrangement had been made as between the Crown and the Duchy of Cornwall, but in no way prejudicing or confirming the rights of the Crown and of the Duchy as against private persons. When goods were landed from wrecks for consumption they paid the dues, but when they were landed for reshipment those dues, though legally claimable, had not been exacted.

INDIA—MADRAS IRRIGATION COMPANY.

QUESTION.

Mr. SMOLLETT said, he rose to ask the Under Secretary of State for India, If it be true, as stated in *The Times* of the 12th May, that the India Council have resolved to offer the shareholders of the Madras Irrigation Company the option of receiving for their property 5 per cent Government Paper; and, whether there is any intention of dealing in a similar manner with the East India Irrigation and Canal, the shares of which are now quoted at 25 per cent discount?

Mr. STANSFELD, in reply, said, the Madras Irrigation Company started with a guaranteed capital of £1,000,000, and after effecting certain works they proposed to raise from the public some unguaranteed capital. From the state of the money-market, however, they were not able to raise the unguaranteed capital, and they applied to the Secretary of State for assistance. A correspondence of some length had ensued, which was at present in this condition. The Secretary of State offered them on the one hand £600,000 of debentures; or, on the other hand, he would take back from them the undertaking and give them in Five Per Cent Indian Stock at par, the amount of guaranteed stock invested in the capital of the Company. The Company had that morning replied to the communication, and they declined the latter alternative; and they proposed some modification in carrying out the loan on debentures. That afternoon his noble Friend the Secretary of State for India had replied that he would not refuse the extension of the term of the loan upon debentures to five years, but he required that both the alternatives which he suggested should be submitted to the shareholders of the Company, in order that they might have the opportunity of deciding. As regarded the East India Irrigation and Canal Company, there was no intention of dealing with it in the same way, as it was not a guaranteed Company.

THE NATIONAL GALLERY.—QUESTION.

Mr. TREEBY said, he would beg to ask the First Commissioner of Works, Whether there is any objection to increase the time for Students to study in the National Gallery from two (as at present allowed) to four days in the week; should it be considered that the students studying on days when the Exhibition is open to the public that it would interfere with the convenience of the public, whether he would object to request the architects for the new National Gallery to provide accommodation for the students during the time the establishment was open to the public?

Mr. COWPER said, in reply, that one of the important purposes for which the National Gallery had been established was to afford an opportunity to art students to copy pictures. They were allowed to do so when the public was excluded, and when, consequently, they might paint without interruption; but he thought the convenience of the public would be too much sacrificed if the suggestion of the hon. Gentleman were adopted. At present the rooms were not large enough to enable students to copy pictures on open days without interfering with the public; but the new rooms would be much larger, and when they were opened probably some arrangement might be made to enable artists to copy pictures even on the days when the Gallery was open to the public.

CATTLE PLAGUE IN IRELAND.
QUESTION.

Mr. GREGORY: I rise, Sir, to ask my right hon. Friend the Chief Secretary for Ireland, Whether he has received any information of the appearance of the cattle plague in the County of Down; and, if so, whether Her Majesty's Government have determined on adopting the most prompt and stringent measures to isolate and stamp out the disease there; and, whether it is the intention of the Government to institute forthwith an inquiry into the origin of the appearance of the disease in Ireland?

Mr. CHICHESTER FORTESCUE: Sir, in answer to my hon. Friend, I have to say that I am afraid it is too true that there is great reason to believe the cattle plague has at last made its appearance in Ireland. From information which we have derived through telegram it appears that Professor Ferguson—whose services have been employed for many months in investigating suspicious cases in many parts of Ireland—reported in the course of yesterday, by letter to the Irish Government, that there were cases in the county of Down, at a place within about six miles of Belfast, which, in his opinion, were cases of cattle plague. It is supposed that the disease was brought over to Ireland by an English dealer who went there to purchase young stock. The most prompt measures were taken in the course of yesterday. The full powers of the Act lately passed were brought into force. A boundary was marked out, within which the infected district was enclosed; and the lands so cut off are closely watched by the police to prevent egress or ingress. The infected cattle were at once slaughtered and buried. Within the last half hour I, in the absence from London of my noble Friend the Lord Lieutenant of Ireland, sent over a telegram on the subject; and measures are being taken by the Privy Council to prevent the holding of all the fairs and markets which were about to have been held within some miles of the place where the disease has appeared. Everything, therefore, has been done which the law allowed us to do; so that I hope the disease may be stamped out in the locality where it has made its appearance.

Lord NAAS: I wish to ask my right

hon. Friend, whether the Government are about forthwith to direct an inquiry by persons, in whom the public will have confidence, into the cause of the introduction of the disease?

MR. OWEN STANLEY: Will the Irish Government take precautions as regards the export of cattle from Ireland?

MR. CHICHESTER FORTESCUE: I have no doubt that we shall have very soon a detailed account from Professor Ferguson, who is very competent to report on the subject. As I have mentioned he was sent down to examine the cases, and it is probable that he must know more about the matter than anyone else; but should anything else be wanted to clear up the origin of the disease in Ireland, means shall be taken to procure additional information without delay. I am not prepared to answer the question of the hon. Member for Beaumaris (Mr. Owen Stanley) at present.

LORD JOHN BROWNE: Am I right in understanding the Chief Secretary for Ireland that the whole of the cattle on the farms where the disease broke out have been killed? If not, will the Government give any instructions on the subject?

MR. CHICHESTER FORTESCUE: I depend entirely on telegrams for my information, which state that all the infected cattle have been killed.

ADJOURNMENT OF THE HOUSE.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I beg to move that this House will at its rising adjourn till Thursday.

WAR BETWEEN SPAIN AND CHILE AND PERU—BOMBARDMENT OF VALPARAISO.—QUESTION.

SIR LAWRENCE PALK said, he rose to ask the Question of the Under Secretary for Foreign Affairs which he had postponed yesterday at the request of his hon. Friend, relating to the bombardment of Valparaiso, which was a wholly defenceless city, having no arsenal, no fortress, no guns, nor soldiers of any sort or kind. The few guns it had possessed for saluting purposes had been, if his information was correct, taken from the battery at the request of the British Minister—that Minister and the British Admiral undertaking to British residents, and also to the inhabitants of the city, that no bombardment should take place. It seemed to him that it was almost, if not quite, a breach of the Law of Nations to attack a defenceless place; and he could not conceive, in these days when we hoped to temper war with humanity, any act which should be more universally reprobated than that which appeared to have been done at Valparaiso. It had been stated that immediately on the Spanish Admiral having intimated that he was about to proceed to extremities, all the Ministers of all the Foreign Powers, including the Minister of the United States, met together and signed a joint protest against such a proceeding. It was also stated that this protest not having received any attention, and the Spanish Admiral declaring his intention to proceed to extremities, the American Admiral proposed to Admiral Denman, the English Admiral, to prevent by force this horrible sacrifice of property. It further appeared that the overtures of the American Admiral were not accepted by our Admiral, who, after having given his word that the city should not be bombarded, thought fit to leave Valparaiso to its fate, and although he had been promised the full support of all countries represented there, and although he knew that any threat to sink the English fleet was perfectly futile, had given orders to English sailors and English captains to retire and allow the Spanish Admiral to wreak his vengeance on the unfortunate town. He wished to ask the Under Secretary for Foreign Affairs whether the English Admiral was justified in moving his ships and permitting the Spanish Admiral to perpetrate this atrocity. Of course, if Admiral Denman acted according to his instructions, no blame could be attached to him; but those orders must be stringent indeed which would prevent him from acting upon such an occasion. He had always thought that the object of maintaining fleets at foreign stations was to protect the lives and property of British subjects; but this was evidently a mistake, and when next the Estimates were submitted to the House he hoped some hon. Member would move that they be curtailed, and that for the future English Admirals who were sent to take care of British interests might be sent in a yacht with a broomstick at the masthead. He would conclude by asking the Secretary of State for Foreign Affairs, If it is true that the Spanish Admiral has bombarded and destroyed the city of Valparaiso; if it is true that the English Minister and Rear Admiral Denman refused to co-operate with the American Admiral in saving it from destruction ; and whether the Admiral was justified in moving his ships out of the way to enable the Spaniards to fire on a defenceless city?

ADMIRAL WALCOTT said, the reputation and the honour of a British Admiral was far dearer to him than life itself. He could assure the House that he would not have risen to defend the conduct of any brother officer, even though that officer, as in the present instance, was his personal friend, were he not persuaded that no blame could be justly imputed to him. Thus stood the facts of the case. The Spanish Admiral with a formidable squadron arrived off the Port of Valparaiso, for the alleged purpose of receiving from the Government of Chile satisfaction for acts said to be hostile to Spain, and his first stipulation was that the Spanish flag should be saluted by the Chilean authorities. The Spaniards, he need scarcely remark, were a proud and haughty people and exceedingly obstinate, while the Chilean Government, though, perhaps, less haughty, were certainly equally obstinate. It was scarcely to be expected, therefore, that any pacific understanding could in reason be arrived at. According to a letter which he had read that morning, written by an officer during this transaction from on board Admiral Denman's ship, it appeared the Chilean Government offered to erect the Spanish flag on the parapet of their little fort, and to salute on a clear understanding that the Chilean flag were displayed on board the Spanish Admiral's ship, and the salute they first gave be returned ; but the Spanish Admiral was too haughty to accede to this. Now, with regard to the conduct of Admiral Denman, it had been alleged that he gave the English merchants of Valparaiso an assurance that in the event the Spanish Admiral should persist in his threat to bombard the city, failing to receive the satisfaction he had demanded from the Chilean Government, he (Admiral Denman) would protect their property ; but had he given any such assurance he was convinced he would have scrupulously fufillled his promise. No doubt he used every remonstrance in his power to dissuade the Spanish Admiral from so dastardly an outrage as the destruction of a city that was utterly defenceless and had no means of returning his fire. When, however, the Spanish Admiral adhered to his intention, the British Admiral had no power to prevent his carrying his threat into execution. He had under his command only five vessels, not one of which was metal-plated, and had he interfered in a hostile spirit, the act would have been wholly unjustifiable, with the stringent orders he possessed from his Government to preserve the strictest neutrality as he (Admiral Walcott) believed to be the fact. Had he swerved from these, he might have involved this country in a war with Spain ; nor under any circumstances could he have been justified to risk the lives of his officers and men in an attempt that necessarily would have proved perfectly senseless against a force decidedly so superior to his own. All these considerations the British Admiral had to consider deeply. It had been said that the Commodore of the American squadron, likewise before the Port of Valparaiso, had offered Admiral Denman to follow him into action against the Spanish squadron did they persist in their threatened purpose ; but this language implied that the British Admiral was to be the first in the hostile movement, and that he was to bear the whole of the responsibility. But God forgive me ; can any man believe that an English Admiral would require to be dictated to by an Admiral of any other Power on earth? No, Sir, that is not the spirit of an English Admiral. I believe he (Admiral Denman) did all that was worthy of himself, worthy of his honour, worthy of his reputation, and worthy of his country. The property of the English merchants at Valparaiso, it is true, was very valuable, and reckoned with that belonging to other Powers is, I am informed, of no less value than 30,000,000 dollars. In conclusion, I ask whether the Government will lay on the table of the House any and all such official documents that will clear up the honour and the reputation of Admiral Denman, in my firm belief, thus unworthily assailed?

MR. LIDDELL said, that the bombardment of Valparaiso was a question which interested not only this country or the House, but the whole civilized world ; for whatever differences of opinion might exist with regard to prize property captured at sea, blockades, and other matters of that kind, there could be but one opinion on this point—that the bombardment of a defenceless city was an act inconsistent with humanity, and to be reprobated by the voice of public justice. He believed the fair expression of public opinion in the House of Commons would not be without its effect in the councils of Europe, nor even in those of Spain herself, upon whom rested the responsibility of this act. The House, he felt sure, would not desire to prejudge the conduct of the English Admiral or of any other parties concerned, in the absence of any detailed information, for they had had in the case of Jamaica very recent experience of the mischievous consequences of so doing; but he must say that in the position of neutrality which this country occupied in the war between Spain and Chile, Admiral Denman would not have been justified in entertaining the suggestion — very hastily made—of the American Commodore to interfere by force to prevent the action of the Spanish fleet. A question had arisen as to the advice given by the British representative at Santiago, Mr. Thomson, to the Chilean Government respecting the defence of Valparaiso. They had been informed that morning that he had used his influence to induce the Chilean Government to disarm the town, and that he even went beyond that, and told that Government that if any measures were adopted to place the town in a position to resist an attack, he should hold them responsible for any damage that might occur to property of British subjects resulting from such measures. That appeared to him to be a very strange course for the British representative to have taken, and he was anxious for information upon this point. In the second place, he wished to know whether it was correct, as had been stated, that the Chilean Government had written by the present mail to the noble Lord the Secretary of State for Foreign Affairs, requesting that the British Minister should be recalled; and in the event of this being the case, he wished to know upon what grounds that request was based?

COLONEL EDWARDS said, he had that afternoon received a mass of papers from an eminent London firm connected with the South American trade, and from the hasty glance he had taken at them they appeared to confirm the statement of the hon. Member for South Devon in every particular. It was true that the British inhabitants of Valparaiso had *en masse* made representations to the British Admiral and to the British Minister on the subject of the protection of their property, stating that it would be unjust and hard upon them that their interests should be sacrificed in the diabolical manner threatened, while there was an English fleet at hand to protect their property. They complained that the agreement between themselves, the British Minister, and the British Admiral, that the town should not be bombarded, provided that no forts were armed nor torpedoes submerged for the protection of the town, had been broken. The town had been left utterly defenceless at the suggestion of those authorities, and yet they had not taken care to prevent the bombardment. This appeared to him to be a repetition of the policy which had been pursued in reference to Denmark, where promises of support were held out, but retracted at the last moment. If such a policy were to be adopted as a general rule, he did not see what it was likely to end in. Probably by this time, owing to the senseless policy we had pursued, most of the principal cities of South America were in ruins, and millions of dollars worth of property had been sacrificed for the purpose of satisfying the honour of the Spanish Crown. He would select from the many papers in his hand one containing a report of the committee appointed at a general meeting of British subjects held on the 28th of March, 1866, to frame resolutions and submit them to an adjourned meeting to be held on the following day:—

"Resolved,—1. That the statement of facts read at the meeting this day by Mr. Hayne be hereby adopted as a true and impartial narrative.

"2. That this meeting cannot too severely censure the vacillating conduct of Rear Admiral Denman in having given to the British community of Valparaiso positive assurances that he would interfere, by force if necessary, to prevent a general bombardment, and afterwards retracting the same, thus causing the loss of much valuable time which might have been profitably employed in securing safety to life and property.

"3. That this meeting cannot but condemn Rear Admiral Denman's conduct as inconsistent with correct ideas of that neutrality which he stated he had strict orders to observe, inasmuch as while he denies to the British community of Valparaiso the protection of the forces under his command, he did not hesitate to detach one of the ships of his squadron for the protection of the Spanish emissaries—contraband of war in Peruvian waters—who left Valparaiso for the north in the mail steamer hence on the 17th inst.

"4. That Rear Admiral Denman's plea of want of sufficient force to oppose the Spaniards is humiliating to his countrymen and inexcusable, considering that the co-operation of a powerful United States squadron was pressed upon him by its commanders. And that this meeting cannot express in sufficiently strong terms its indignation that such an atrocity as the bombardment of a defenceless town, with a population of 80,000 inhabitants, should be permitted in the presence of a British squadron.

"5. That the absence of precise instructions from the English Government with regard to the threatened bombardment can only be accounted

> for by the supposition on its part that our difficulties have come to a conclusion, leaving, therefore, unforeseen complications to be solved by the good judgment of its representative, who, to the great regret of this meeting, would appear to consider the duties of neutrality inconsistent with any action in favour of those interests which are especially confided to his protection, and which, under existing circumstances, are so seriously compromised.
>
> "6. That it is a matter of regret that between the British Chargé d'Affaires and this community there has long existed an estrangement which has rendered him unfit to represent its interests, and that in the present emergency the disadvantages accruing therefrom have been more sensibly felt by his passive submission to the abuses of the Spanish squadron, while other neutrals have been placed in much more favourable positions through the exertions of their representatives.
>
> "7. That a deputation be appointed to wait upon the United States Minister, General Kilpatrick, and upon Commodore Rodgers, and express to them, in behalf of this meeting, its high appreciation of their earnest endeavours to prevent, by co-operation with the British forces, the bombardment of this city, deeply regretting that those endeavours have not been more successful.
>
> "8. That these resolutions, and the documents referred to in them, be laid before the British public."

That being the copy of an authentic document, he thought it deserved the consideration of the Government; and, with those facts before them, he trusted they would receive an explanation upon the subject that would be satisfactory to the House and to the country.

Sir JOHN HAY said, that he was glad to confirm all that had been said by his hon. and gallant Friend the Member for Christchurch (Admiral Walcott) with reference to Admiral Denman, and he was quite sure that the best vindication of that gallant officer would come from the Secretary of the Admiralty, who would no doubt tell the House under what orders he was acting. There could be no doubt that it was the duty of the British Admiral not to interfere, because if he did he must have committed some act of war on one side or the other. Unless he had express orders to interfere, the House must justify him in the course which he had taken; and, speaking from a personal knowledge of Admiral Denman, he was sure that if he had had orders which would have justified his committing an act of war, he would have interfered with a promptitude and gallantry which would have insured success.

Admiral SEYMOUR said, the first duty of an English Admiral in command of a fleet was to obey the orders of Government; and no doubt in the present instance those orders were to preserve the most perfect neutrality between the contending parties. That being so, it was impossible for Admiral Denman to interfere to prevent the bombardment. On the other question, as to a promise having been given to prevent the bombardment by force, they had at present only the accusation of the British merchants at Valparaiso, who were just smarting under the loss of their 18,000,000 dollars. He hoped before the House came to any conclusion upon the subject they would wait until they had heard Admiral Denman's explanation.

Mr. GRAVES thought it rather unfortunate that this discussion should have arisen before instead of after the explanation to be given by the Under Secretary for Foreign Affairs. In discussing the question under the existing circumstances, the hon. Member for South Devon (Sir Lawrence Palk) and those who maintained his position could scarcely avoid trenching on the professional reputation of a British Admiral, although he would undertake to assert that Admiral Denman had done nothing inconsistent with his orders or with his honour as a British sailor. The wanton attack which had been made upon a defenceless town had caused a general outburst of indignation throughout the civilized world; and, although in the strict letter of International Law they might have had no right to interfere to prevent the action, it was only right that the public opinion should be expressed by means of that House on what he considered was at least a very serious departure from the modern usage of civilized warfare. It would be recollected that when the Spanish Admiral first entered the harbour with his fleet he took exception to some pieces of ordnance that were placed on the ramparts of the forts as threatening his fleet and required that they should be withdrawn. The British Minister advised that they should be withdrawn, and from that moment the city had been left without even the semblance of defence. The next step taken they had heard that night; and if it were true that the British Admiral and Minister had promised to prevent the bombardment by force and had then retracted that promise, although urged to its performance by the American Commodore, the British residents at Valparaiso had good cause to complain. The result was a most fearful destruction of British and neutral property which had been permitted to remain in the bonded warehouses of the city until so late a period that they could not be removed to a place of safety before the bombardment commenced. The warehouses which had been destroyed had been looked upon as specimens of the energy and development of the resources and trade of Chile, and were the depôts for the foreign trade of the whole coast. He also desired to call the attention of the House to the fact that the English had, until recently, been regarded as the best friends of the Republic. There was the strongest sympathy existing between the two nations. Our capital was largely invested throughout the country, and we enjoyed privileges which were granted to no other nation. All, however, was now changed, and British interests would probably suffer more than would easily be credited. If his information was correct, that change had already commenced; for it was stated that immediately after the bombardment, when the crews were landed from the men-of-war in the roadsteads for the purpose of putting out the flames, the seamen belonging to the British fleet were requested to return on board their ships, while the assistance of the American sailors was warmly welcomed. If this was true it was a strong indication of the change of feeling which had taken place towards the British nation. He felt convinced that he was but expressing the feelings entertained generally by those engaged in commerce with Chile when he said that, great as their material losses had been—and they had been great—they regarded them as nothing compared with the maintenance of the independence and the honour of those Republics. What would be the effect of those wanton proceedings upon Chile? He did not believe that the destruction of warehouses and neutral property which had taken place would bring the war to an end any sooner. It would, he believed, rather tend to make the Chileans more determined to resist Spanish aggression, and the feeling would be likely to extend even to the other Republics in Southern America. The question with regard to Her Majesty's Government, however, was more one of the future than of the past. What they hoped was that, by the mail leaving our shores on the following day, distinct and definite instructions would be sent to Admiral Denman and to our Minister at Lima. They wished to know whether the repetition of such barbarous conduct was to be permitted, and whether the destruction of British and neutral property was to be allowed? He regretted that he was unable to read to the House the resolutions passed that day at a meeting held at Liverpool upon the subject; but he had not the slightest doubt that they were strictly in accordance with the opinions he himself had expressed. The matter could not rest there, he believed. It would be necessary, after they had heard an explation from Her Majesty's Government, to have an opportunity afforded them of discussing the matter again.

Mr. LAYARD: I think that the best answer I can give to the statements and questions which have come from the other side of the House is to state simply what has taken place at Valparaiso. The House is aware that some time last year, in consequence of certain occurrences which had taken place in Chile during the war between Spain and Peru, and which were considered offensive to Spain, Admiral Pareja, who commanded the Spanish fleet, suddenly appeared before Valparaiso, and presented in the form of an *ultimatum* certain demands upon the Chilean Government, stating that if those demands were not acceded to he was authorized to declare war against Chile. It is not necessary now to enter into the particulars of those demands, or the opinions which Her Majesty's Government formed upon them. As soon as intelligence was received by Her Majesty's Government that this *ultimatum* had been presented and rejected, and that war had consequently been declared between Spain and Chile, it was their earnest desire that something should be done to bring about peace between the two belligerents. The despatches which announced the declaration of war against Chile were received in this country on the 16th of November, and not a moment was lost in communicating to the French Government the earnest desire of Her Majesty's Government to act cordially with them, and in asking them if they were disposed to join us in offering our good offices to Spain and Chile in order to restore peace. Further, on the day following the receipt of the despatches from Mr. Thomson, our Minister at Chile, instructions were sent to him to do all in his power to protect the property and interests of British subjects, impressing upon him, however, the necessity of maintaining the strictest neutrality; but, at the same time, if he saw any opportunity, he was instructed to do what he thought prudent in using his good offices to bring about a cessation of hostilities—if hostilities should have commenced. The French Government responded most cordially to the overtures made to them by Her Majesty's Government, and both Governments have acted from that time in complete concert in all that has taken place. The despatches announcing the breaking out of war between Spain and Chile arrived, as I have said, on the 16th November, and on the 18th Her Majesty's Minister at Madrid was directed to inform the Spanish Government of the readiness of the English and French Governments to mediate between the two parties. The Spanish Government at once cordially accepted the offers made by the English and French Governments to bring about peace. The terms which were proposed by the mediating Governments as the basis of a settlement were these:—That Chile should disavow any intention of offending Spain; that the treaty in force between Chile and Spain at the time of the outbreak of hostilities should not be annulled; that Spain should express herself satisfied and should disavow any intention of re-conquest in South America; and that on the renewal of diplomatic relations a salute should be fired by both parties, Chile firing the first gun. These proposals were sent out to Mr. Thomson and to the French Minister, with instructions to submit them to the Chilean Government for its acceptance. While negotiations were still going on Her Majesty's Government received information from Mr. Thomson that there was some apprehension of a bombardment of Valparaiso, and that he had made strong representations to the Spanish Admiral against bombarding a town which was utterly without defence, and which, so far as his information could guide him, was entirely incapable of defence; but he stated that the Spanish Admiral would not commit himself to any assurance on the subject, and refused to say whether or not he intended to bombard Valparaiso. The British merchants in Valparaiso, informed of the danger which hung over them and the risk which they ran, addressed themselves early in October to the Government of Chile, requesting it to afford them an opportunity of removing such property as they had at Valparaiso to a place of safety. The Chilean Government at first declined to accede to the request; but on Mr. Thomson being informed of what had taken place, he addressed himself to the Chilean Government on behalf of the British merchants who had not previously consulted him, and through his representations the Chilean Government withdrew their objections to the removal of their property, on certain conditions. Those conditions were that the merchants should pay the rent of the warehouses and of the storehouses which they might hire for the purpose of removing their property to a safe position; that they would pay the persons who had charge of the property; and give bonds declaring their intention to observe the conditions imposed. The British merchants refused the offer, complaining that the conditions were too onerous, and declared that they would hold the Chilean Government responsible for any damage to their property in case of bombardment. Mr. Thomson thought the merchants were wrong in declining to accede to the proposed conditions, but forwarded the correspondence between himself, the Chilean Government, and the merchants, to this country. That correspondence was submitted to the proper law authorities in this country, and they gave it as their opinion that the conditions required by the Chilean Government were fair and just, and such as ought to be accepted, and that if the British merchants and others concerned refused to accept them, and anything happened to their property, they would themselves be responsible for it. Mr. Thomson was instructed by Her Majesty's Government to inform the British merchants at Valparaiso of the view thus taken of the matter. Mr. Thomson and the French Minister had been instructed to offer the mediation and good offices of their respective Governments, and in the event of any of the conditions accepted by the Spanish Government being objected to by Chile, they were authorized to make modifications in them if they could do so with the consent of the Chilean Government and of the representative of Spain, who was the commander of the Spanish fleet at Valparaiso. Those instructions were received by Mr. Thomson about the end of January. But unfortunately before they reached him the Chilean Government had entered into a treaty of alliance offensive and defensive with the Republic of Peru, to which were subsequently added similar treaties with the Republics of Bolivia and Equator. The difficulties were still further complicated by the capture by the Chileans of the Spanish vessel of war the *Covadonga*. These events combined to render mediation more difficult, but Her Majesty's Government and that of the Emperor of the French never lost the hope of being able to arrive at a satisfactory settlement. The Chilean Government professed their desire to accept the conditions offered—indeed, they expressed themselves very grateful to the two Governments for offering their good offices; but they said that having entered into alliances with the other Republics, they could not without consulting them make any separate arrangement with Spain. They, therefore, requested time to consult their allies. The Spanish Government, construing this request for delay unfavourably, desired to make it an excuse for breaking off negotiations and withdrawing their consent to accept our good offices; but neither the English nor French Government would admit the excuse, holding that Spain was still bound by her acceptance of their good office, and that they still could claim to be mediators between the belligerents. A short time afterwards the English Government had reason to believe that instructions had been sent by the Spanish Government to Admiral Nunez to bombard the city of Valparaiso. So long a period had elapsed since the first fear of a bombardment had passed away, that Her Majesty's Government had every reason to hope that a civilized power like Spain did not contemplate the bombardment of a perfectly defenceless city, which contained a large amount of neutral property; but when they ascertained, on what appeared to be authentic information, that instructions to bombard Valparaiso had been sent out by Spain, the Governments of France and England lost not a moment in communicating with the Spanish Government, and asking them point blank whether or not such instructions had been sent. If the answer of the Spanish Government should be in the affirmative, the Ministers of the two countries were directed to make the strongest remonstrances against the act. I must say that the Spanish Government did not act fairly or justly with us in this matter; because, although they did not say that instructions had not been sent out, they equivocated a good deal, and refrained from making any definite statement on the subject. In fact they misled by the answer they gave both Her Majesty's Government and the Government of the Emperor of the French, and it was with great surprise that we heard yesterday that this outrage, which has not been characterized too strongly in this House, had been committed on a defenceless city. The resolutions drawn up at a public meeting of merchants at Valparaiso and read by the hon. and gallant Gentleman opposite (Colonel Edwards), form certainly the most extraordinary document I ever heard read. Almost every one of them contains a misstatement.

Colonel EDWARDS: Does the hon. Gentleman mean to say that the document itself is not an authentic document?

Mr. LAYARD: No, I say nothing of the sort; but I say that the statements contained in that document are entirely without foundation, and contrary to the real facts of the case. One of the resolutions states that Admiral Denman had informed the British merchants that he would defend Valparaiso against an attack by the Spanish fleet. There is not one single word of truth in that statement. It was Admiral Denman's duty to maintain the strictest neutrality; but a circumstance did occur which will possibly explain that statement. At one time it was the intention of the Chilean Government to employ torpedoes at Valparaiso against the Spanish fleet, and they sent to the United States for an engineer who had distinguished himself in the discovery and manufacture of torpedoes. When the Governments of England and France heard of this intention they directed their Ministers to represent to the Chilean Government that it would be unwise to make use of such engines of attack against the Spanish fleet, as it would at once give the Spanish Admiral a plausible excuse for bombarding the place. Indeed, the Spanish Commander had informed Admiral Denman that an attempt to injure his ships by torpedoes would be followed by a bombardment of Valparaiso. The American and English commanders then requested the Spanish commander to give due notice to the inhabitants of Valparaiso, in case he intended to bombard the place — a request with which he led Admiral Denman to understand he would not comply, in the event of torpedoes being used. Admiral Denman then appears to have threatened that if fire was opened on the town without due notice, thus endangering the lives of British subjects and others, he would interfere and stop the proceedings of the Spanish fleet. That, it would be seen, was a very different thing from declaring that he would, under any circumstances, prevent the bombardment of Valparaiso. But the President of the Chilean Government gave up the idea of using torpedoes, and consequently the contingency to which Admiral Denman had referred did not occur, The Chilean Government, as I have said, had accepted our good offices on condition that Peru, and the other Republics with which they had entered into an alliance, consented to accept them also; and she promised to communicate with those Republics, and to return an answer as soon as she received their reply. Suddenly, on the 25th of March, the Spanish Commander declared that, unless the conditions which had been proposed were accepted, he would within a certain number of days bombard Valparaiso. This intimation was perfectly unexpected by the English, French, and American Ministers in Chile. They at once waited on the President of Chile and his Ministers. They found the Ministers disposed to refuse absolutely, but the President himself was still disposed to accept their good offices; only requesting sufficient time to communicate with the Republics with whom he had treaties, to which he could not be unfaithful. The Spanish Commander believed that this was merely an excuse to gain time; and no doubt there was some justification for that supposition, as two months had been allowed to elapse since the offers of mediation of the French and British Governments had been made at Santiago, which gave ample time for the receipt of replies from all the Republics interested. It was also known to the Spanish Commander that Peru expected certain vessels of war, and that Chile would be better prepared to meet the Spanish fleet at a later period. Under these circumstances, the Spanish Commander thought this answer was merely an excuse to gain time, and refused to withdraw his *ultimatum.* The American, English, and French Ministers at once went down to Valparaiso. The American Minister was the first to have an interview with the Spanish Commander, and he endeavoured to dissuade him from attacking Valparaiso. He made certain proposals on the part of the Chilean Government; but all his efforts to bring about an understanding failed, and the Spanish Admiral declared that, if the conditions he proposed were not accepted in a few hours, he would give notice of his intention to bombard the place. He sent a manifesto to this effect by the American Minister to the Chilean authorities. Subsequently, the French and English Ministers went on board the Spanish Commander's ship, and again remonstrated against a bombardment of Valparaiso, and expressed a hope that the matter would be settled by negotiation. The Commander replied that he had already issued his manifesto, and that it would not be consistent with his duty to withdraw it, or to alter his determination, unless his terms were accepted. He added that he should on the 27th give notice of hostilities, and on the 31st he should begin the bombardment. The British merchants having been informed of the determination of the Spanish Commander, went to Admiral Denman, and urged him to prevent the attack. Admiral Denman said that, however much he would regret an attack upon a defenceless town, he was bound by his orders to preserve a strict neutrality; and that, therefore, it was impossible for him to interfere, and he again urged the British merchants to take some steps to withdraw their property. This formal notification to remove their property was given to them thirty hours before the Spanish manifesto was issued. They had further been informed some days before that the British Government, having taken into consideration the offer of the Chilean Government to allow them to remove their property in bond without charging dues, were of opinion that the conditions were fair conditions, and they ought to accept them, and to take advantage of the opportunity to remove their property. They were warned that if they did not do so they must themselves bear the responsibility of any damage their property might sustain. The British merchants, however, deliberately refused to accept this liberal offer made to them by the Chilean Government, and I am surprised that they now turn round and blame Admiral Denman for what has happened. The resolutions of the British merchants, as I have already stated, are utterly at variance with the facts of the case. The statement that the American Commodore offered to join the British Commander to stop the bombardment is utterly untrue. No such offer could have been made. On the contrary, the American Minister admitted the right of the Spanish Commander to bombard Valparaiso, and had himself come down from St. Jago to endeavour to prevail upon him not to carry out his intention; but it does not appear that either he or Commodore Rogers considered themselves justified in attempting to stop it. Nor is there a word of truth in the statement that Admiral Denman excused himself for not interfering on the plea of want of sufficient force. Had his force been ten times greater than it was, Admiral Denman could not have interfered. Besides, I was informed to-day by the Spanish Minister that when the American Commodore went on board the flag-ship to remonstrate with the Spanish Commander, he ended by saying — more, I believe, by way of a joke than otherwise—"Supposing I were to put my ship between you and the town, what would happen?" The reply was, "You are a sailor, and I am a sailor; you know what your duty would be in such a case, and you know what mine would be. If you put your ship between me and the town, I will sink you." On this, the American Commodore shook him warmly by the hand and said, "I understand you; I should do the same were I in your place." As regards the accusation against the British Minister that he had prevailed upon the Chilean Government to remove the fortifications of Valparaiso, and had thus been the cause of exposing the place to the attack of the Spaniards, Valparaiso is a town which could not have been fortified even if considerable time had been given. I believe there was a small saluting battery, but so desirous were the authorities of removing any ground of excuse for bombarding the town from the Spanish commander, that they dismantled of their own accord every gun, thus leaving the town absolutely defenceless. As to the statement that so angry were the Chileans at the conduct of the British Admiral that they refused to allow the British sailors to land in order to extinguish the flames when the city had been set on fire, all I can say is, I have to-day read Admiral Denman's despatch, in which he says that his offer to send men to subdue the fire having been accepted, he sent on shore 150 men from his ship for the purpose, and that they remained on shore until four o'clock, when they returned on board at the request of the General, because all the fire-companies having come down from Santiago, their services were no longer required. The Admiral further says that the conduct of the men was most exemplary, that some charges of plunder brought against them proved to be untrue, and that not a single man was in the slightest degree intoxicated, although a particularly strong kind of brandy was freely offered to them. These are the simple facts of the case. I can make full allowance for the excitement of the British merchants at Valparaiso on seeing their property destroyed, but it was not worthy of them to put forward the statements contained in their resolutions, seeing that they are so entirely at variance with the facts. There is no doubt that the bombardment of a town, whether fortified or not, is a right of war, but then comes the question how far ought that right to be exercised, how far is it justified against a defenceless town in which almost all the property belongs to neutrals, or how far is it consistent with the usages of civilization? I am anxious to say as much as I can in justification of the Spanish Commander. That officer appears to have acted in this matter under the express orders of his Government, and he was willing, if he could have done so without actually disobeying his instructions, to refrain from an act which has been characterized as most barbarous; but his instructions were positive. The blame, therefore, rests with the Spanish Government, and their conduct is the less to be excused, because they were fully aware of the efforts that were being made to bring about a peaceful termination of the difficulties with Chile by Her Majesty's Government and the Government of the Emperor of the French; and, because, while negotiations were going on without informing either the French or English Governments, they sent out positive orders which could not be neglected to their Commander in the Pacific Ocean to bombard Valparaiso. Of course he was bound to obey. The Government of Spain are therefore responsible. The Spanish Commander in discharging his duty appears to have taken every possible care not to injure private property, directing his fire exclusively against public buildings, one of which was unfortunately the custom house, in which there was a large amount of British and other foreign merchandise. These facts are stated by Admiral Denman. The inhabitants had full time to leave the town, and appear to have availed themselves of it, as only two persons were actually killed —a woman and a child—by the bombardment, although two others were afterwards killed by a wall falling upon them. The Spanish Commander appears to have carried out his instructions with as much humanity as was possible. I cannot, however, conceal from the House that the bombardment of Valparaiso has produced a very painful impression on Her Majesty's Government. I hoped—everybody had hoped —that the time had gone by for such acts —I may almost say of barbarity — acts altogether inconsistent with the character of a great civilized nation like Spain. These are the facts of the case. I have every sympathy for the British merchants, and deeply regret the losses they have sustained; but I cannot but admit that they have themselves to blame, for they might have removed their property with little loss to themselves. With respect to the question whether a demand had been made by the Chilean Government for the withdrawal of our Minister, Mr. Thomson, I have only to say that no communication of that nature has as yet been received by Her Majesty's Government.

Mr. WHITESIDE said, that before quitting this painful subject, he would venture to make an observation upon the statement which had just been made by the Under Secretary of State, who had endeavoured to vindicate everybody but the British merchants. He understood that a representation had been made by those merchants to the Government with regard to the destruction of their property during the bombardment of Valparaiso, and if that were so, he trusted that the hon. Gentleman would produce the papers bearing on that point, for they appeared to have been the principal sufferers. He would now ask one question for his own information—namely, whether, when a British fleet was before such a town as that described by the Under Secretary of State, containing both British subjects and British property, and a Spanish fleet were to come, and, acting under instructions such as those which had been vaguely described, its commander were to request the British Admiral to sheer off in order that he might bombard this unoffending and defenceless town, it was, as a matter of course, the duty of the British Admiral thus to sheer off, and, after watching the operations, land his sailors, not after the manner of Nelson, but to extinguish the flames by water?

Mr. BAILLIE COCHRANE said, he thought the question asked by the right hon. Gentleman might be answered by some passages of British history. He remembered the time when the King of the Two Sicilies proposed to bombard the rebellious town of Messina, near to which were stationed several English vessels of war, one of them being the *Bulldog*, which was very well known. Instructions were sent to the officers of those vessels, if he remembered right, to place them in such a position as to render bombardment impossible without a chance shot striking one of Her Majesty's vessels. He called the attention of the House to this instance, because it showed how difficult was the position of naval officers when our foreign policy shifted and changed about as it had done. If instructions given at one time were to be acted upon by the naval officers at another, it was probable that they would find themselves in a false position. He was delighted to hear the denunciations of the Under Secretary of those atrocious proceedings at Valparaiso, which would be condemned by the whole of Europe. He was happy to say this, not only for the sake of humanity, but because from them he augured that for the future our foreign policy would be conducted on principles very different from those which had formerly governed it. Why, it was only last year that the hon. Gentleman rose in his place to justify the bombardment of the defenceless town of Kagosima, in Japan. Indeed, he could recall to mind many debates in that House when the bombardment of defenceless cities had been upheld and justified by hon. Gentlemen opposite. The city of Canton was bombarded, causing enormous loss of life; the real cause of such a proceeding being the refusal to admit Sir John Bowring within the walls of Canton in full uniform. Then, what was done in Pekin? Why, by an act of vandalism millions of pounds worth of property was destroyed, and the Emperor's Palace sacked. It was all very well for the hon. Gentleman to rise and condemn such atrocities as that of Valparaiso, but he hoped the Government would remember what precedent they themselves had given to Europe. He trusted that the present instance would be a lesson to the Foreign Minister to conduct the proceedings of this country in relation to other countries with the humanity which had been so nobly expressed by the hon. Gentleman this evening.

Mr. THOMAS BARING thought the House would see the necessity of its being supplied with ample information on the subject, and that it should have before it the correspondence which had taken place with Spain, as he understood that the Spanish Government had deceived both France and England. The House ought also to have laid before it the instructions which had been given to the British Consul at Valparaiso, as well as those forwarded to the British Admiral. He, with other English merchants connected with the trade of Chile, had waited as a deputation on the Foreign Secretary, and called his attention to this subject. It was one of great importance, and it would be desirable that this House should be put in possession of the correspondence relating to it, including the instructions to the British Admiral.

Mr. DENMAN thought that this debate, so far as it referred to the conduct of a British officer, had been rather premature. He thought the hon. Baronet who had brought forward the subject (Sir Lawrence Palk) should have waited to have the papers in his hand before he assumed misconduct which a British officer ought to be ashamed to be guilty of. He understood the Under Secretary to say that the British merchants had made statements which were directly contrary to the fact; but he also understood the hon. Gentleman to intimate that those merchants had done so under some misapprehension or in consequence of some misstatements which had been made to them. He might state that he had received a private letter from an authority on whom he relied, and the details in that letter were in accordance with the facts stated by the Under Secretary.

Mr. BARING wished to state distinctly to the House that the instructions given by the Admiralty to Admiral Denman were to preserve a strict neutrality between Spain and Chile, and that the gallant Admiral appeared to have strictly and properly carried out these instructions. With respect to the resolutions come to by a meeting of British merchants, which had been read by the hon. and gallant Officer (Colonel Edwards), he very much regretted that he should have read them to the House; but he might now state that, having been passed at the meeting, those resolutions were communicated to Admiral Denman, and he gave the merchants a very courteous reply. He said he would not discuss the resolutions with them; all he would do was to express his great regret at the losses which they had suffered by the bombardment; but in sending home a copy of the resolutions, Admiral Denman also transmitted his replies, which followed the resolutions *seriatim*. In answer to the first resolution, which accused him of having given a positive assurance that he would interfere by force to prevent a bombardment, he stated that he had promised to do all in his power to prevent the calamity, but had been very careful to avoid giving grounds for supposing that he would interfere in any other way than by remonstrance, taking care to inform those who had called upon him that he was bound by his orders to a strict neutrality. He need not trouble the House with the second and third resolutions; but, with respect to the fourth, Admiral Denman said that he had never alleged want of sufficient force as a ground for not interfering. Any such reply would have been in contradiction of his statement that he was bound by his orders to strict neutrality. He also said in his reply to the third resolution, that the statement that the United States Commodore had pressed upon the co-operation of his squadron to prevent the bombardment of the city, had no foundation whatever. The mutual arrangements of the United States Commodore and the British Admiral had for their object to secure sufficient notice of the bombardment. The statements of the gallant Admiral would be laid on the table with the other papers; and when the House were in possession of all the documents, they would see that Admiral Denman was not open to any of the attacks which had been made on him during this discussion.

THE CHOLERA.—QUESTION.

Mr. SANDFORD asked the Vice President of the Privy Council, What precautionary measures Her Majesty's Government have taken against the spread of cholera? He knew that it was the fashion in this country to deny the effect of quarantine; but in reply to that he would point to the case of Sicily, which, though the cholera was raging all over the basin of the Mediterranean, had enjoyed an absolute exemption from the scourge by means of the stringent quarantine regulations they had adopted. The kingdom of Greece had also enjoyed the same immunity through the same means; and therefore he thought they would agree that this was a considerable evidence in favour of the system. He might be told that the operation of quarantine would be detrimental to commerce. Of course it would; but he thought that even the claims of commerce ought to give way when human life was at stake. From all he heard—and he derived his information from the public journals—it would appear from the state of Liverpool, either that there was a great defect in the law or a defect in the arrangements for putting the law in force. It appeared that a vessel named the *Helvetia* returned to Liverpool, cholera having broken out among the emigrants who were on board of her. One would have thought that the first duty of the local authorities would be either to keep the passengers on board, or to remove them to a hulk, or to place them in some isolated spot on shore. Instead of that, however, the passengers were sent to the workhouse. Now, if there was any course that could be taken to propagate the disease it must be that. He would contrast the power existing in this country to check the progress of this scourge at the outset with those which were issued by the authorities of Bavaria. The instructions issued there, and sent home by our Secretary of Legation, were that every householder and head of a family should give information to the police of any case of cholera that occurred in his house within three hours of the fact, and certain distinctly prescribed measures were at once to be put in execution and continued for three weeks from the occurrence of any outbreak. Among other regulations was one that no bed or body linen which had been used by the infected should be washed with other linen or used in any way till it had been thoroughly disinfected. Now, if there was one regulation which he would venture to urge the adoption of more than another, it was that of ordering clothes to be disinfected or destroyed, for he was told that the recent outbreak in Asia Minor could be distinctly traced to the fact of clothes belonging to cholera patients having been sent from a vessel to be washed on shore. He hoped Her Majesty's Government would excuse him for reminding them of the course they pursued in reference to the cattle plague. If they had only displayed a certain amount of energy and decision at first, he believed they would have arrested the ravages of that pestilence, and if they were content now to sit with folded hands until this pestilence should have decimated the population of these islands, they would incur a most serious responsibility.

Mr. H. A. BRUCE said, the powers of Her Majesty's Government with respect to cholera were founded upon the 6 *Geo.* IV.; for, though that Act was directed not against cholera, but against plague and yellow fever, its terms were so general as to be applicable to precautions againt cholera. For internal arrangements there was the Diseases Prevention Act, the provisions of which, in the event of any contagious disorder appearing imminent, the Privy Council had the power of enforcing throughout the whole kingdom. With respect to the exercise of these powers, the subject had, on this as on previous occasions, been one of very anxious consideration. The Privy Council had, no doubt, considerable latitude, but he did not think it would be expedient to use the powers confided to them so far as to establish a system of strict quarantine. His hon. Friend had mentioned Sicily as a case in which strict quarantine precautions had prevented the introduction of cholera. Now, during the whole of last summer, the cholera raged with more or less virulence in France and Holland; and it must be remembered that to exercise a really effective quarantine it would have been necessary to suspend all communication with infected countries — that was to say, that from last summer up to the present time no ship should have been allowed to land passengers on the shores of this country without previously undergoing a quarantine of at least ten days. Even then there appeared to be no absolute security; for in the cases recently reported, in which ships arrived at Halifax and New York with cholera patients on board, the disease did not break out until six days after the vessel's departure from Liverpool. The passengers had come from Holland, had passed through England, and had remained some little time in Liverpool, and they had been six days at sea; so that the least time that could be assigned for the appearance of the cholera in these instances, supposing it to have been contracted in foreign countries, was ten days. We were accustomed to think of cholera as marked by clear and unmistakable symptoms, and the stage of collapse was, no doubt, one about which there could be no mistake; but the earlier stages of the malady were not so easily discoverable. A person might have the disease lurking in his system for many days without suspecting it. He suffered but little pain, and the symptoms were such as persons often experienced without any interruption of their ordinary vocations. It would, therefore, be impossible, unless communication were absolutely forbidden between England and the infected countries, to expect that quarantine laws would prevent the introduction of the disease. This being the case, Her Majesty's Government had to consider to what extent the powers intrusted to them ought to be exercised; and they considered it with reference not only to the present case, but to what had been done on previous occasions. In 1852, when a visitation of the same nature was expected, the Government of Lord Derby issued an order, or rather general directions, similar to those issued by the Privy Council last week. They were to the effect that, as cholera had appeared at Dantsic and other ports of the Baltic, vessels coming thence should be examined, and that any person found to be suffering from it, or to have suffered from it, should be removed to some hospital-ship, and that all passengers who were free from the disease should be allowed to land. In 1859, under similar circumstances, the Government again decided on regulations of a like character. In August last the cholera again made its appearance, and a circular was addressed by the Privy Council to all seaports, stating that they were desirous to interfere as little as possible with the interests of commerce, and, as it was doubtful whether strict quarantine regulations would afford any security, recommending certain general precautions and regulations to be enforced by the local authorities. During the last month a sailor who had landed in London from Rotterdam and had gone by railway to Bristol had died at that port of cholera. But the case was an isolated one. More recently, on the appearance of the disease among emigrants at Liverpool, an Order in Council was issued giving local authorities power to examine vessels and to isolate persons suffering from illness, allowing other passengers to land. Now, the only ship that had arrived in this country under those circumstances, as far as he was aware, was the *Helvetia.* It started from Liverpool with a crew and passengers numberng about 950, about 450 being Germans and Dutch, and 400 Scotch and Irish. Before reaching Queenstown the cholera had broken out, and the healthy passengers wished to land; but by a somewhat arbitrary exercise of power they were not allowed to do so, and the ship was sent back to Liverpool, whence a telegram reached the Government, asking what precautionary measures were to be adopted. A medical inspector of the Privy Council Office was immediately despatched, and two ships were there provided, the sick being taken on board one, and the healthy, as far as possible, on the other. The numbers, however, were too considerable to be accommodated in those ships, and, consequently, about 400 were landed and placed in a depôt at Birkenhead belonging to the Emigration Board, where they remained while the ship was being disinfected. He hardly gathered from the observations of his hon. Friend that he would have prevented the landing of these 400 persons. He must remind him that this country had never adopted in all their strictness the laws of quarantine. They must depend upon the conduct of the local authorities, and in this instance he thought the local authorities had done all that was possible for them to do. The disease had been confined almost wholly to foreigners, only four Irish and one Scotchman having been attacked by it, and as far as he had learnt it had not up to the present time spread among the inhabitants of the town. All the seaports and many of the considerable inland towns had been informed that should they desire it they could have the Diseases Prevention Act enforced, and the regulations which it would then become the duty of the Privy Council to enforce had been submitted to them. Many of those towns had already applied to have the Act put into force; but he was sure that the hon. Member would agree with him that the best security against the disease was to be found in the energy of the local authorities, in the supply to their towns of pure water, and by thoroughly cleansing and draining their streets and houses. He trusted that the country would benefit by the experience of past years, and that the local authorities would second the efforts of the Privy Council to prevent the visitation of the dreadful disease.

Motion *agreed to.*

House at rising to adjourn till *Thursday.*

NATIONAL EDUCATION (IRELAND.)

MOTION FOR A SELECT COMMITTEE.

Mr. O'REILLY, in moving for a Select Committee to inquire into the subject of National Education in Ireland, said, that he had on several occasions ventured to trespass on the attention of the House in reference to this subject; he trusted that the discussions on these occasions had not been altogether without effect, and that the question was better understood in this country and in the House than it had been formerly; so that there might be some chance of an amicable understanding being arrived at, which would be for the good not only of Ireland but of the Empire generally. The Committee he moved for would have to take into consideration certain distinct changes proposed to be made in the system of primary education in Ireland—he did not propose that it should inquire into the general subject—they had had enough of inquiry, and the object of his Committee was to consider how the changes proposed should be carried out, not what were the changes that should be made. It was not necessary for him to show that discontent existed in that country in reference to this question, and that complaints with regard to it had been made by Protestants and Roman Catholics, and by members of every party in the country. The object of his Motion was to show the necessity to guard against proselytism, and to protect the faith of the children attending the schools supported by the State. In former times it had been the admitted desire of the Government to enforce upon Ireland the religion of the Church of England, and accordingly every child attending a school supported by the State was compelled to receive instruction in that religion. The attempt thus to Protestantize Ireland failed, and the system was gradually modified, first so that children should only be compelled to read the Scriptures and to learn the Catechism, and then that they should be compelled only to read the Douay version of the Scriptures. But that, too, failed like every other attempt to interfere with their religion. A wiser race of statesmen then arose who determined that education should be imparted without any interference with the religion of the scholars. The charter of the present system was Lord Stanley's letter, declaring that the schools should be such as that even the suspicion of proselytism should be excluded. In order to carry out that principle the original rule was that certain specified times should be set apart for religious instruction, and that no child of a different religion should be permitted to be present when such instruction was given. That was the rule which he wanted to see in its spirit and essence restored. But time rolled on, pressure was brought to bear upon those in authority, and the character of the rule was changed. In 1855, a rule was issued that the patrons, managers, and teachers of schools should not direct a child to withdraw from the hours of religious instruction, but that all children should have power to absent themselves or to withdraw. The House would understand what was the power of a little child of five or six years of age. Then it was stated in the rule that if a parent objected to his child attending religious instruction, it devolved on him to remove the child—that was to say, that it devolved on a parent to leave his work, it might be miles away, and remove his child during the hours of religious instruction. Complaints were made of this alteration, but no redress could be obtained. An order was, however made that a notice was to be sent in writing to all parents whose children were attending religious instruction. Now, mark the snare of this. The House would imagine that the notice was to be sent to those parents whose children were attending religious instruction different from that of the parent, but it was not so; the notice was to be sent to the parent of every child attending religious instruction given by a person of a different religion from that of the parent; so that if Protestant instruction was given to Catholic children by a nominal Catholic the notice would not be sent. The rule was vague and unsatisfactory. When the parent received such a notice he might suppose from it that the religious instruction given to his child was not different from that professed by himself; whereas, as it often turned out, the religious instruction was of a very opposite character indeed. Well, that notice, such as it was, would not be served personally on the parent, but it was to be handed over to the little child at the school—a child, perhaps, of only seven or eight years old, who was supposed to give it to the parent at home. That was the full and efficient guarantee which the wisdom of the Commissioners had devised. It would be universally admitted that the plain object of the institution originally was that the child should be educated in the religion of the parent. That principle, however, had been departed from in the operation of the new rules, which indirectly allowed proselytism to be practised in those schools. He was sorry to say that those Commissioners who professed the Roman Catholic religion were just as much accountable for this change as any other members of the Board of Education. They had not only not opposed those changes in the rules to which he had adverted, but they had actually concurred in them. It might be asked, had the change been objected to? He answered it had, and from the very hour it had been introduced it had been brought to the notice of the Commissioners and of successive Governments. The matter had been brought before the Secretary to the Colonies (Mr. Cardwell), when Chief Secretary for Ireland, in the most formal manner by the Catholic Bishops. About the same time a change was made in the constitution of the Board, and the Roman Catholic Commissioners were increased to ten. He then urged upon Mr. O'Hagan, one of the proposed new Commissioners, the necessity of having the rule changed, and entreated him not to accept the office of Commissioner unless that concession was made. The right hon. Gentleman a short time ago stated, in reply to him, that not a single case of proselytism had taken place in consequence of the alteration of the original rule. He (Mr. O'Reilly) was silent upon that occasion because he had no evidence to bring forward ; but having moved for certain Returns on this subject, he was now in a position to state the result. In one of the Returns from a Presbyterian school he found it stated that the "Roman Catholic pupils attend the religious instruction, but they do not take part in it"—a distinction which he confessed himself totally unable to comprehend. In another school the teacher, who was of the Established Church, "instructs in religion pupils of all creeds," and he did not find that any Roman Catholic books were used in the school. In another instance it was stated that "the Roman Catholic children receive Presbyterian instruction." In another that "Roman Catholic pupils receive religious instruction from a Presbyterian mistress in a Protestant course of instruction." In another, that the "Catholic pupils receive instruction in the Presbyterian catechism ;" and in another that they receive instruction in the catechism of the Church of England—and here it was stated, and it was the only instance in which it was—that it was with the sanction of their parents. These few instances were sufficient to prove that the present rule was not without its fruits. He would only add on this subject that he had heard a rumour from Ireland that it was under the consideration of the Commissioners whether they would not introduce some change in the rule. All he could say was, that even a tardy repentance on their part would be, if not graceful, at least just, and the public would attribute it not to the Commissioners, but to the influence of his right hon. Friend the Chief Secretary for Ireland, who was accountable only for the last few months. The principle which ought to be carried into effect had been well stated in the letter of Lord Stanley, in which he said that—

> "It should be a system of education from which should be banished all suspicion of proselytism, and which, while admitting children of all religions, should not interfere with the peculiar tenets of any."

That principle had been recently admitted by Lord Russell, when he stated that it was the duty of the Government not to interfere with the religious belief of any. Now, there were two assumptions not altogether correct which were usually made in discussing this question. The one was that the population of Ireland was of mixed religions. That was quite true of the population generally, but it was not true that the population of each school district—which was the only thing that ought to be taken into account in this case—was generally mixed. There were school districts in the North of Ireland which were purely Presbyterian, and there were school districts in the South and West which were purely Roman Catholic, as regarded the religion of the inhabitants. The second erroneous assumption was this, that there should necessarily be in each school district only one State-supported school. Now if there was to be but one State school in those districts where the population was mixed, the school must be a neutral one, and in these places he freely admitted the necessity of the present system. But, on the other hand, there were two other cases which ought to be considered—one was the case of a district with only one religion, and for that there ought to be one school ; the other was the case of a district inhabited by a population of two or more religions, and in which there were two or more schools. There could be no difficulty in each religion having its own schools in districts where there were two schools and two religions, and in many parts of Ireland that was practically the system adopted at the present moment. In the school country parish of Louth, in the county of the same name, there were two National Schools : of one the parish priest was the patron, and the teachers were Catholics, and it was attended exclusively by Roman Catholics ; of the other, the rector was the patron, the teacher a Protestant, and all the pupils of the same religion. What, however, was the fact in regard to Dublin ? He knew that in one street of that capital there were two National Schools established. Upon one side of the street was a school in which the patron, the teachers, and the pupils, were all of the Protestant faith; whilst on the other side was a school in which the patron, teachers, and pupils all belonged to the Roman Catholic religion. He knew of schools in the South in which there had not been a Protestant pupil for the last thirty years. In the North of Ireland there were Presbyterian schools which no Roman Catholic child ever entered, and yet the teachers were supposed not to utter a word relating to the Scriptures except at a particular hour, because, forsooth, they might offend the Roman Catholics who were never to be found there! The same principle was required to be observed in convent schools, where numerous children were being taught by the nuns, in which there were none but Roman Catholics. And yet if the rule were rigidly applied the nuns themselves should be excluded from them. What he proposed was that in a district where the Commissioners knew that there was no religion but one the children of the school might, under proper restrictions, provided, of course, that it were not attended by pupils of other religions, be instructed in the principles of their own religion; and that in districts of mixed religion, where there were two or more schools, the same rule might be applied; but this proposal was, of course, subject to the understanding that the minority should not be left without a school which they could attend. To show that this denominational system was very prevalent, he might instance the case of Belfast, where there were twenty-two Roman Catholic schools, in nine of which there was not a single pupil of any other religion; and in the others minorities, varying from one to sixteen. The Presbyterians enjoyed the almost exclusive possession of eighty-eight schools, and the Church of England four, while the Dissenters also had their own schools, the patrons of which and the teachers belonged to the Protestant religion. Now what objection would there be to say to them that they might teach their children as they pleased, and to the members of the other denominations that there was a school across the street for them. The Presbyterians, if they chose, might have a mixed system, and so might other sects who preferred it. Belfast supplied an instance of the third case he had mentioned—namely, a district with a mixed population and only one school; and there the principle of neutrality on joint secular and separate religious teaching must be adopted, and that was in the workhouse. He might, perhaps, be asked where the practical grievance of the present system lay. Their grievance was that an ingenious string of rules, framed to prevent any allusion to religion except at a stated time in the day, intended to be applied to the mixed schools, was enforced most rigidly in schools that were not and never had been at all mixed. They were intended to be most rigidly enforced in the mixed schools, but they never were intended to be so enforced in Roman Catholic schools in districts where there were no Protestants. In one of these the inspector found a Roman Catholic catechism-book lying on a window during the time devoted to secular instruction, and the consequence was an inquiry and investigation and a correspondence, similar to that in the military department respecting a pair of bellows. Many Roman Catholics were in the habit of making the sign of the cross before they commenced prayers or work, and he had a bundle of correspondence that had passed with the Commissioners on that point. By the rules no religious exercise or instruction should be given, except at the proper time, and the question was whether if a child chose to bless itself it was a religious instruction or an exercise, or was it not an individual act? The result was that Roman Catholics were worried and harassed in every way. Now, he had the high authorities of two Churches in Ireland in favour of his proposition. One was all the Prelates of the Roman Catholic Church, who had memorialized the Government for an alteration of the rules, and the other was Dr. Trench, the Protestant Archbishop of Dublin, who had expressed himself strongly on the subject, and had in great detail advocated the plan he (Mr. O'Reilly) proposed, and pointed out that it would be of advantage to the Protestants in that country. The present system was not practically a mixed system of education, and the plan he advocated, if universally adopted, so far from increasing the present divisions and quarrels, would tend materially to diminish them. An incident had occurred in his presence in the Secretary's Office which he would relate. The clerk was remarking that in his (Mr. O'Reilly's) district there were very few mixed schools, when he observed that he knew a school which had one Protestant in it. The clerk immediately declared that he was delighted at having discovered another mixed school, and had the return altered accordingly. The only objections he had heard raised to what was called the principles of the proposed system were, first that it would destroy competition. His answer to that was, that no such competition existed; the Roman Catholics naturally went to the one school and the Protestants to the other. The second was that it would diminish the control of the Board, and prevent efficiency being insured. That, however, was not found to be the case in England. Again, it was said the Presbyterians had petitioned against the change; but he desired to point out that no one wished to enforce his plan upon others; all he asked was that whilst the Presbyterians retained their wishes in the matter of education, and carried them out, they should not force it on the members of other religions, or on the other three Provinces of Ireland which did not hold the same religious opinions. It was also asserted that the proposed change would lead to quarrelling; he contended that the present system gave rise to far more serious heartburnings than the proposed change would ever result in. The greater portion of the people of Ireland were Roman Catholics; the Government of England was essentially and necessarily Protestant; and the practical effect of these rules—he did not say the logical effect—was to lead the people to believe that the Government interfered harshly and offensively with their religious feelings, leading to a feeling of discontent which it was not to the interest of England to foster. The greatest and most serious complaint was the manner in which these rules and regulations affected the training schools; but he had refrained from saying anything upon that point because he had fully explained his views on that point before, and because he understood it was under the consideration of the Government. On former occasions when he had brought it forward the Government had given a decided refusal to consider it; but as he understood the Government were disposed now to consider it in deference to a memorial that had been presented to them, he thought it would be more respectful and courteous of him to remove it from the immediate consideration of the House, in the hope that Her Majesty's Government would step forward with some proposition which, if not such a one as he would have brought forward, would be one that might conciliate the opposition on both sides. On a former occasion he postponed his Motion because the Chancellor of the Exchequer informed him that a correspondence was then going on between the Government and the heads of the Roman Catholic Church on that subject. He was bound to say that the answer to the memorial gave little hope that the Government was disposed to meet the wishes of the Roman Catholics. The House would understand that the question of training schools, where the whole of the education took place, was quite different to that of the day schools, where only part of the education was given. The training schools took these young men and women from their homes, and from such religious training as they might receive there, and undertook the formation of their characters. It was impossible to leave out religion as an element in a complete education. The Roman Catholic Bishops had on many occasions formally resolved that none but a Catholic preceptor should give instruction in their training schools upon moral, religious, or historical subjects. And what were these training schools? The young men and women educated in them were instructed by professors and attended lectures on scientific subjects, but they were left at a most critical time in their life without any religious supervision; and this remark applied much more strongly to schoolmistresses. Such a system could not be satisfactory—not to mention particular scandals to which it had given rise, he would state its effect in respect of Fenianism. He did not say these training schools were hotbeds of Fenianism; but many of those superficially educated young men were connected with Fenianism, while several of the informers as to the movements of the conspirators had been teachers who had been carefully trained in the model schools. On the other hand the schools of the Christian Brothers contained about 30,000 pupils, but there was no evidence to show that any educated by them, with the exception of one very young lad who had left their schools at the age of eleven, had been implicated in the Fenian movement. In the central training school there was actually established a lodge of female Fenians, and one young woman sent out a large box of offerings from that school to the Chicago fair which was held in the interests of the Fenians. The result of the course now pursued was, that the Commissioners dared not enforce training in their central schools upon any but the highest class of teachers. A person might teach in the National Schools as long as he liked, and rise through the various gradations; but then the Commissioners stepped in and said, "You shall not qualify as a teacher of the first class unless you come up and spend so many months in the year in the Central Training School in Dublin." Now this the Roman Catholic teacher would not do; and hence first-rate teachers, who were of that religion, were deprived of their own promotion, and many in consequence left the country. The number of pupils in the model schools was gradually diminishing, and distrust in regard to them was generally entertained by Roman Catholics throughout the land. In this way the best teachers were gradually diminishing; indeed, many were being draughted over to England, because there they could rise to a higher rank than they could in their own country. He asked the House to return to the original rules for the prevention of proselytism, and to examine and test the pupils in whatever way was deemed necessary; but not to force upon the country schools which the people would not enter. This was a question which touched the whole Roman Catholic population of Ireland to the heart's core, for they were much more concerned with it than with a Bill for the extension of the franchise or re-distribution of seats. If justice and fair treatment were extended to Ireland in this matter it would do much to bind the people of the two countries together, and remove the bickerings and heartburnings which had so extensively prevailed. The hon. Member concluded by moving the appointment of a Select Committee.

The O'CONOR DON, in seconding the Motion, said, it was proposed that a Committee should be appointed, not to inquire whether certain principles should be adopted with regard to education in Ireland, but, admitting those principles, that a Committee should be appointed to inquire in what way they might best be carried out. The Motion divided itself into two parts. The object of the first was to give greater freedom of education in schools which were practically denominational; the second referred to the restoration of those rules of the National Board which were adopted as guarantees against anything like proselytism. His hon. Friend (Mr. O'Reilly) had laid down that the essential basis of the system in Ireland did not differ from that in England, but that difference in detail had arisen because the more mixed character of the population of Ireland rendered the establishment of the exact English system impracticable and inexpedient in that country. The system adopted in Ireland by no means excluded the idea of religious education; but, on account of the mixed population, it kept religious separate from secular instruction. It would therefore be no departure from the principle on which the system was founded to allow greater freedom of religious instruction in schools which were essentially denominational. As to the abrogation of the rule which was considered as a protection against proselytism, his hon. Friend had shown the effect of that abrogation in the fact that a number of children were receiving religious instruction under the National Board inconsistent with the faith of their parents, and he called on Government to restore the original rule, on the faith of which the system in Ireland was accepted. The abrogation of that rule was a direct breach of faith, and since its abrogation public confidence had gradually given way until the system had fallen into the greatest disrepute in Ireland. The alteration to which he alluded was not accidental, nor was it of a trifling character; it was of the whole root of the discontent; and if confidence were wished for the original rule must be restored. He wished also to make a few observations with regard to the model and training schools established in different parts of the country, which, he maintained, were not consistent with the original system established in Ireland by Lord Stanley, but were excrescences upon it. He would remind hon. Gentlemen who complained of the lavish expenditure of public money, that they annually voted over £35,000 for these training and model schools, and the expenditure for each pupil attending the model schools (excluding what were called infants from the calculation) amounted to £5 a head, while the amount per head in England was only about 16*s*. Another objection to these schools was, that they resulted in an assumption on the part of the State of the whole education of the people. Their teaching was not confined to the mere lower classes, but extended to persons whose parents could afford to pay for their education, and they therefore had a tendency to prevent the establishment of private educational institutions conducted on the voluntary principle; for it was impossible that a voluntary school could compete with a State-supported school, inasmuch as those who supported the voluntary schools would as ratepayers, in fact, be supporting both systems. He believed it would be a good thing if these schools were placed more under local influence, and were made to a certain extent more self-supporting. Several Motions on the subject under discussion had from time to time been submitted to the notice of the House, but those by whom they had been brought forward were informed that all their complaints against the National system of education in Ireland were answered by facts. No attempt was made to reply in detail to the objections raised, the sole argument of those who upheld the existing system as it stood being that its results were satisfactory. But in what, he would ask, had the schools in question been successful? A generation had grown up under their influence, and was that generation, he should like to know, more prosperous, more contented, or more loyal than those by which it was immediately preceded? If the answer was in the negative, then he must maintain that a system of education which had not produced better fruits could not fairly be set up as having completely secured the objects which it was intended to accomplish. When hon. Members talked of the enormous attendance of scholars at those schools, they seemed entirely to forget that that fact alone did not constitute an irrefutable argument in their favour. Under the existing state of things the people of Ireland were offered the alternative of no education at all, or the acceptance of that which they could get in the National Schools; and the fact that they chose the later alternative was simply a proof, not that they were satisfied with the present system, but that they preferred availing themselves of it to allowing their children to grow up in perfect ignorance. Neither his hon. Friend nor himself wished to overturn the National system of education in Ireland. What they desired was to make it more popular, and that result they believed would be best secured by a strict adherence to the original rules laid down by Lord Stanley, and by providing that in districts in which a population belonging exclusively to one denomination existed, harassing or religious instruction restrictions should be done away with. He had heard it stated that the people of Ireland were really in favour of the mixed system, and that the agitation against it was got up by interested persons; but that statement was fully disposed of by the piles of petitions which were year after year presented to that House, praying for an alteration in the state of things, as well as by the fact that not a single representative of any Irish constituency in which the popular element prevailed would say that he was a supporter, in its integrity, of that National system of education which some persons maintained was imbedded in the affections of the Irish people. In conclusion, he begged to impress upon the right hon. Gentleman the Chief Secretary for Ireland the necessity of distinctly stating what it was the Government proposed to do in reference to the subject, especially what they proposed to do in reference to the question of the training schools.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire what changes may, with advantage, be made in the system of National Education in Ireland, in order to allow greater freedom and fulness of religious teaching in schools attended by pupils of one religious denomination only, and to guard effectually against proselytism and protect the faith of the minority in mixed schools."—(*Mr. O'Reilly.*)

Mr. CHICHESTER FORTESCUE said, he confessed he had heard with considerable surprise his hon. Friend who had just spoken (The O'Conor Don) throw doubt on the good results of the system of National Education in Ireland. He seemed to treat it as a commonplace, scarcely worthy of being mentioned in debate, that the House had before it, in dealing with the present subject, a great existing scheme of popular education. For his own part, he must admit that he never listened to able and ingenious criticisms such as those which he had heard that evening—and he was far from saying that there was not considerable force in some of the observations which had been made—without having before his mind that which he regarded as one of the most important facts which could, under the circumstances, be kept in view, and that was that the House was not asked to deal with the problematical case of a system of education to be established, but with a system of primary popular education which flourished at the present moment, and which embraced within the schools connected with it in Ireland—he spoke of the ordinary primary schools as distinct from the model and all other schools —a number of children on the rolls not far short of 900,000. The system with which they had now to deal was—with many faults, no doubt, but as a matter of fact—carrying on the education of the great mass of the people of Ireland. If he thought the Motion of the hon. Member for Longford (Mr. O'Reilly) did not trench upon the fundamental principles on which the ordinary National Schools of Ireland rested, he should certainly have no objection to make to it. He was glad to hear from both the Mover and Seconder of the Motion that their intention was not to destroy but to improve the system. He accepted and hailed that declaration from his hon. Friends, which he conceived to be most valuable, and to hold out, as he hoped, some fair prospect of their being able at some not far-distant day to remove all well-founded objections that could be urged against the system. But could it be said that the Motion in none of its parts trenched upon the essence and foundation of that system, or upon the principles on which its stability and success might be deemed to depend? By the terms of the Motion his hon. Friend asked for greater fulness and freedom of religious teaching in certain schools which, as a matter of fact, contained children of one denomination only. These were attractive words, no doubt; but let them see what they meant. In the first place, they meant that in a large portion of the National Schools of Ireland all those restrictions and conditions which the State had imposed with respect to religious instruction should be totally withdrawn. That total withdrawal might, of course, come into play in either one of two ways. Every child attending the school might be required to submit itself to the religious instruction of that school, irrespective of its own religious creed; and that, he must say, was not the demand made by his hon. Friend. The other mode was that such schools should be rendered practically exclusive. His hon. Friend might say that that was not his intention; and that if one of those schools which to-day was purely denominational, containing children of only one denomination, should become to-morrow in any degree a mixed school, it might at once fall within the category of mixed schools, and be subject as such to the rules which were now and always had been provided for every National School in Ireland. But it was impossible to conceive such a state of things in practice. For his own part, at least, he felt the greatest difficulty when he attempted to conceive a hybrid condition of things such as that. He was at a loss to imagine how the course recommended by his hon. Friend would work. Practically, it seemed to him that it would be impossible every time that, in the strict definition of the term—and in these matters they were bound in common justice, even to the smallest minorities, to interpret "mixed school" in the strictest and narrowest sense of the term—it would, he said, be impossible to alter the rules of a National School every time that a Protestant or a Roman Catholic family, as the case might be, found its way into the neighbourhood of a school which was denominational yesterday, and might be mixed to-day; or again, when a family, as constantly happened, chose to transfer its children from some particular school, the instruction of which it did not approve, in order to send them—as, to the honour of Irish parents of the poorest class, they often would do—to the best schoolmaster they could find in the neighbourhood. But, more than that, without imputing blame to patrons, managers, or any one else connected with these schools, it was impossible not to see practically that, having once got rid of all restrictions upon the religious instruction of a school—restrictions which he considered to be of a very light and harmless character, but from which, as they knew from the Motion made that night, many persons desired to be relieved—care would undoubtedly be taken that the school, having once become denominational, should continue to be denominational. It would be impossible for the patrons and managers to resist the temptation they would be under to discourage the attendance at their school of children of a different creed when they knew that the entrance of perhaps one such child would alter its rules, and subject them at once to restrictions which they disapproved. The result, then, would be that, either avowedly or virtually, by rule or by practice, these schools would acquire the right of excluding children belonging to a religious denomination different from that of the patrons—of excluding them, that was to say, from the benefits of that secular education which that House had intended should be open to all comers in Ireland. He did not mean to deal at any length with the other point which he had just touched—namely, the imposition of one form of religious instruction upon all children applying for the secular advantages of the school. His hon. Friend did not make that claim. It was a claim which he was sorry to see still made by many members of his own Church, and he freely admitted it was one which was far more utterly opposed to the principles of the National system than the claim put forward by the Mover and Seconder of the present Motion. Those two hon. Gentlemen claimed greater freedom of religious teaching for children of their own creed; while those persons who made the other claim to which he had referred asked for greater freedom to impart religious instruction to the children of a different creed from their own. But in practice, under the system which his hon. Friends advised the House to adopt, either children of another persuasion would find their way, in their pursuit of knowledge and education, into these schools, and would therefore require the protection of those safeguards which the present rules threw around them, or else the schools would be rendered exclusively denominational, and the minorities in the districts where they existed would thus be deprived of the benefits which Parliament meant they should enjoy. Now he held that, under the circumstances of Ireland, the Government and Parliament would not be justified in providing schools, maintained almost entirely at the expense of the State, the doors of which should be shut in that way against any children offering themselves for education. And he need not remind the House or his hon. Friend that if there was one rule of the Board which was more fundamentally essential than another, it was this—that the religious instruction in every National School should be so arranged that each school should be open to children of all persuasions. Undoubtedly the rule suggested by his hon. Friend would be a direct infringement of that fundamental principle of the present system. But then let them look at the manner in which Protestants were scattered in small minorities—sometimes in mere handfuls—in almost every parish in the larger portion of Ireland, and also remember how many Roman Catholics were scattered over the greater part of the Protestant North. He would not dwell upon the facts which had been so often stated, as to the degree in which the system of National education in Ireland was mixed or not. On the one hand, he did not overrate the importance of those facts; nor, on the other, was he prepared to treat them in the spirit which some had exhibited. He would only allude to the case of Ulster, where it was well known that some 86 per cent of all the children were actually in mixed schools; and to the fact that in Ulster there were between 900 and 1,000 National Schools, in every one of which the minority, whether it was Protestant or Roman Catholic, was not less than 10 per cent, and ranged from that point up to 49 per cent. But the truth was, that all over Ireland these mixed schools, in the strict sense of the term, did exist to a very great extent. They were more than 50 per cent—he thought they were 54 per cent—of the whole number of National Schools in Ireland. Of course, the returns were shifting in their character from week to week and month to month, according to the entrance or departure of small minorities of the other creed. Another fact was, that the number of these mixed schools was increasing in Ireland. He would just mention the figures to the House. He found that in 1859 there were within the walls of mixed schools, in round numbers, 80,000 Protestants and 215,000 Roman Catholic children. In 1865 there were in mixed schools 103,000 Protestant and 240,000 Roman Catholic children. These were, he thought, significant facts; but he only used them for the purpose of showing that throughout a great part of Ireland there existed minorities so small as either to be totally incapable of providing schools for themselves, or only capable of providing small and bad schools. Then came the further question as to the restrictions of which his hon. Friend complained. If those conditions were of a very serious, onerous, and pressing character, he should refuse to defend them; but seeing what they were, he could not bring himself to believe that they were of so onerous a character, or in any degree so detrimental to the religious education of the children, as to demand the sacrifice of what he conceived to be the fundamental principle of the National system. It was in the power of the patron to give religious instruction before and after the secular instruction, and also at intermediate times. He had seen a good deal of the working of the National Schools, which were, in fact, the parish schools of the parish priest in his own part of Ireland, and they were, to a large extent, denominational schools. The hon. Member (Mr. (O'Reilly) smiled at that, but no one had any reason to be ashamed of the fact. In his view the non-vested schools were, in fact, denominational schools, but with an Irish conscience clause—a conscience clause that was practically adapted to the wants and necessities of Ireland. The patron was, in the majority of schools, the Roman Catholic priest or the Presbyterian minister, who looked to the religious instruction of the children, and he had a right to exclude every other form of religious instruction but his own, if he gave the minority freedom to obtain instruction from their pastor elsewhere. He appointed or dismissed the teachers to these semi-denominational schools, which were, as he had said, under the operation of an Irish conscience clause, such as was fit to deal with the jealousies, the fears, and the religious passions that unfortunately prevailed between Roman Catholics and Protestants in Ireland. Had these schools with their restrictions inflicted injury upon the faith and morals of the Roman Catholic population of Ireland? The present generation of Irishmen had for the most part passed through those schools. He spoke of Ireland as a whole, and no hon. Gentleman would stand up in that House and say that the present generation of the Irish peasantry, who had been brought up in the National Schools, would yield to the peasantry of any Roman Catholic country in the world for devotion to their Church or for purity of morals. Unless he could give stronger reasons than he had offered, he hoped that his hon. Friend would not ask the Government to give up these restrictions, and so to endanger the system of education in Ireland, or to surrender the conscience clause, and thus cover Ireland with schools that would either peril the faith of the children or exclude them altogether. He now came to the second part of the Motion, and which he admitted to be very important. It was directed against the state of facts known to exist in some parts of the North, where the school children of one religious communion were sometimes receiving religious instruction from the teachers of another religious communion. The facts, indeed, were greatly exaggerated. He had seen figures of a preposterous amount quoted. No doubt, however, there was a considerable number of children—mainly, but not exclusively, Roman Catholics—in the North of Ireland who were receiving religious instruction from teachers of another faith. That, he admitted, was not in accordance with the fundamental principles of the National system. That principle was united secular and separate religious instruction. In the case in question it was a system of united secular and religious instruction. That was a state of things never contemplated by the National system, and it was condemned alike by the authors of the system and by the Government. Such cases were exceptional, and could only be justified upon one understanding—that the children received this religious instruction by the wish and positive consent of their parents. He by no means asserted that in these cases proselytism was intended; but neither Protestant nor Roman Catholic children ought to be expected to receive religious instruction from the teachers of another creed, except by the express consent of the parent. That was an opinion he had long and strongly held; and the system described to-night, under which the teacher put a printed notice in the hand of a child the first time he came to the school, and it was supposed the parents consented to his receiving religious instruction, unless measures were taken by the parents to prevent it—that system was to his mind an illusory one, and one well deserving the consideration of the House. He was happy to state that the National Commissioners were *proprio motû* considering the present rule, and would endeavour to devise some means by which the professed objects of the rule might be more faithfully carried out; so that children might not attend religious instruction from a teacher of another faith, unless with the positive instead of the presumed consent of the parents. There was thus a fair prospect that the blot of the system to which the Motion of the hon. Gentleman pointed might be rectified and removed. He now came to the third point treated by his hon. Friend, which was of great importance; but a point of which no notice had been given by the terms of the Resolution. He referred to the model and training schools. His hon. Friend made some allusion to the fact that the answer of the Home Secretary to the letter of Archbishop Cullen and the Roman Catholic prelates was not satisfactory on that point. But his hon. Friend should recollect that the only suggestion made in the letter of the Roman Catholic prelates was that these model and training schools should be swept off the face of the earth altogether. It was therefore neither the time nor the opportunity for the Secretary of State to make suggestions for the amendment or the improvement of those institutions. He was far from saying that the Government were of opinion that the model and training schools, especially the model schools, of Ireland were in a satisfactory condition. It was impossible to shut their eyes to the fact that these schools were not performing all that had been hoped from them when they were first introduced, or to deny that the number of Roman Catholics in them had largely and steadily decreased. He defied any one to read the last Report of the Commissioners of National Education without being painfully struck by the opinion of the inspectors as to the deterioration of the teachers in some parts of Ireland, which had begun, and must be expected to increase. In many Roman Catholic schools that might be accounted for by the fact that they had not obtained the advantages of training in the central or training schools. He was not going into the causes. He took the facts as he found them, and he fully admitted that they constituted a very grave state of things, and one deserving to obtain, and which would obtain, the anxious consideration of the Government. He lamented the course taken by the heads of the Catholic Church in Ireland upon this subject; the Government could not entertain the proposal that the model schools should be swept away; but, for the reasons he had stated, they felt that these schools were not performing those functions, especially with regard to the Catholic body, which they were established to discharge. Many modifications, he had no doubt, might be made in them, in accordance with the principles of the National Board, and with advantage to the country. He had not treated this Motion so far as if it were one for a Committee, and his hon. Friend (Mr. O'Reilly) himself was very much the cause of that, for he very frankly told the House that he wanted no information, and he certainly showed that his stores of information were as ample as they were accurate. His object, then, was to raise a discussion and to discover the best mode of applying the information to the facts of the case. With respect to discussion, his hon. Friend had succeeded in raising it, and he had no doubt it would be continued in a satisfactory manner. With respect to the application of the information, he ventured to submit that that was rather a matter for Her Majesty's Government than for anybody else. He hoped, then, his hon. Friend would not insist upon a Committee to deal with so narrow a part of the subject. As to the second part of the Motion, he had said enough to show that it was at this moment under the consideration of the National Board, and he had no doubt before long the Government would receive the result of their deliberations. On the subject of the third part—not of the Motion, but the speech of his hon. Friend—he (Mr. Fortescue) had frankly admitted that there were circumstances connected with the model schools which deserved to receive the anxious consideration of the Government. Under these circumstances, he hoped his hon. Friend would not force the House to a division, which he would probably see would be both inopportune and premature.

MR. WHITESIDE said, the Motion which had been made by the hon. Member for Longford (Mr. O'Reilly) had been brought forward with great temper and ability; but the defect of his speech and Motion was that he left wholly untouched an important part of the inquiry—namely, the secular part of the system. That question the hon. Gentleman had judiciously and wisely for the present left wholly in the back ground. The subject of education had received the attention of all good and wise men in this country some time back. The hon. Gentleman had professed to give a short account of the mode in which education was conducted in Ireland. Nothing could be worse, and in that all were agreed, than the hedge schools which prevailed in Ireland at the end of the last century. Shortly after the rebellion of 1798 an attempt was made, and very successfully, by the Church to which he belonged to remedy this state of things by establishing a system of Sunday-school teaching. Subsequently a better and larger experiment was made by a body which was known as "the Kildare Place Society," and which the hon. and gallant Gentleman might have stated met at first with the entire approval of his Church. The hon. and gallant Gentleman ought to have recollected that Mr. O'Connell attended at the Society and approved its principles—principles upon which it still rested, for he stated—and his speech was preserved by the Society, and hon. Gentlemen would do well to read it—that the system was a tolerant one, and that it would enable Christians of all denominations, particularly Roman Catholics and Protestants in Ireland, to meet in the same school upon the common ground of reading the Scriptures. The Douay version—and a very good version it was—was that which the Roman Catholic pupils were permitted to read. Well, 200,000 children attended the schools of the Society, and if any one would read the reports of Sir Frankland Lewis, he would find a great number of letters from Bishops of the Church of Rome approving the system. It was, however, in due time attacked. Everything in Ireland at one time or other was attacked. A thing grows up and becomes popular; but after a little time it is found to have some vice which had escaped the notice of wise and good men for a long time, and then it is overthrown, and another thing established which in due season will be pronounced more vicious than the system which preceded it. They were all agreed that National education ought to be encouraged, but the principle upon which it was to be conducted had been the subject in dispute. Was it to be secular education exclusively, or religious mixed with secular education. And which was to be preferred? The Church of England had fallen into the blunder—if blunder it was—of saying that the Book of Revelations was to be taken first, and afterwards the Book of Nature. The case which he had to bring forward was that of a real grievance, and though the hon. and gallant Gentleman was very clever and very plausible, his grievances were not very deep; at the same time, the hon. Gentleman had a right to submit those grievances to the House; and, as far as he could collect any meaning from the peculiar official phrases they had heard from the Treasury Bench, the Chief Secretary was willing in some way or other to consider at least two of them. The hon. and gallant Gentleman said that we must revert to the system of Lord Stanley. Now, he ventured to say that Lord Derby would be the very first man to deny the application of that system to the present state of things in Ireland. He heard Archbishop Whately say that he would never have been a party to that system in Ireland only that there was to be a certain amount of religious education connected with it; and, accordingly, as the hon. and gallant Gentleman knew very well, there were Scripture lessons, and the evidences of Christianity, and a hymn-book which Sir John Young used to read to the House—but that had gone out of date now—all under the sanction of the Board for use in the schools. Archbishop Murray and other eminent ecclesiastics of the Catholic Church approved these things. Everyone who objected to the system now attacked the model schools, the fact being that they were the only schools which preserved the plan of Lord Stanley, and which were frequented by a large number of Protestants. For a long time these schools had been popular in Ireland. They were "vested" schools—vested in the Board. The great blunder which had led to all the confusion was in allowing non-vested schools under individual patrons, for then the happy state of things referred to by the hon. Gentleman arose—namely, the patron might give any religious instruction he chose, or none at all. That system had been described by Mr. Warren, a gentleman of the Bar in Ireland, in a pamphlet, in which he said that the rules of the National Board were negative, permissive, prohibitory, and that the system did not provide any religious instruction in any school. He added that the rules required freedom of religious instruction before and after school hours, but did not oblige the school to provide it; and that the system of non-vested schools excluded any and all kinds of religious instruction, and that without reference to the wishes of the parents or of the clergy. Notwithstanding the absurdity of the idea for a politician, the hon. Gentleman opposite seemed to think he was about to convert the clergy of Christian Churches to approval of schools from which the patron might exclude "any and all kinds of religious instruction." The allowance of non-vested schools established a principle opposed to that on which Lord Stanley rested the National system, and led to certain consequences. It was originally contemplated that the clergyman and the priest might co-operate in the management of the same school. He had read of a case in which this arrangement gave the Board more trouble in composing the differences of the two than the management of a thousand schools. On this ground joint management had ceased entirely, and the truth was accurately stated when it was said that the 3,000 schools were presided over by as many priests. He did not complain of this, but it was right that the House should know the fact. It would be difficult, under these circumstances, to find out the grievances of the parish priests, who nominated the master and mistresses and superintended the religious instruction. He agreed with the right hon. Gentleman that practically those schools were exclusive, or, as he called them, denominational schools, and to the extent that they existed they had changed the system. The monastic or convent schools were introduced into the National system as a tribute of respect to the religious principle that that might be done which it was pretended was not done; and there was nothing more offensive to a lover of truth than to do that indirectly which you were forbidden to do directly. As to the exclusion of symbols, the nun was the most complete symbol and the proof of the exclusiveness of the school. Protestants were not deceived in the least; they did not enter such a school. Roman Catholics stated that they preferred such schools, because they got there religious instruction, and they liked the instruction of the ladies. Although he did not approve monasteries and convents, he could understand and respect the principle. The reason, then, why the model schools were not so popular as they had been was that the Board, with an incomprehensible fatuity, had established in each district where there was a model school a convent school. The priest said, "That is what I want; I am for religious education;" and the people went with him; and at his behest, as soon as the convent school was ready, the model school was emptied of scholars. And then it was said, "How is it possible for these model schools to exist? they have become unpopular in the country." The Board had established inconsistent schools side by side, and then they affected great surprise that the people acted according to their judgment. The Reports of the Inspectors showed that the model schools were everywhere suffering from the opposition of the Catholic clergy and rivalry of the model schools. Every Member of the Ministry ought to read the Report of Mr. Sheridan, one of the inspectors, which was not published for some time, but was at length produced on the Motion of the hon. and learned Member for Belfast. In speaking of these convent schools, Mr. Sheridan said, that the teachers very seldom had any opportunity of obtaining a technical training, either before or after they made a religious profession; and hence, although they were well educated generally, he apprehended that many of them had but a limited acquaintance with improved methods of teaching and school organization. With candour and fairness he added that these teachers were impatient of the competition of a rival school; that in many of the smaller towns no female schools except those connected with convents were to be found, and that in some towns in which there were monks' school as well as nuns' schools, the ordinary male National School had been proscribed. Mr. Sheridan observed that the teachers were actuated by good motives—they had faith in themselves, believed their own schools the best adapted for the training of youth, and therefore thought they were justified in using their influence to remove all other schools out of their way. Mr. Sheridan denounced such a policy as intolerant, and said that like every intolerant policy, the evils it gave rise to were more than sufficient to counter-balance the good it was expected to effect. Mr. Sheridan summed up by saying that the schools in most cases were crowded to excess, and that as the inevitable result, the rate of progress was extremely slow, a child very rarely reaching the upper class before completing his school course. He stated that there were ample funds for all persons in the country to receive a share, but that the most curious and remarkable feature was that only 18 or 19 per cent of all the pupils attending the National Schools ever reached the higher classes, and he hoped that the Commissioners would take such steps as would lead to a radical change in the course and system of instruction at present adopted. Some of the Reports of the sub-inspectors were of an equally unsatisfactory character. The Board having established convent schools, the next thing that happened was an application for a large body of monitors of their own selection, which would have got rid of the training schools at once; and though the right hon. Baronet the Member for Tamworth (Sir Robert Peel) reminded the Commissioners that they had no power to alter fundamental rules of the system of National education without the consent of the Lord Lieutenant, he was answered in a long letter, and apparently put down. Hosts of protests were sent up against the convent schools as directly contrary to the system on which National education rested, and as likely, if persevered in, to be the death-blow to that system, and he believed it was admitted that the object of these schools had been fully realized. The present Secretary for the Colonies (Mr. Cardwell), when Chief Secretary for Ireland, in writing to the late Primate, laid down, as the only principle applicable to Ireland, that the education given in schools deriving assistance from the State must be of so comprehensive a character as not to exclude pupils belonging to any religious communion; but surely no one could pretend that the convent and monastic schools described by Mr. Sheridan, and founded in deference to the religious principle prevailing in the Roman Catholic Church, were of this character. Roman Catholics, indeed, were too candid to make any such representation. He was not authorized to express the views of any particular body in this matter, but he conscientiously believed that the attempt to maintain the system as it now stood was most unwise, and he would state his reasons for that opinion. Much had been made of the alleged grievances of the Roman Catholics, but the substantial grievances of the Church of England in respect to education were passed by unnoticed, and he believed would never be redressed unless through the intervention of Parliament. The principle with which they started was that the Scriptures should be used in the parish schools, though not with any intention of proselytizing. The Douay version was allowed for Roman Catholic pupils, and it could hardly be alleged that the reading of this was likely to make them less attached to their religion. It being held, however, that the use of the Scriptures was altogether forbidden, some of the clergy were willing to assent to a modification of their original principle, and inquired whether they would be allowed to make an incidental reference to Christianity in the course of the day. That was certainly a very modest request, and Lord Carlisle, then Lord Lieutenant, acknowledged the receipt of their communication very courteously. The Commissioners, however, decided that it was impossible to allow even an incidental reference to the Word of God. Then it was asked whether, if a question arose which required to be solved by reference to the rule of faith contained in the Scriptures, a master might correct a pupil by reference to that standard; and the answer was that it was impossible—that such a practice would be a departure from the rules. Zoroaster, or anything else might be alluded to during the day, but the New Testament was a forbidden book. In the ragged schools they began by teaching the children, "Thou shalt not steal," but the National Board would not tolerate such a thing, because it involved a reference to Christianity. ["No, no!"] He maintained that such was the case, and would tell the gentlemen who entertained the notion, that they could convert the Church of England to such views that it would be as reasonable to suppose that the Chief Secretary for Ireland could take St. Paul's in his hand and drop it in Pimlico. In reality no such thing existed in Ireland as mixed education. About three years ago a Return was made to Parliament showing that there were 5,496 schools in Ireland, 2,598 of which did not even make a pretence of imparting mixed education. Of the 2,898 which remained, there were 478 in which the minimum attendance of Protestants was one in each. But the House should remember that according to Mr. Ferguson's report, of 105 children on the rolls only 49 attended the schools, and he asked them how much of Protestanism had they with the chance of the 49th part of one Protestant attending them. Then there were 385 schools in which the minority of Catholics or Protestants, as the case might be, consisted of two; 281 schools in which there were three Protestants; 210 in which there were four Protestants; and 164 in which there were five Protestants. In a very large number of these schools, therefore, it was obvious that there could be no mixed education at all. Did his right hon. Friend think there was any such thing as mixed education in Dublin? Why, in one street in that city there were two schools—one Church of England and the other Roman Catholic. In the Church of England school the Scriptures were read. He did not know what was done in the Roman Catholic school, but he supposed they did what they liked. He thought it quite right that the State should insist on getting value for the money it voted, and should see that a good secular education was imparted, the religious element being left free. At one time he had intended to submit to the House a Resolution to the effect that the Board for the management of National Education in Ireland, consisting of twenty Commissioners, was inconveniently large for the despatch of business, and calculated to cause disputes and delays; that the said Board should consist of a limited number of paid Commissioners, with administrative functions only, to conduct the secular system of National education in Ireland in conformity with the prescribed rules, and to impart its advantages to all denominations without distinction, and that the said Commissioners should not interfere with the religious instruction to be given in the schools. He saw no way of getting out of the difficulty, unless the secular system were brought up to the highest degree of pefection. It might be asked how Churchmen got on with their schools. He would quote the last report of the Church Education Society. Their grievance was that they were taxed for the National system of education while none of their schools received the slightest assistance from the Board. While the convent schools were paid for their exclusive system of instruction the Church of England schools derived no assistance whatever—not even books or school requisites—from the National Board, and were not even under inspection, because they read the Scriptures in them. Well the report in question stated that none of the teachers or persons connected with the society had been mixed up in the Fenian conspiracy, they having acted upon the principle of "Fear God, honour the King." If those words were inscribed in any National School it would not be entitled to a farthing. The schools of the Society had diminished, but still they were 1,498 in number. The number of children was 68,856, of whom 47,397 belonged to the Established Church, 12,773 Dissenters, and 8,686 Roman Catholics. A decrease had taken place in the number of Roman Catholic children, while the children of Dissenters had increased in number. The funds during the year amounted to £45,155 12*s.* 6*d.* Upon what ground, he asked, could Christian men refuse to assist those who were really working in the cause of education? Earl Granville had once proposed in the other House of Parliament to give to the Church of England schools, not money, but school requisities, books, and inspection. Afterwards, however, the noble Lord repented of his liberality, and excluded the Church schools from State assistance. Looking at the manner in which the system of National education established by Mr. Stanley had been departed from, he submitted to the wisdom of the House that the real question before it was not the narrow subject touched on by the Motion of the hon. Gentleman, but the subject of National education in Ireland generally; and although the present system had conferred some benefits as a secular system, these might have been rendered far more effectual for the promotion of the great ends of true education if its administration had been more wisely and beneficially directed.

Mr. GREGORY said, he was surprised at the first objection raised by so good a Liberal as Mr. Fortescue, to the proposal of Mr. O'Reilly. The right hon. Gentleman said that the present system of National education was not a new thing, that it had been in operation for many years, and that there would be difficulties in altering it. The right hon. Gentleman might perhaps have remembered that National education was a contemporary of the Reform Bill, that their early days were passed together; when, therefore, he was prepared to swallow changes in the Constitution, no doubt very salutary, it was strange that he should strain at changes in the present system of National education, which would be salutary also. He (Mr. Gregory) would take no account of the first objection, but he came to another far more formidable, and that was the difficulty of dealing with schools in localities where one or two children might be of a faith differing from the majority, and yet who on that account should not be deprived of education. The right hon. Gentleman instanced the case of the few Protestants who were scattered about in the different counties of the South and West and middle of Ireland. But while the Chief Secretary was using these words, he (Mr. Gregory) was handed by the Member for Roscommon (The O'Conor Don) the charge of the Archbishop of Dublin, in which the Primate particularly alludes to and meets that difficulty. He says, as the Protestants in Ireland have hitherto supported their own schools by private liberality, so would they provide for any such cases as those referred to, because then they would be enjoying State assistance while giving religious education. He (Mr. Gregory) would venture to say that in similar cases in the North of Ireland the Roman Catholics would equally be able to provide for the instruction of their children in those rare cases where there was not room for two schools of different denominations. While referring to the Archbishop of Dublin's charge, he might remark that during the last seven or eight years a considerable change has taken place in the position which the subject of National education occupied in Ireland. Up to a recent period the great bulk of the Irish Protestant clergy were adverse to the system. The petitions against it were originally from the clergy and those who were influenced by them; the attacks on the system emanated from the Protestant press, and the Members of the Dublin University, who may be called *par excellence* the representatives of the Established Protestant Church, denounced it in the House. Now, however, a great change has taken place. The late Primate of Ireland signified his adhesion to it, and a great body of the clergy of the Established Church have followed his example. On the other hand, a vigorous agitation against it and in favour of the denominational system had sprung up on the part of those who originally adopted and upheld the National system, as based upon the celebrated letter of Mr. Stanley. He referred to the Roman Catholic episcopacy and clergy. Now, as those who originally accepted the system have become its antagonists, and as many of those who before opposed it have abandoned their resistance, he thought it by far the most proper and statesmanlike course not to impute improper motives to either party, but to see if anything had occurred which had created this somewhat strange shifting of opinion. It was his intention to have referred at some little length to the changes that had sprung up in the system since Mr. Stanley's letter—changes by-the-bye strongly condemned by Lord Derby himself, whom he should personally call as a witness into court. He was happy, however, to say that his hon. and gallant Friend (Mr. O'Reilly) had so clearly and forcibly put these points before them, that he was spared the necessity of inflicting more than a few remarks upon the House. He (Mr. Gregory) begged so far to go over the ground again as to trace succinctly, and in a few sentences, the changes which have occurred since Mr. Stanley's letter of 1831. Mr. Stanley's letter was to this effect—

> "That the school should be kept open for a certain number of hours on four or five days of the week for moral and literary instruction only, and that the remaining one or two days in the week be set apart for giving separately such religious instruction to the children as may be approved of by the clergy of their respective persuasions."

The system was thus started by a distinct pledge that religious instruction should be given, and given separately, to the children of different creeds. Now, let them mark the gradual departures from that pledge:—In 1833, no child was allowed to continue in the school except such as was directed by his parent to remain. In 1835, the Board acceded to the request of the Presbyterians, and permitted religious instruction to be given every day "either before or after the ordinary school hours." In 1838, a course of religious instruction was allowed during school hours, but no child was to be present whose parent objected. In 1840, children were to remain unless directed by their parents not to remain. In 1855, the principle of non-exclusion became thoroughly recognized. Not only that, but religious teaching is no longer an essential part of the system; a school devoid of any religious instruction may receive aid from the Board. The patron is not bound any longer to provide for the religious education of all the pupils of his school. He may select one form for his exclusive patronage. He may prohibit any religious teaching not in accordance with his own views. No wonder Lord Derby was indignant at the changes effected in his great work, in its main features being so altered, and he thus expressed himself in March, 1858—

> "I regret that in so large a portion of the schools support has been given to the arguments of those opposed to them," (namely, Protestants,) "and that, in fact, in the great bulk of the schools, contrary to the intention of those who originally proposed the system, there is not only no religious instruction given, but no facilities even for separate religious instruction by the ministers of different persuasions out of school hours."

In fact, the system was burdened with complaints on all sides. It might be assailed on the most conflicting grounds. As a system in which the religion of the pupil may be tampered with—as a system in which children may be brought up without the slightest fear of God, or knowledge of his law. Let him (Mr. Gregory) deal for one moment with the first case. Children may now remain during religious instruction unless directed by their parents to absent themselves. But religious instruction may now be given every day and at any hour, and what were these poor children to do during that time—were they to sit down by the roadside in snow, and rain, and cold? Certainly not. They would remain in school—in a warm room—and listen to instruction in a faith which was not theirs. The Commissioners are now satisfied if on the child's first attendance a notice is handed to him by the manager to apprize the parent that his child is attending religious instruction in a creed differing from his own. Possibly the parent is indifferent to the notice, and the child continues to attend this religious instruction; possibly the parent desires him to absent himself, but cold and wet are present to him, and are stronger than the injunction of the parent who is absent. Thence comes disobedience and evasion. In 1862, 16,000 children of Ulster were served with this notice. Now, is it wonderful that Roman Catholics are suspicious of this system when they remark these various changes arising out of it—all of them, as they believe, essentially insidious and leading to the subversion of the religion of the pupils—when they see temptations offered to children to induce them to acquiesce in a teaching differing from, nay, even hostile to their own? He had shown the number of cases of Roman Catholic children attending National Schools of Presbyterian or Church of England patrons in Ulster. He had now to speak of inducements and temptations held out to children. There was an investigation held on the proceedings of a National School, Belfast. The Report stated that from 1849 to 1855

> "Clothing was supplied, but breakfast, dinner, and supper was denied to those who absented themselves from religious instruction, illness alone being considered a sufficient apology for absence."

This instruction, be it remembered, was given exclusively by Presbyterian teachers. Formerly the objections of a parent, whether Roman Catholic or Protestant, was sufficient to remove from the hours of combined instruction any religious book which he deemed pernicious to the faith of his child, but in 1853 the rule was altered, and now extracts and sacred poetry cannot be removed as a portion of combined instruction so long as a solitary pupil does not object to read them. Let the House now see what some of the most influential clergymen of the Church of England think of all this. Archdeacon Stopford thus expressed himself—

> "The Board has ever since their establishment laboured under the difficulty entailed on them by Lord Stanley's letter. Public opinion and experience have led them to a gradual though unavowed and incomplete correction of the original letter for which they have not obtained due credit."

In referring to the change of the rule whereby non-compulsion instead of exclusion was sanctioned, Archdeacon Stopford advised the Protestant clergy of Moate to adopt the National system. He says—

> "I counsel you to connect your schools with a system which has achieved its present form through a course of silent changes."

And now the House should hear the fruits of these silent changes, as described by two Protestant clergymen, whose opinions are entitled to much weight from the prominent part they have taken in this controversy. Dean Kennedy says—

> "In my schools there are Roman Catholics receiving a greater amount of Scriptural education through the means of the secular books of the National Board and the Scripture lessons, than in any Church Education School that I know. This is my deliberate conviction. I think the principles of the National Board are the principles of the Reformation."

He (Mr. Gregory) might say that however excellent these principles of the Reformation might be, they were not exactly the principles in which four-fifths of the Irish people, if they had their own way, would wish to be instructed. The next witness, the Rev. F. F. Trench, exhorts the Protestant clergy to join the Board on these grounds, and pretty strong grounds they were—

> "I say that in the compact to have those points taught in schools upon which Protestants and Romanists agree, the Protestant has decidedly the advantage, and the patron can teach Protestantism to every child in the schools. I am of opinion that the patron might even pledge himself underhand, and state that he will let Romanism alone during certain hours of the day, so far as refraining from controversial teaching can be considered as letting Romanism alone; but, in my judgment, if a Christian Minister educates Roman Catholic children on the points upon which Protestants and Catholics are agreed, which he may do, at all hours, he is very far from letting Romanism alone."

He (Mr. Gregory) wondered if these were the incidental allusions to Christianity, the deprivation of using which seemed to have wrung so deeply the bosom of the right hon. and learned Member (Mr. Whiteside) who had just spoken. Such extracts as these were alone sufficient to condemn the system in the eyes of every man of common fairness. Could they then wonder that men's feelings in Ireland were outraged, their consciences shocked, and the old soreness and suspicion against English legislation was fostered and maintained by the insistance on a system so handled, a system which, by the enormous grant of public money, beat down all before it, and became a weapon of such power in the hands of those who wielded it? Let the House now see the way a Roman Catholic Prelate had dealt with this system when it was introduced, and he (Mr. Gregory) thought that was the true spirit in which any combined education should be managed. Dr. Doyle, the Catholic Bishop of Kildare, had issued instructions to his clergy on this point, in which he says—

> "Whenever Protestant children attend let them not share in the duties of prayer or religious instruction unless at their own desire, sanctioned expressly by their parents; and when the number of such children shall be at all considerable the committee, if required, shall afford time and place for religious instruction being imparted to them by a person of their own communion, and in the manner prescribed by their own pastors."

He (Mr. Gregory) had now said enough to show briefly some of the points which grated on the feelings of and offended those who spoke with authority on the subject of that education which was offered by the State to the children of the mass of the Irish people. He would now address himself to the great objections which were entertained alike by the majority and the minority, by the Protestant as well as by the Catholic, and that was the total absence of all religious teaching, which might be and was in many instances the characteristic of the system. The real charge against it was not that of proselytism, it was that of absolute indifference to all doctrinal teaching and distinctions; nay more, and far more, of absolute indifference to all religious teaching whatsoever. Hence came not conversions to the Church of England, or to the Church of Rome, but hence came a gradual, insensible, but certain drifting into practical infidelity. The hon. Member for Longford (Mr. O'Reilly) said rightly enough that the fruit of all this was Fenianism. That was what the clergy of both creeds dreaded and deplored—that was the blot on the system. It was perfectly useless to throw to him as an unanswerable reply, the success of the system. He did not accept the argument. The fact of there being hundreds of thousands of children in the schools proved nothing. He (Mr. Gregory) did not even assert that there would be one child more instructed in Ireland under the Board if the system was altered. Education in Ireland was a State monopoly; it was like the railways, one must travel by it or not at all. Now, no power on earth can at present restrain the Irish people from education. The days had passed when they were content to be a nation of Gibeonites, hewers of wood and drawers of water; they had now entered the arena—they had contended with the same arms as Englishmen, and those who competed with them had no great cause for triumph. Now he (Mr. Gregory) said they had no right to use this immense monopoly in a way that offended the convictions and which ran counter to the authority of those who had of all men a right to be heard on this subject. He meant the Ministers of both creeds. It may be said we deny the right of any clergy to arrogate to themselves any species of interference or superintendence in the education of the country. That was another question. He was not going to argue on that point now. It was quite sufficient to show that that claim had been recognized and acted on in England and proclaimed aloud by the heads of the two great parties. He would quote the words of the leader of the Tory party, Mr. Disraeli, at Oxford, in October, 1860. He says—

> "If I am to consider what are the means by which the nationality of a church is to be asserted, I say, in the first place, it is hardly necessary to affirm that the church should educate the people."

Mr. Henley, in a debate last year, laid down distinctly that dogmatic teaching was an essential in all education; the present Member for Oxford University (Mr. Gathorne Hardy) followed, and asserted that no education would be right without doctrinal teaching, and the Chancellor of the Exchequer insisted that denominational instruction was the principle on which the whole fabric of English education rested. The claims, then, of the clergy in England are recognized—in Ireland they are ignored. That mode of teaching which is thought essential for the young hearts and minds of England, is thought non-essential for the young hearts and minds of Ireland. Those impressions of reverence, faith, obedience, and religious duty, which are deemed necessary for a comparatively sober, calm, matter-of-fact race, are deemed unnecessary for a race quick, susceptible, ardent, imaginative, ready for good, but ready also for evil impulse. He would ask, did they think early religious teaching and restraint to be nothing in the training of such a race as this? Professor Butt, in his able pamphlet on freedom of education, makes this most pertinent remark—

> "It seems an anomaly that a man who desires to found a school in which the children should be educated in the principles of their religious faith, should from that very fact be denied all State assistance. In England it is different—religious instruction is interwoven with the whole system of education. That which in England is made an indispensable condition of assistance, is treated in Ireland as a disqualification. The system which England has deliberately chosen as the best for her own people is denied to Ireland, or rather in Ireland is reversed. In a united kingdom religious freedom in education is regarded as a privi-

lege which only one part of that kingdom is to enjoy."

And all this is done to keep up what was the merest myth of united education. He called it the myth, because it was notorious that in not more than a few counties in all Ireland was there to be found the semblance of this united education. In Ulster, no doubt, there were mixed schools, but with what result? Why that 16,000 notices were served on parents in Ulster, warning them that their children were attending the teaching of doctrines not their own. It might be said that the clergyman could teach them at certain hours, but that was not enough. He (Mr. Gregory) claimed for the Irish that constant and distinct teaching which Mr. Gladstone, Mr. Hardy, and Mr. Disraeli claimed for Englishmen. He contended that education in Ireland was carried on under the most vexatious supervision of a moral excise, a constant and harassing vigilance against contraband religious teaching. He would again appeal to them in the admirable words of Mr. Butt—

> "Such a system is just as destructive of all hearty earnestness. What nun can really feel her interest in her school not abated when she dares not speak at all times to her favourite pupil of the subjects that are most to her heart? What Protestant clergyman will be as zealous in his visits to a school in which if a boy asked him a question outside the house of religious instruction he must take care that his answer is one which will not appeal to any Protestant feeling in his heart."

Now he (Mr. Gregory) would ask the House to bear with him for five minutes, and to hear what was going on in two Protestant States, where education was more widely spread than in any other countries in the world; he referred to Prussia and Holland. He was almost using the words of a gentleman who devoted last autumn to inquire into the religious and educational systems prevalent in Germany and Holland—the accuracy of all facts stated as regards Prussia may be relied on, as they were derived from Doctor Engel, Director of the Statistical Department of the Ministry for Public Worship and Instruction at Berlin. The State in Prussia insists that every child shall be educated, leaving the mode at the option of the parent. If the parent cannot and does not educate properly at home, he is obliged, at the completion of their fifth year, to send his children to an elementary school. They remain there till they have completed their fourteenth year, but if sufficiently advanced in reading, writing, and knowledge of religion, the clergyman and teacher are permitted, after his fourteenth year, to dispense with the future attendance of the pupil. Neglect to have children duly educated is punished by fine and imprisonment. The poorest children are paid for entirely out of the parish rates, and those better off subscribe. Every manufacturer employing children is bound to maintain a school for them, and in factories children attend school in the evening, but then there are also Sunday schools, and inspectors are appointed to see that there is no evasion, which is punished by fine and imprisonment. Every parish must have its school and schoolmaster, and is left to manage the details. If a new school is to be established the parish authorities, elected by the householders, decide as to what description it is to be. According to the religious denomination of the parishioners it is Evangelical, Roman Catholic, or mixed. If there be a sufficient number of both sects then two schools are established, If the district be too poor to support two schools all children attend secular instruction, but the master imparts religious instruction solely to those of his own faith, and the other children absent themselves while this is going on, and their clergyman undertakes the duty of instructing them. In no case does a Protestant child attend the instruction given to the Roman Catholic, or *vice versâ*. The question whether the school is to be mixed or separate is left entirely to the parishioners. That is decided by the majority. Should the minority be dissatisfied they have only to contribute for the support of a schoolhouse and teacher, and they are not called on to subscribe to the other school. These efforts to obtain complete religious freedom have been crowned with success. The system at first met with opposition. Now it is the subject of universal pride and satisfaction. The Roman Catholic clergy of Prussia are stricter even than in Ireland. Those books which Archbishop Murray approved of would not be tolerated there. The greatest jealousy is evinced at any attempt being made to entrust the teaching of a child on any subject connected with religion to any but a minister or a member of it. No religious instruction, however small and unimportant, would be permitted to be imparted by a minister or teacher of a different faith, and this feeling animates both Evangelicals and Roman Catholics. Now, as to teachers, it will be seen that in Prussia the normal schools which have caused such deep dissatisfaction in Ireland are of a very different character. There are in Prussia normal or training colleges, no less than five or six in each province, established expressly for the training of teachers. The young men purporting to become schoolmasters, after passing through the primary and upper public schools, enter the normal colleges at eighteen, and remain there two or three years. Having gone through several examinations by the masters of the school and the Public Board of Examiners, they get their diploma, which enables them to accept the situation of teacher. This education is all but gratuitous, the cost being defrayed by the State. Some of the normal colleges are for Protestants, some for Roman Catholics —but while all are under civil surveillance so far as testing proficiency goes, the heads are generally ecclesiastic, it having been found that these institutions should have a religious character. The result of this system is this — an admirable education pervading the whole community, only two out of 100 not being able to read, write, and cipher, and a thorough and cordial acceptance of it by every religious denomination. Now, if he turned to Holland, he found that the changes that have taken place in the educational system of that country are very remarkable, and illustrate our present position in Ireland. Education in Holland is not compulsory—it is mixed and purely secular—no religious instruction whatever is imparted. This exclusion of religious instruction dates only from 1857. Before that it was attempted to give combined secular and religious instruction, it having been imparted on those points on which both Churches, Roman Catholic and Protestant, were supposed to agree, terminating only when their respective doctrines oppose. "This failed," as well it might, "to give satisfaction to either sect." Those who favoured the present system think that bringing together children of all creeds establishes a friendly feeling and diminishes religious differences. The same arguments which are used in Ireland—namely, the large number of attendants at the schools—is instanced as a proof of the popularity of the system. These are the opinions of the few. On the other hand, the great majority and the almost unanimous feeling of the ministers of both religions is opposed to the present system, and the great number of children attending private, or, as they are called, "Christian schools," is instanced as a proof of their dislike to "Godless education." A large and constantly increasing body of malcontents are endeavouring to procure the overthrow of the present system; and Protestant and Catholic, so seldom united, join heartily in this. A very different state of things is thus prevalent in Holland from that thorough unanimity which prevails in Prussia. His (Mr. Gregory's) informant says—

> "It would appear as if Holland and Ireland were on a par as regards the system of National education. Intended to reconcile both religions to a common system, that introduced may be said to have obtained their united disapprobation; and while we behold in Prussia a success almost incredible, after witnessing the results of other efforts for a like purpose, it is impossible not to be forced to the conclusion that any purely secular system would infallibly excite the hostility of those who wish their children to be brought up and instructed in the tenets of the faith which they themselves profess."

Now, the Chief Secretary had said that this subject was full of difficulties, but the object of this Motion was to investigate these very difficulties, and to pave the way to their solution. He (Mr. Gregory) felt convinced that a system which was only a few years ago repudiated by the mass of the clergy of the Church of England, which was now objected to by the great body of the clergy of the Church of Rome, at least deserved inquiry. But he confessed that he could not conceive why, with the path clear before our feet, we could not walk in it. Why, with the example of Prussia to point the way, we might not strive to attain that blessed unanimity and concord which Prussia has attained. He took the concessions offered by the Chief Secretary with satisfaction, but he wished he had had the courage to go further, and to take the one course which alone could raise this great question of a nation's education from animosity, or, at best, distrust, and place it in such a position which would enable every member of the community cordially to endeavour to extend the blessings of instruction, untainted by suspicion, and hallowed by religion to every poor man's home in Ireland.

Mr. SYNAN said, that the great grievance of which the right hon. and learned Member for the University of Dublin (Mr. Whiteside) seemed to complain of was, that the National Board would not accept the terms of the Kildare Street Society, or, in other words, would not help that body to proselytize Roman Catholic children. The object of his hon. and gallant Friend (Mr. O'Reilly's) Motion was to adapt the National system to the people of Ireland, instead of compelling them to conform themselves to the system. Out of 6,263 National Schools in Ireland there were only 1,400 mixed schools; so that in point of fact one-fifth of the schools were mixed, and four-fifths were denominational. The fact was, that the National system was not received with favour in any part of Ireland, and consequently was making very little progress. He hoped that the step in the right direction which the right hon. Gentleman the Secretary for Ireland said the Government were prepared to take would be followed up by them, and he trusted they would go further in that direction when they had started. He desired to call attention to the small number of Roman Catholics in the model schools. For the instruction of 300 Roman Catholics in those schools the country had to pay £30,000 for their erection, and £8,000 a year for their support. It might be said that the hostility manifested against these schools arose from prejudice or a sentimental feeling; but it was founded upon the most sacred feeling of human nature—namely, religious feeling. He asked the House to grant what was indispensably necessary to the welfare of the country, which was freedom of education.

Mr. O'REILLY said, he would not, after the statement of the right hon. Gentleman the Chief Secretary for Ireland, press his Motion to a division. In the first place, he understood that the rules for the prevention of proselytism were under the consideration of the Commissioners. With regard to the second part of his Motion, opposition was brought against it on the belief that the proposals could not be practically carried out. With respect to the third point on which he had spoken, but which was not embodied in his Resolution for the reasons he had stated—namely, the consideration of the present position of training schools in Ireland—the Government were far from holding that it was satisfactory, and they promised that it should receive their earnest consideration. He was quite ready to leave the responsibility of dealing with this subject with the Government, and he hoped the result would be the production of such a measure as would be satisfactory to the people of Ireland.

Sir HUGH CAIRNS said, he understood from the statement of the Chief Secretary for Ireland that they were on the eve of great changes in the National system of education in Ireland. The right hon. Gentleman had shadowed forth two of them, one having regard to the rules for religious instruction in the National Schools, and the other affecting the model schools. As to the first, he understood the right hon. Gentleman to say that the subject was under the consideration of the Commissioners, and that it was expected that they would propose some alterations in the rules with regard to religious education. The question of the model schools was one deeply interesting to the people of Ireland, and the Government, it seemed, were considering the changes which ought to be introduced, and what the character of those changes should be. He, however, rose for the purpose of asking whether the changes in the model schools to be proposed—should any be determined on—would be submitted to the House before the Vote was taken this year for Irish education?

The CHANCELLOR of the EXCHEQUER said, that although the hon. and learned Gentleman (Sir Hugh Cairns) had stated that great changes were about to be introduced into the National system of education in Ireland, his right hon. Friend the Chief Secretary for Ireland had not so described them in the earlier part of the evening. Of course, it was quite competent to the hon. and learned Gentleman to describe those changes in any terms he pleased; but he wished it to be understood that his right hon. Friend had not announced anything which in their opinion justified that description. But, whether the changes be great or not the subjects were of great interest, especially that part of the subject relating to the model schools. With respect to the question which the hon. and learned Gentleman had put, it was a very fair one. From the course of public business it was probable they would not be able to propose the Vote for Irish Education for some time. They were now in the middle of May, and several weeks must certainly elapse—perhaps six or seven—before that Vote could be proposed. The interval would allow his right hon. Friend and the Irish Government time for considering any matters connected with this interesting subject, which was now under the examination of the Government; and he quite agreed with the hon. and learned Gentleman that it would be very desirable that whatever changes were proposed by Government should be before the House when that Vote was taken. It was difficult to give any absolute pledge, but care would be taken, if possible, to put the House in possession of the views of the Government on the changes proposed before the Education Vote was proposed.

Mr. WHALLEY felt it would be impossible for him at that late hour to bring forward the Motion of which he had given notice. He should, therefore, postpone it till Friday next on going into Committee of Supply.

Lord NAAS said, he had heard with some satisfaction the statement made by the Chancellor of the Exchequer that it was not the intention of the Government to propose any very serious changes in the system of National education in Ireland ["No, no"]; although, certainly, from the statement made by the right hon. Gentleman (Mr. C. Fortescue) at an earlier period in the evening, it did seem that some such changes were in contemplation. He wished to know in what form these changes would be brought under the consideration of the House. On former occasions of this kind a letter had been addressed to the Commissioners, indicating the changes proposed to be made, and that letter was laid before Parliament. Would that course be adopted in the present instance? He also wished to know whether, if the Government had not time to mature their plan sufficiently during the present Session, they would distinctly pledge themselves not to introduce the changes during the recess or until Parliament had an opportunity of considering them?

Mr. ESMONDE observed, that it was quite competent to the Commissioners of National education in Ireland to make the alterations themselves. On a former occasion changes had been introduced, not by Parliament, but by the Commissioners.

The ATTORNEY GENERAL for IRELAND (Mr. Lawson) said, it was a matter entirely within the province of the Commissioners to alter or modify their rules. That required no action on the part of the Government. Any changes necessarily affecting the system would be brought before the House before they were carried into effect.

Sir FREDERICK HEYGATE said, he hoped they would receive from the Government a distinct intimation of the mode in which the question was to be dealt with, and of the opportunity that was to be afforded for its consideration.

Motion, by leave, *withdrawn.*

COLONIAL BISHOPS BILL.—LEAVE.

FIRST READING.

Mr. CARDWELL, in moving for leave to bring in the Bill of which he had given notice for removing doubts as to the effect of Letters Patent granted to certain Colonial Bishops, and to amend the law with respect to Bishop and Clergy in the Colonies, said, it was well known to the House that by a recent very important decision the Privy Council had arrived at the conclusion that while in Crown Colonies a bishopric might be created and ecclesiastical jurisdiction conferred by the sole authority of the Crown, yet letters patent would not have any such authority in any colony which was in possession of an independent Legislature. That decision had removed the foundation on which the great majority of the colonial dioceses rested. They were therefore driven to this alternative—either they must restore by statute the foundation which that judgment had withdrawn, or they must take the other side of the alternative and accept the decision of the Courts and remove those statutory enactments which, having been formed on the opposite hypothesis, were inconsistent with what the Courts had now declared to be law. In that state of things they had to consider what was the position of the Church in the Colonies. In Canada, Victoria, South Australia, and New Zealand, the Church exercised its powers by voluntary arrangements, either by mere force of compact or by compact confirmed by the Colonial Legislatures; but the authority which had been supposed to be vested in the Crown in respect of the Church in the Colonies did not, according to the decision of the highest Court of Appeal, exist in any Colony possessing an independent Legislature. This being the established state of the law, the Government thought it their duty to consider which branch of the alternative they ought to adopt. They arrived at the conclusion that it would not be consistent either with the will of Parliament or with the modern policy this country had adopted towards the Colonies to attempt to re-establish by Imperial legislation that power which formerly had been supposed to be vested in the Crown, but which had been recently decided not to exist. The Bill which he was about to ask leave to introduce was founded on the opposite hypothesis. The Government proposed to assume that the decision of the Court would be the foundation of our future legislation, and they proposed to repeal those enactments which were not consistent with that decision. The Bill would be framed on the principle laid down by the Privy Council, when they said that the Church of England, in Colonies where there was no Church established by law, was in the same situation as any other religious body—no worse and no better. One of the enactments which were inconsistent with the legal decision and with the principle on which this Bill was founded was the Act of 1819, in which it was enacted that a person ordained by a Bishop, not having Episcopal jurisdiction over a defined district, should not be capable of holding any preferment within Her Majesty's dominions. But the majority of the Bishops, it had now been decided, had no such jurisdiction; and therefore all the clergy ordained by them were subject to this disqualification. This was entirely at variance with the intention of Parliament in passing the statute; the consequence in respect of the clergy themselves was intolerable; and it was impossible to say how far it might extend in respect of marriages and other religious services which had since the passing of the statute been performed by these clergy. Obviously it would be necessary to repeal that disqualification. A Bill passed not very long ago defined the position of clergymen coming into England who had been ordained by Bishops of the Episcopal Church in Scotland. The Bill which he was about to lay on the table would extend to clergymen ordained in the Colonies the rights extended to clergymen ordained by the Bishops in Scotland. The Bishops of New Zealand had addressed to the Crown a petition which the Government thought might reasonably be complied with. They asked to be allowed to surrender their letters patent; and the Ministers of New Zealand had forwarded a memorandum, in which they recommended that the Crown should not issue letters patent without the advice of the Colonial Ministry. That was an advice which was not likely to be given. The Bill proposed to give power to those Colonial Bishops who had letters patent to surrender them, and in future no letters patent or mandate, but only a Royal license, would be necessary to enable Bishops of the Church to consecrate Bishops in this country; and neither license nor any other Royal sanction would be required for consecrations elsewhere than in this country. The main effect of the provisions of the Bill would be, that it having been decided that the power supposed to exist in the Crown of creating a diocese and conferring a jurisdiction in Colonies which had independent legislation—which would include the great majority of our Colonies—did not exist, that the legislation for the Church should be based upon the hypothesis which the judgment of the Privy Council had established, and that those restrictions and statutory enactments which were at variance with that principle being removed, the Church of England should, in the language of the Privy Council, be in no worse position if in no better than any other denomination of Christians. He believed that this measure, instead of being detrimental to the Church, would really tend to its advantage. The principle of the Bill might be summed up thus—namely, that it accepted as final the decision of the Court, and proceeded to make the whole of the statute law upon the subject consistent with that decision.

Mr. WHALLEY hoped that means would be taken to uphold the supremacy of the Crown in the Colonies.

Motion *agreed to.*

Bill to remove doubts as to the effect of Letters Patent granted to certain Colonial Bishops, and to amend the Law with respect to Bishops and Clergy in the Colonies, *ordered* to be brought in by Mr. Secretary Cardwell, Mr. Attorney General, and Mr. William Edward Forster.

Bill *presented*, and read the first time. [Bill 160.]

House adjourned at a quarter before One o'clock, till Thursday.

* * *

HOUSE OF LORDS,

Thursday, May 17, 1866.

MINUTES.]—Several Lords took the Oath.

Public Bills—*Second Reading*—Land Drainage Supplemental * (106); Cattle Assurance * (83).

Report—Selling and Hawking Goods on Sunday (119 & 121).

Third Reading—Attorneys and Solicitors (Ireland) 1866 * (60); Contagious Diseases * (95); Inclosure * (107); Harbour Loans * (104); Superannuations (Officers Metropolitan Vestries and District Boards) * (91), and *passed.*

THE ROYAL ACADEMY AND BURLINGTON HOUSE.—QUESTION.

Lord OVERSTONE said, he desired to ask a Question of the Government which had reference to a subject deeply interesting to the inhabitants of the metropolis. He had not given notice of his intention to put the Question, as the holydays approached; and he thought it would not be proper to allow a delay of ten days to intervene. Attention had been called to the subject in a letter which appeared in *The Times* of this morning, signed by Mr. Beresford Hope—no mean authority in such matters. He alluded to the decision for the retention of the National Gallery at Trafalgar Square, and the grant of a portion of the site of Burlington House to the Royal Academy. During the last Parliament an attempt had been made to effect the removal of the National Collection of Pictures from Trafalgar Square to South Kensington; but this design had been successfully resisted in the House of Commons. Now an arrangement had been come to by which the whole of the building in Trafalgar Square would be devoted to the exhibition of the National Gallery, and provision would be made for the Royal Academy at Burlington House at the expense of the Government. He believed the decision of the House of Commons had been come to hastily and without due consideration, and it would be most unfortunate if so fine a specimen of architecture as Burlington House (which was one of the architectural ornaments of the metropolis) should be interfered with by the erection on a portion of the site of an incongruous building. A plan was formerly drawn up for a National Gallery, to be erected on the vacant garden ground at the back of Burlington House. This plan had been carefully examined and fully approved by the Trustees, and it was a plan by which the Gallery would have had the best possible light, and by which ample accommodation and complete arrangements were provided. The plan now proposed to be adopted was objectionable on account of the annoyance which would be occasioned by continual traffic and noise. It must, moreover, involve great expense in obtaining the necessary site and in the erection of the requisite works. He trusted that the decision so hastily come to by a former House of Commons might be again brought under the consideration of a new Government, a new Parliament, and a new Prime Minister; and he wished to know, Whether there were any negotiations now pending between the Government and the Royal Academy which would prevent such a result being arrived at?

Earl GRANVILLE said, he entirely concurred with the noble Lord in regretting the decision come to of maintaining the National Gallery in its existing position, and of taking up a not very good space behind for the purpose of the Gallery. But that was the decision of the House of Commons, and the Government thought it necessary to bow to that decision. It was quite urgent that some definite measure should be adopted, and after negotiations between the Government and the Royal Academy, the Government felt bound to grant to the Royal Academy a site, at all events, for a new building, that body agreeing on their part to erect suitable buildings out of their own funds. With respect to Burlington House, he agreed with the noble Lord as to the architectural beauty of that building; but it was quite clear that the public, in giving a large sum for its purchase, did so not with the view of maintaining a handsome monument, but to make some use of the building for public purposes. The Government, having been put in a corner by the decision of the House of Commons, had felt themselves justified in making arrangements with the Royal Academy for giving that body the best site at their disposal, and those arrangements had been made. The Government had insisted on certain conditions, which the Royal Academy had assented to. Therefore, as far as the Government were concerned, they were entirely bound to carry out the arrangements come to. He understood that on the part of the Royal Academy there existed some doubt whether the new site would be so advantageous as they could desire; and should the Royal Academy consider the site not so eligible as they had at first imagined, and were willing to release the Government from the obligation entered into, the Government would be happy to listen to anything the Royal Academy might have to say on the subject.

SELLING AND HAWKING GOODS ON SUNDAY BILL—(*The Lord Chelmsford.*)

(No. 119.) REPORT.

Amendments *reported* (according to Order).

LORD HOUGHTON said, he rose to appeal to the noble and learned Lord who had introduced this Bill (Lord Chelmsford) whether the most convenient course to pursue would not be to withdraw it. The noble and learned Lord must have observed that though no division had been taken on the main principle of the Bill, that it was not because noble Lords on that (the Ministerial) side of the House were in favour of the measure, but because they wished that every opportunity might be given for full and fair discussion. At the conclusion of the debate the other night a noble Earl (the Earl of Shaftesbury), who of all men was the best entitled to command attention on a question affecting the social condition of the people, declared that part of the Bill might be injurious, and that the whole of it would be useless. He believed that if the noble Earl's speech had been made at the beginning instead of at the end of the discussion, the effect of it would have been very great. The noble Lord the Chairman of Committees intended to propose an Amendment, the effect of which would be to alter almost entirely the whole Bill. Considering how little probability there was that the Bill, even if it should pass their Lordships' House, would receive the assent of the other House of Parliament, he would ask his noble and learned Friend whether it was worth his while to proceed with it? He would ask his noble and learned Friend to remember the fate of his Bill of 1860, which was a much less obnoxious measure, and which, though it passed their Lordships' House, did not receive the assent of the other House of Parliament. He appealed to the noble and learned Lord whether he would press his Bill in the face of the Amendments of which notice had been given. He would remind him of the unhappy disturbances and confusion which occurred in London on the Sabbath some years ago, and he was sure the noble and learned Lord was one of the last who would like to see those disturbances revived. In withdrawing his Bill he would be conferring a favour on the House, and preventing the probability of much ill-will and unpleasant feeling arising. He did not suppose for a moment that his noble and learned Friend had more respect for his windows than for his public duty; but he hoped he would find it to be not inconsistent with that duty to adopt the suggestion which he threw out for his consideration, and thus prevent their sending down to the lower House a measure which there would not be the slightest chance of passing.

LORD CHELMSFORD said, he felt indebted to the noble Lord for pointing to his windows as an object of public attention. As to the Bill which his noble Friend wished him to withdraw, he should like to draw his noble Friend's attention with respect to some circumstances of its progress until it had arrived at its present stage. The second reading was opposed by a noble Lord opposite (Lord Teynham) in a very long speech, who moved that it be read a second time that day six months; but the noble Lord did not divide the House on that occasion, his own voice being the only one raised against the measure. The noble Lord gave notice of a similar Motion when the Bill was about to go into Committee, and made a speech in opposition to it; but upon a division he was in a minority, and the Bill was committed. In Committee a discussion took place principally with regard to the exceptions proposed, but they were all agreed to after two or three divisions. That being so, he did not look upon the present stage of the Bill, after the Bill had been agreed to in its principle and all its details, and their Lordships were asked to receive the Report, as a fitting occasion to be invited to withdraw it altogether. It was true that certain Amendments, of which notice had been given, would, if introduced, be fatal to the Bill; but he had a decided objection to abandon his measure. His noble Friend (Lord Houghton) indeed said, that if it passed their Lordships' House, it would not pass the other House of Parliament; but he did not know where his noble Friend obtained that information. [Lord HOUGHTON: From induction. I judge by the fate of the former Bill.] It seemed to him to be very bad logic to contend that what had occurred on a former occasion must necessarily take place on the present. Unquestionably those who undertook to introduce such a Bill as the present must be prepared to encounter very great difficulties, and he could assure their Lordships he had not very willingly undertaken the task. He had, however, been pressed so strongly on the subject, the appeals of thousands and tens of thousands of persons who were anxious to have a weekly day of rest which they might appropriate in accordance with the dictates of their own consciences, that he felt he could not withhold any assistance which he could lend in the promotion of the object which they had in view. There were in this metropolis no less than 60,000 tradesmen, who, with their workmen and servants, amounting to perhaps double that number, were anxious that the Bill should be passed, in order to relieve them from the necessity of trading on the Sabbath. He was informed, he might add, that 60,000 persons interested in its passing had presented a memorial to Her Majesty, praying that they might be, in some way or the other, relieved from that necessity. His action in the matter had been the subject of a great deal of, he would not say misrepresentation, but misconstruction. But the measure which he proposed was—as he thought experience justified him in saying—the only one by which the desirable object of putting an end to Sunday trading could be accomplished. The Committee appointed by the House of Commons in 1835 were clearly of opinion that the existing law on the subject ought to be amended, and held, that in giving that opinion, they were not only advocating the best interests of the labouring classes, but giving due weight to the complaints of a large body of tradesmen who felt that their pecuniary interests would suffer, if, acting in accordance with their conscientious desires, they were to refrain from selling on the Sunday. Again, the Committee which sat in 1847, stated that the majority of the traders by whom Sunday trading was carried on were anxious that it should be put a stop to, but that all voluntary attempts with that view had proved to be unavailing in consequence of the refusal of the minority to cease from selling. The Bill which he had submitted to the House was based entirely upon the principles recommended by those Committees, and after what had already taken place he did not think he ought, on the mere invitation of his noble Friend, to withdraw it. He had, he might say, from the first been of opinion that the Bill ought to have been introduced in the House of Commons, and had strongly recommended that that course should be adopted. A Member of that House, however, who represented a large metropolitan constituency, gave it, he was informed, as his opinion that if the Bill were to go down with the authority of their Lordships' sanction it would have a better chance of passing. He had undertaken, under those circumstances, to bring it in, and he trusted their Lordships would allow the Report to be received.

Lord TEYNHAM observed, that under the operation of the Bill tobacconists' shops would be shut up on the Sabbath, while cigars and tobacco might be sold in public-houses. The result would be, he contended, that the tobacconists, who maintained their families by their trade, and whose profit was principally on Sundays, would apply for a beer-house licence in order to enable them to continue their business. There were a number of temperance societies, and among them one large society called the Alliance, whose object was to prevent drunkenness, and who proceeded on the principle that that vice increased in the country in proportion to the multiplication of houses devoted to the sale of spirituous liquors, and they would find their efforts thwarted by the action of the Bill professing to prevent Sunday trading, but by which such a multiplication would be largely effected. On these grounds he joined with the noble Lord (Lord Houghton) in again urging upon the consideration of the noble and learned Lord the propriety of withdrawing the Bill.

Lord REDESDALE said, that certain objections had undoubtedly been taken during the progress of the measure both to its principle and its details. The many exceptions it contained had been animadverted upon, and it had been urged that, without directly abrogating the existing law, the Bill would give an indirect legislative sanction and licence to Sunday trading. It was thought that it might be better to maintain the existing law, although inefficient, on account of the principle embodied in it. But the principle of closing shops during the hours of morning service on Sunday was no new one, because it was already applied to public-houses. It might be extended to shops generally by enacting a prohibition against their being opened between the hours of ten a.m. and one p.m. on Sunday, and still leaving the old law to remain in force during every other part of the day. The noble Lord then moved an Amendment for the purpose of prohibiting the sale between the hours of ten in the morning and one in the afternoon of any articles except medicines.

An Amendment *moved*, to leave out ("except as hereinafter excepted") and insert ("between the hours of ten o'clock in the morning and one o'clock in the afternoon.")—(*The Chairman of Committees.*)

Lord TAUNTON greatly doubted whether by attempting to legislate on this subject they would not be likely to do more harm than good. The more he examined the Bill the more strong was his doubt as to the policy of it. The people of this country were, happily, accustomed to respect the law, believing it to be framed for their benefit as well as for that of the upper classes, and he should be sorry to see anything done in the way of petty and vexatious legislation which might have the effect of raising a different feeling. What was the machinery by which it was sought to carry out the provisions of the Bill, and without which it was admitted by the noble and learned Lord that such a law could not be executed? At one time, there was a prejudice against the police, but now the police were regarded as the guardians of peace and order by the population generally, and no class looked upon them as their enemies, save those who were themselves the enemies of law and order. But a very bad feeling towards the police might be engendered among the humbler classes if the police were to be constantly employed in enforcing against them a severe and vexatious law of that kind, which would fine a poor man or woman heavily for selling a few radishes or red-herrings a quarter of an hour too late. He thought it would be found impossible to carry out strictly such a law; and, giving the noble and learned Lord every credit for the excellence of his intentions, he must say he greatly questioned the propriety of any further legislation upon that subject. The Act of Charles II. might have become obsolete; but was it a fact that the due observance of the Sabbath in this country had suffered in consequence? There might be some exceptions to the general rule in particular places; but, taking the whole country round, was it not the fact that within the recollection of most of their Lordships a marked improvement had been witnessed in the respect paid to the Sabbath? It was said that in some thoroughfares booths were set up on Sundays, fairs held, and scenes of disorder enacted in the presence of crowds of people. But if that were so, surely all these were matters of police, and the civil authorities could easily maintain decency and order in such cases with the concurrence and sanction of all the well-disposed inhabitants, and without the necessity of Parliament passing an Act for that purpose. He feared that in making an attempt to secure the better observance of the Sunday in which they did not carry along with them the general feeling of those with respect to whom they were legislating, they would not only fail in their object, but bring about a serious recoil against their legislation. For these reasons he should be better pleased to see the Bill dropped altogether. As to the proposal to substitute for the restrictions contained in the Bill a prohibition of Sunday trading during the hours of Morning Service—namely, from ten a.m. to one p.m.—that might be the time when most of their Lordships attended Divine worship, but he doubted whether it was the time during which the poor people affected by that Bill did so. He thought that legislation of that kind was likely to do a great deal more harm than good, and by no means to realize the benevolent intentions of the noble and learned Lord.

Earl RUSSELL: I am glad my noble Friend the Chairman of Committees has moved his Amendment, because it will tend to mitigate the severity of this Bill, while it will preserve its most useful clauses. My noble Friend who has just sat down says there has been a great improvement during the last thirty or forty years in the conduct of the trading and lower classes as well as the higher classes in this metropolis. I suspect that my noble Friend is entirely mistaken in regard to buying and selling on Sunday, and that he will find that in some parts of this metropolis the practice, so far from being diminished, has very much increased during the last thirty or forty years. The noble and learned Lord (Lord Chelmsford) says that, generally, with respect to Sunday trading, the law of Charles II. is practically obsolete, and is never put in force; and that there has, consequently, been an increase of Sunday trading. There is some reason to fear that this will go on until the question of buying and selling on Sunday is looked upon as a matter beyond legislative interposition, and it will be supposed that the law allows both buying and selling on Sunday just as on any other day. If that should be the opinion of Parliament and the country, who would be the loser by the change? Not the higher classes, who can make their arrangements and purchases on Saturday; but those who would be the losers are the middle and working classes—they would have reason to lament that Parliament had been entirely indifferent on this subject, and that they had thereby lost that day of rest which is of more value to them than to any other class. I trust that the Amendment of my noble Friend the Chairman of Committees will be carried. At the same time, although your Lordships cannot prescribe to the other House of Parliament what they should do, you will have the satisfaction of knowing, by passing this Bill, you will have done your duty to the country, and will have shown yourselves not insensible to the value of Sunday to the people.

LORD CHELMSFORD said, that when he undertook the difficult task of steering this Bill through their Lordships' House he knew he must encounter many obstacles; but he had congratulated himself on having passed through the stormy seas of the second reading and the Committee, and he could not help expressing his surprise that now that he had reached, as he had thought, the safe harbour of the Report, he should suddenly find the wind raised against him. The noble Lord opposite (Lord Taunton) had made a speech which would justify a total rejection of the measure, and which would more appropriately have been delivered on the second reading than at the present stage of their deliberations. As his noble Friend had not previously given their Lordships the benefit of his opinion on this Bill, he might assume that he had not been present on the earlier stages of the measure. He could not understand what was meant by complaining of the petty and vexatious legislation proposed by the Bill. Here was a gigantic evil, admitted by every one — that the Sunday was employed by thousands and thousands for the purposes of traffic. The object of this Bill was to put down such trading. The noble Lord (Lord Taunton) objected to the police being employed to put the law in force. But the noble Lord was probably aware of the decisions of the Courts of Law, and the difficulty of establishing proof of Sunday trading. The mere exposure of goods for sale was not enough, and it was necessary to prove an actual sale to establish the offence. The police were on the spot, but it was a mistake to suppose that they would be called upon personally to interfere. It would only be necessary for them to summon before the magistrate the parties engaged in violating the law. He regretted that the noble Earl at the head of the Government had expressed himself in favour of the Amendment of the noble Lord the Chairman of Committees. He did not doubt that the noble Earl wished to advance the object of the Bill, and not to destroy its effect; but the scheme of the Bill was completely different from that of the Amendment, and his noble Friend's Amendment, in fact, went to destroy the Bill and to substitute his own. The Bill before their Lordships was one to prohibit Sunday trading, with certain exceptions. The Amendment prohibited trading for two or three hours on Sunday, and the rest of the day was left to the operation of the present law, which it was admitted was obsolete, not enforceable, and a dead letter. Could anything be more different than the two proposals? Under his noble Friend's Bill the shops would be shut and trade would cease for three hours; but when the hand of the clock arrived at the hour of one every shop would be opened for trading purposes, and that day of rest which their Lordships desired to secure to the tradesman who might wish to comply with the law would be destroyed not only by opening the shops at one o'clock, but by compelling him to be on the spot, and to prepare for competition with his rivals. Such a Bill would do nothing to prevent the great evil of Sunday trading. He had only to add that he considered the Amendment to be so much at variance with the principle of the Bill, and likely to lead to so many evils and inconveniences that if it were adopted he should respectfully bow to their Lordships' decision, but at the same time he should think it his duty to withdraw from the measure.

LORD PORTMAN said, he should be sorry if the noble and learned Lord should decline to proceed with the Bill, for he thought his noble and learned Friend would do very much more wisely to adopt the Amendment of the Chairman of Committees as the first step towards checking the evil of Sunday trading. They had already the precedent afforded by the closing of the public-houses during the hours of divine service on Sunday; and it would, in his opinion, only be reasonable to extend the same principle to other branches of business. It was said that all the trading would recommence after one o'clock under the Amendment, but all the trading excepted under the Bill might be carried on after one o'clock, and so Sunday trading would go on under the Bill very much as it would if the Amendment were adopted. The difference would not be very great, although the Amendment would certainly leave some few tradesmen at liberty to carry on trading who would not be permitted to open their shops under the Bill. He doubted the necessity of the clause which gave authority to and required the police to enforce the Bill. They would have the same authority to carry out the law without this clause. Surely those who governed the police might be trusted to do their duty in this matter. The insertion of this clause, therefore, was a waste of power, and would make the intervention of the police more obnoxious than otherwise would be the case. Anything that would secure to the servants of the poorer classes a greater rest on the Sunday would be most desirable; and, believing that the Amendment of the noble Lord the Chairman of Committees would have that effect, he would support it; and, if carried, he hoped his noble and learned Friend would consider the matter, and not withdraw the Bill.

THE EARL OF **HARROWBY** said, he feared that the Bill would be generally held to sanction whatever it did not prohibit, and if it were to make Sunday trading illegal only during the hours of Divine service it would operate as an encouragement to trading during all the remaining hours of the day. It would certainly leave the observance of the Sabbath during all those hours to be determined by the statute of Charles II., which had already been found practically ineffective. The Bill as it stood would be an improvement on the existing law, but the Amendment would afford no real check to the growing evil of Sunday traffic, and would on the contrary, as it seemed to him, give indirect sanction to that practice. He should therefore vote against the Amendment.

THE EARL OF **ELLENBOROUGH** said, they were told not to be frightened upon that occasion; but he confessed that he was frightened, and that the more he looked at the Bill the more he felt alarmed. The object of this measure was no doubt to abate a real grievance, and he wished it could be abated; but he feared that after the passing of the Bill, or of any other of the same description, they would still have the grievance, and a riot in addition. If the police were to interfere for the purpose of enforcing such a law, he believed that a riot would ensue, and that there would arise that which they ought all to be anxious to prevent, a feud between the police and the people. It might seem a strange reason for opposing the Bill, but he could not help thinking that it would be stopped by the House of Commons, but nevertheless he did desire to do so for that reason. A great observer of both Houses of Parliament once told him that he never knew an instance of any Bill proceeding from their Lordships being received with any favour by the other House. Now, if that were so, the measure of all others which would be least likely to meet with such favour would be one which was supposed to be directed against the special objects of the admiration and affection of the House of Commons at the present day—the working classes. He believed therefore that the measure was never likely to become law; but he did not wish to see it rejected in a manner which would be a sort of affront to their Lordships. He saw dangers ahead. He feared that the result of their legislation upon that subject would be a disturbance of the public peace; and being desirous of preventing that he would take the first opportunity of voting against the Bill altogether.

EARL **GREY** said, he agreed it was a matter of great risk to pass laws directed against the habits of some portion of the people. He had not the slightest sympathy with those who held that we as Christians were bound by Jewish restrictions on the Sabbath; but he held with his noble Friend the First Lord of the Treasury that the Sunday rest was an institution of the utmost value, especially to the middle and lower classes, and he felt that the practice of Sunday trading was virtually depriving a large portion of those classes of the rest which they required. Small traders had really no freedom of action in this matter. If they did not adopt the same system of trading as their neighbours, they lost their business not only on the Sunday, but during the week days. He approved generally the principle of the noble and learned Lord's Bill; but when they came to examine it, it was impossible to disguise from themselves that the exceptions were somewhat arbitrary and difficult to reconcile with each other. There were certain kinds of trades which on the Sunday were absolutely necessary, and to draw the line by Act of Parliament between what was and what was not necessary was extremely difficult. Wishing to maintain the Sunday as a day of rest, and yet feeling that the Bill, if carried with all its exceptions, was liable to objection, he thought the best course to adopt would be that which was recommended by the noble Lord the Chairman of Committees—because by taking that course they would, at all events, check the system of Sunday trading. Once the shops were closed, he believed they would be very rarely opened again. He would like to see the effect of the Amendment of his noble Friend before going further; for he believed that if a trade were interrupted for three hours of a day, it would be rarely resumed at a later hour of the day. It was unwise to pass a law and not to adopt the most effectual means to enforce it. As to the employment of the police he was persuaded that far less irritation and animosity were created by the enforcement of a law by a public authority whose duty it was to enforce it than by the action of private persons and interested informers. If the Bill passed it ought not only to empower, but require the police to act. He was reminded that the Smoke Prevention Act was not carried out so long as the enforcement of its provisions was left to the action of private persons, but a great improvement was effected as soon as the police were required to act. Therefore, this Bill ought not only to give power to the police, but it ought to impose a duty upon them.

On Question, Whether the Words proposed to be left out shall stand Part of the Bill? their Lordships *divided*:—Contents 40; Not-Contents 54: Majority 14.

CONTENTS.

Richmond, D.

Westmeath, M.

Amherst, E.
Bandon, E.
Belmore, E.
Cadogan, E.
Derby, E.
Fortescue, E.
Harrowby, E. [*Teller.*]
Huntingdon, E.
Lonsdale, E.
Lucan, E.
Morton, E.
Nelson, E.
Powis, E.
Romney, E.
Sommers, E.

De Vesci, V.
Hardinge, V.
Hawarden, V.
Stratford de Redcliffe, V.

Bangor, Bp.
Gloucester and Bristol, Bp.
Lincoln, Bp.
Peterborough, Bp.
Ripon, Bp.
St. Asaph, Bp.

Berners, L.
Blantyre, L.
Castlemaine, L.
Chelmsford, L. [*Teller.*]
Crewe, L.
Denman, L.
Egerton, L.
Kilmaine, L.
Overstone, L.
Saltersford, L. (*E. Courtown.*)
Sheffield, L. (*E. Sheffield.*)
Sherborne, L.
Sundridge, L. (*D. Argyll.*)

Earl Grey

NOT-CONTENTS.

Cranworth, L. (*L. Chancellor.*)

Manchester, D.
Saint Albans, D.
Somerset, D.

Lansdowne, M.
Normanby, M.

Albemarle, E.
Camperdown, E.
Cathcart, E.
Chichester, E.
De Grey, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Ducie, E.
Fitzwilliam, E.
Granville, E.
Grey, E.
Leven and Melville, E.
Manvers, E.
Minto, E.
Morley, E.
Russell, E.
Spencer, E.
Stradbroke, E.
Verulam, E.
Zetland, E.

Clancarty, V. (*E. Clancarty.*)
Eversley, V.
Powerscourt, V.
Sidney, V.

St. David's, Bp.

Abinger, L.
Bolton, L.
Boyle, L. (*E. Cork and Orrery.*)
Camoys, L.
De Tabley, L.
Feversham, L.
Foley, L.
Granard, L. (*E. Granard.*)
Houghton, L.
Hunsdon, L. (*V. Falkland.*)
Llanover, L.
Lurgan, L.
Lyveden, L.
Minster, L. (*M. Conyngham.*)
Mostyn, L.
Panmure, L. (*E. Dalhousie.*)
Portman, L. [*Teller.*]
Redesdale, L. [*Teller.*]
Stanley of Alderley, L.
Stratheden, L.
Taunton, L.
Teynham, L.
Vaux of Harrowden, L.
Wodehouse, L.

Bill to be read 3ª *To-morrow*; and to be printed, as amended. (No. 121.)

Lord CHELMSFORD said, that after the division, he was not personally disposed to proceed any further with the Bill; but as many of their Lordships were in favour of some of its provisions, it would not be respectful in him to move that the order be discharged. He would leave it to any noble Lord who chose to take up the Bill to do so.

Lord TAUNTON gave notice that, on the Order for the third reading to-morrow (this day), he would move that the Bill be read a third time that day six months.

PRIVATE BILLS.

Resolved, That Standing Order 179. Sects. 1. and 2. be suspended; and that the Time for depositing Petitions praying to be heard against Private Bills, be extended to *Monday* the 28th *Instant.*

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, May 17, 1866.

MINUTES.]—SELECT COMMITTEE—On Thames Navigation, Lord Eustace Cecil *added*.

PUBLIC BILLS—*Resolutions in Committee*—Fishery Piers and Harbours (Ireland) Grants, &c.

Ordered—Elections (Returning Officers) *; Industrial Schools *; Reformatory Schools *; Nuisances Removal.*

First Reading—Elections (Returning Officers) * [161]; Reformatory Schools * [162]; Industrial Schools * [163]; Nuisances Removal * [164].

Second Reading—Tenure and Improvement of Land (Ireland) [130], debate *adjourned;* Customs and Inland Revenue [145], *deferred;* Local Government Supplemental (No. 2) * [150]; Belfast Constabulary * [159].

Committee—Labouring Classes' Dwellings (Ireland) * [92]; Solicitor to the Treasury * [152]; Naval Savings Banks * [114]; Companies' Act (1862) Amendment * [139].

Report—Labouring Classes' Dwellings (Ireland) * [94]; Solicitor to the Treasury * [152]; Naval Savings Banks * [114] *; Companies' Act (1862) Amendment * [139].

Third Reading—Life Insurances (Ireland) * [141]; Divorce and Matrimonial Causes [H.L.]* [102]; Hop Trade * [36], and *passed*.

THE CATTLE PLAGUE.—QUESTION.

SIR **JERVOISE JERVOISE** said, he wished to ask the Vice President of the Committee of Council on Education, When the Copy presented on the origin, propagation, &c., of the Cattle Plague, 27th and 28th April, 1866, will be in the hands of Members?

MR. **H. A. BRUCE** stated, in reply, that the printed Report had been ordered to be delivered to every Member of the House, and he hoped that in the course of a few days it would be in their hands. No evidence was taken. It was not the Report of a Commission; it was only the Report of the Veterinary Department.

SCOTLAND—GUNPOWDER STORAGE AT LEITH FORT AND EDINBURGH CASTLE. QUESTION.

MR. **W. MILLER** said, he would beg to ask the Secretary of State for War, Whether he expects soon to be able to give a favourable reply to the various memorials which have been sent to the War Office during the last two or three years praying for the removal of the gunpowder stored at Leith Fort and Edinburgh Castle, the quantity in the magazine at the former place being said to amount to one hundred and thirty thousand pounds weight?

THE MARQUESS OF **HARTINGTON** said, in reply, that in consequence of the representations received from the municipal authorities of Edinburgh and Leith during the last year or two, the quantity of powder stored in Edinburgh Castle and Leith Fort had been considerably reduced. In Edinburgh Castle the quantity of gunpowder stored, with the exception of the small arms ammunition, which was much less liable to explosion than gunpowder in barrels, was exceedingly small. At Leith Fort it had not been found practicable to reduce the quantity to so great an extent; but it had been greatly reduced during the last two years. He had received Reports from the Officers of the Department with reference to the selection of other sites for the erection of magazines; but, inasmuch as the preparations for the erection of such buildings would occupy a considerable time, the matter had not been finally decided upon, pending the inquiries that were being made in reference to making gunpowder storage more safe. But if those inquiries had no successful result, he hoped that next year they would be able to recommend the erection of a new magazine.

THE MONETARY CRISIS—BANK ADVANCES.—QUESTION.

CAPTAIN **GRIDLEY** said, he would beg to ask Mr. Chancellor of the Exchequer, If he is aware that the Directors of the Bank of England have declined to make advances upon the lodgment of Government Securities, on the ground that they ought to be realized; and whether he considered the Directors have complied with the expressed understanding that they, on getting permission to increase the issue of Bank Notes, were to afford accommodation to Bankers and Merchants?

MR. **WYLD** said, he would beg to ask Mr. Chancellor of the Exchequer, If it is true that the Bank of England has refused to make advances on Consols, and has otherwise neglected to give to Merchants, Bankers, and others, the accommodation not only implied, but expressed, when they obtained power to increase their issue of notes?

THE **CHANCELLOR OF THE EXCHEQUER**: Sir, it may be convenient that in answering the questions of the two hon. Members who have just addressed the House I should combine them together, as they are so nearly akin. In the first place, I may say that I have not received complaints from any persons who consider themselves aggrieved by the conduct of the Bank of England. At the same time, certain rumours have got abroad, and it is in respect of those rumours as embodied in the questions of the hon. Members that I give my reply. The two points principally raised are these—first, whether I am aware that the Directors of the Bank of England have declined to make advances upon the lodgment of Government securities on the ground that they ought to be realized; and secondly, whether I am of opinion that the Directors have complied with the expressed understanding that they, on getting permission to increase the issue of bank notes, were to afford accommodation to bankers and merchants. I think these questions have been very opportunely put, because they enabled me to remove a misapprehension that has got abroad, and which appears, from all that I can see, to have taken possession, to a certain extent, of the public mind. The misapprehension refers equally to the subject of advances upon bills and discounting of bills, and also to advances upon Government securities. The best account that can be given of the operations of the Bank of England with regard to these two great branches of banking is to state the figures relating to them, and I think it will be found on referring to them that the Bank of England has not refused to make advances on Government securities. These figures are as follow:—The advances made by the Bank of England on Government securities on Friday, the day of the panic, amounted to £919,000, on Saturday to £747,000, and on three subsequent days various amounts, making up the total amount advanced on these securities in five days to £2,874,000. Then, with regard to the accommodation of commerce in general, the best measure that can be given of the manner in which the Bank has exercised its functions is shown in this—that it has made advances upon bills and has discounted bills to the extent of £9,350,000, making a total of advances and discounts in five days of £12,225,000. Looking at these figures, I do not think that a very strong *primâ facie* case has been made out of the Bank having declined to afford to commerce the accommodation it should have given; but it is only due to the Bank that I should point out certain words in the letter of Government which was expressly intended to serve as a notice to the world that the Bank of England was not to be expected, in the then circumstances of difficulty, to depart from all rules of caution. The conditional promise made in the letter signed by the First Minister and myself was a promise to apply to Parliament for its sanction in case it should happen that necessity should require the Bank, for the purposes of making advances and discounting bills, to issue notes beyond the limit fixed by law, subject to the restriction that the Bank was not to give to everybody everything that was asked, but that it should be governed by those prudent rules of caution by which it was generally guided. That was a very important limitation, and it reserved, I think, entirely, as it was meant to do, the discretion and the judgment of the gentlemen of the Bank of England, in whom we have every reason to place confidence. With regard to the Government securities and other points, the foundation upon which the rumours rest is of the slightest possible nature. I cannot find that there is any possible ground for supposing that any limit was placed by the Bank on its advances on securities either upon Friday, the day of the severest pressure, or upon Saturday, which was also a critical day; but on Monday, when the panic began to subside, and when Government securities were brought to the Bank for advances, the Bank Directors suggested, in various instances, to the holders of those securities, that it would be better for them to try the open market and to realize for themselves. In consequence of that view—in my opinion not an unreasonable one on the part of the Directors of the Bank—certain sales of securities were effected. These sales, I believe, were effected by one, two, or three persons only; and wherever representations were made to the Bank that sales could not be made—meaning, I presume, thereby, without serious loss—the Bank met all the reasonable demands of the parties. With respect to other kinds of accommodation, commercial accommodation strictly so called, I have not been able to discover, nor are the authorities at the Bank aware of any other ground for the rumours existing than the circumstance that applications did arise from one or two quarters, not for an amount of discount to a given limit, but for an unlimited amount of discount to be made use of in case necessity should arise. The Directors of the Bank of England did not consider that their duty compelled them to accede to such demands, and, as far as I am able to judge, I think that under the circumstances of the times they acted wisely in giving no engagement to meet an unlimited amount of discount. That, I believe to be the sole foundation for the rumours which are abroad. I think the explanation I have given is one which the House will be glad to receive, and I believe that the authentic figures which I have stated to the House will do more than any mere verbal statement to explain the liberal, yet judicious manner in which the operations of the Bank of England are conducted at critical periods. I hope the effect of such communications will be that all that hereafter transpires with respect to the state of the Bank will tend not to disturb but further to compose the public mind.

THE CATTLE PLAGUE IN IRELAND.

QUESTION.

MR. HERBERT said, he wished to ask the Chief Secretary for Ireland, Whether he has been informed that the Cattle Plague had been introduced into Ireland by a drover from England; and, if so, whether the Government is prepared to forbid English drovers entering Ireland during the continuance of the plague in this country?

MR. CHICHESTER FORTESCUE said, he was sorry that he could afford the House no further information respecting the cattle plague in Ireland. He had, however, learnt, and the news was satisfactory as far it went, from a gentleman who had left the neighbourhood where the disease broke out, on the previous day, that no additional case had occurred. The hon. Gentleman might be sure that the Government would put in force the full powers granted to them by law, but he could not for the moment give any definite answer to the question of the hon. Gentleman.

TENURE AND IMPROVEMENT OF LAND (IRELAND) BILL—[BILL 130.]

(*Mr. Chichester Fortescue, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General for Ireland.*)

LORD NAAS, in moving the Amendment of which he had given notice—

"That this House, though desirous of simplifying the method of securing to tenants compensation for outlay made in permanent improvements, are of opinion that, in any measure relating to the tenure and improvement of land in Ireland, it is expedient to maintain the principle affirmed by the Act of 1860—namely, that compensation to tenants should be secured in respect of those improvements only which are made with the consent of the landlord, that, in the opinion of this House, the provisions as to the improvement of land in Ireland contained in the measure of Her Majesty's Government would operate injuriously on the position of holders of small farms in that country,"

said, he should have been glad if he could have found it consistent with his duty to have postponed his remarks upon the measure until the Bill had reached a further stage. He was also unwilling that any one should think that he was opposed to the consideration of any measure intended to secure fair and just compensation to tenants for permanent improvements upon the land. But he thought that the present Bill contained so many new principles, subversive of the rights of property, and dangerous to the interests of the tenants themselves, that he had felt it to be his duty on that occasion to offer the Resolution of which he had given notice to the consideration of the House. The provisions of this Bill were altogether new, so far as that House was concerned. He did not propose to allude, except in the most cursory manner, to the first and second parts of the Bill, though they contained provisions of an important nature, and alterations of the present law which required the careful consideration of the House; but they were more in the way of the present law, and did not contain any new principle; he should therefore confine the principal portion of his observations to the other parts of the Bill. All former measures for giving tenants compensation that had been presented to the House, including the Bill of 1860, had been based upon the principle that it should be necessary that notice should be given in the first instance to the landlord what improvements it was proposed to make. The Act of 1860 went farther, for it provided that besides notice to the landlord, his consent must be obtained to the improvements in order to give the tenant a right to compensation. That principle had been entirely departed from in the Bill now before the House; for the 28th clause enabled the tenant to make any improvement he pleased, at any period of his tenancy, without any notice whatever to his landlord, and on the improvements being certified according to the provisions of this Bill to claim compensation for them at any period within thirty-one years. Before he proceeded to consider the provisions of the Bill in detail, he wished to address himself to the reasons that had been put forward by hon. Gentlemen on both sides of the House as to the necessity for this description of legislation. He did not deny that the principle of compensation for permanent improvements was just, and that if it could be carried out without infringing on the rights of property, this House ought to endeavour to do so to the fullest extent. But he was entirely at issue with hon. Members on both sides of the House as to the causes which were stated to have led to the necessity of this particular description of legislation. It had been repeatedly argued that the present state of disaffection in Ireland, the emigration from that country, and the dicinclination of tenants to improve their holdings, were caused by what was called the state of the land question in that country. He entirely dissented from that proposition, because if it were attributable to that, would not the majority of the men who, he was sorry to say, were engaged in the Fenian conspiracy be found amongst the agricultural classes? But so far from that, as it was stated the other night in another place, out of the prisoners who had been arrested under the Suspension of the Habeas Corpus Act in the South of Ireland two only could be said to belong in any way to the agricultural class. So that although it was broadly stated that the land question was at the root of the disaffection in Ireland, they found that ninety-nine out of every 100 persons apprehended for treasonable practices were persons connected with trade and commercial operations. Although there was an uneasy feeling to a certain extent amongst the small holders, he was able to state that they took very little interest individually in the tenant-right movement. They had, however, got into their heads that tenant-right meant reduction of rent and fixity of tenure. That was the reason why the movement had become to a certain extent popular. Few Members of that House lived more with the farming class of Ireland than he did; and when he had discussed this question with them—as he had done over and over again—he found that they took but little interest in the matter other than that they would be glad to get their farms as cheap as they could. Then, he was under the impression that much misapprehension existed with regard to emigration. He did not believe that the land question had much to do with emigration from Ireland. It was true small holdings in Ireland had diminished; but they had not diminished so rapidly as was expected, and he knew of no general desire on the part of holders of either large or small farms to emigrate; on the contrary, he had found that whenever a farm became vacant half-a-dozen applicants immediately came forward desiring to take it, and very often at an increased rent. It was untrue, then, that people were in the habit of throwing up their farms in order to emigrate to America. It was the sons and daughters of the occupiers of land who went abroad, and they did so because they saw that, owing to the continual subdivision of land in their own country, little chance of their prospering existed. Precisely the same thing perforce existed in every agricultural community where subdivision of land was not allowed and practised to an enormous extent. What was going on in every agricultural parish in England? Why, the sons and daughters of the occupiers of land went into the neighbouring manufacturing towns to seek that employment which they could not obtain in their own villages, if, indeed, they also did not emigrate to seek their fortunes. Emigration and dispersion went on, in his opinion, in England quite as largely as in Ireland; and such a process was required, because of the continued increase of the population. The only remedy for such a state of things was to give facilities and offer inducements for the subdivision of land. A friend of his had inquired of an Irishman whether he had any Fenians in his neighbourhood? The answer was that there were some, because the landlords would not permit the farmers to subdivide the land, or to sublet their holdings to their sons. That incident showed what was meant by those who held an extreme view, and said the land question was at the root of the matter. He was of opinion that if such a great desire existed on the part of the tenants to spend their savings in improving their farms, the House would have become acquainted with instances where applications to do so had been refused. It was puerile to say that such applications were not made because it would be hopeless to make them. Could any one believe that if a tenant applied to his landlord for permission to lay out his savings on the farm which he held, that the landlord would answer "No, I reject your money; it shall not be laid out on my property; it would enrich you and me at the same time, but I object to your improving my land!" It had been said that no advantage had been taken of the Bill of 1860. He admitted this to be true; but the class of people to whom it was intended to apply could not easily be persuaded or informed on such a subject as this. He believed, however, that that Bill could be rendered very serviceable. He would go further and say that it was passed after a great deal of consideration; but he believed it might be very much improved. The provisions of the Bill might be simplified, and that would form a subject for very serious consideration. He held that any measure which would have the effect of oiling the machinery of the Bill of 1860, whereby a tenant might have the power to secure compensation for *bonâ fide* improvements made by him with his landlord's consent, should not only be carefully considered in that House, but would receive the almost unanimous approval of the people of Ireland. It was further said that the absence of leases throughout a great part of Ireland operated against any outlay by the tenant upon the land. This was to a certain extent true, but not true altogether. A great portion of the land of the country was at present held by tenants upon long leases, extending over three lives—the estate with which he was connected was held by a large number of leases—and he would ask any gentleman acquainted with the circumstances of Ireland whether from his knowledge he could see that there was greater disposition on the part of occupiers of lands held under long leases to improve them than was manifested by tenants-at-will. He maintained that a traveller through the country, if he were to make inquiries at the farms most wretchedly kept, would frequently find that they were held for the longest terms. This was a fact which was well known. Any one acquainted with the West and South of Ireland knew that the disinclination on the part of the tenants to make improvements was not dependent on the insecurity attending the holding of their lands. But there was more in this demand for what was called "tenant compensation" than met the eye. This demand had been made the pretext for endeavouring to obtain fixity of tenure at a low rent and irremovability. Those were the real objects, not of the farming class in Ireland, but of the persons who directed the movement and wrote and spoke about it. The statements of the hon. Member for Tralee (The O'Donoghue) would be the best evidence he could offer on this point. The opinions of that hon. Gentleman were well known, for, having studied the question deeply, he had spoken and written upon it repeatedly, and with great eloquence and ability, and the hon. Gentleman was not a man to conceal his sentiments on any subject. On the 22nd of March, when anticipating some such Bill as that now before the House, he wrote a letter to the Chairman of the National Association, in which he said—

> "A Bill that does not give security of tenure is worth no more than the value of the paper upon which it is written. Hitherto it has been held that security of tenure can only be attained by an enactment such as I have suggested in my letter to Mr. M'Swiney, or by making the granting of leases compulsory, or by a compensation Bill of a retrospective character, which would give the tenants such claims for compensation upon their landlords as would render eviction, if not impossible, at all events very difficult, and thus indirectly establish the right of the occupier to dwell upon the soil."

But it had been said that the different circumstances of Ireland justified this legislation. Well, he admitted that for a great number of years there had been, and that there was still, a very great difference in the mode in which the land was held in Ireland from that in which it was held in England, but a rapid change was taking place in that respect. Anybody who knew the country must be aware that during the last twenty-five years a great desire had been manifested to assimilate the mode of dealing with Irish estates to the mode in which English landlords dealt with theirs. Such a change would, of course, occupy some years before it could operate throughout the country, but that such a change was going on no one could doubt. This desire on the part of the Irish landlords had been the cause of almost all the substantial improvements that had been effected during the past twenty years. The terms on which a tenant held his property in England were tangible, and they were known; but that was not the case in Ireland. He maintained that between every landlord and tenant there was an implied compact that the latter should treat the property in a proper manner, and continue upon it a course of such good husbandry as was in accordance with the ordinary custom of the country, and that therefore good husbandry was no ground for compensation. Good husbandry was not an improvement, but the fulfilment of a duty on the part of the tenant towards the landlord, and a tenant had no right to set up compensation for it. Now, what had the landlords in Ireland done? The right hon. Gentleman (Mr. Chichester Fortescue) the other night made a very striking statement as to what had been done with assistance during the last fifteen years. He stated that the charge for improvements under the Land Improvement Act amounted to upwards of £2,000,000, and he believed at this moment there was hardly a shilling in arrear upon the repayment of the instalments. That demonstrated the amount of improvement that was going on. If, however, the present Bill were to be passed into law it was probable that that improvement would be stopped, owing to the great want of confidence which would prevail throughout the country. He could conceive of nothing more likely to scare away capital from the country than the present Bill, which would reverse the system that had existed in the country for so many years. Another effect of the Bill would be to lower the value of property in Ireland. It appeared to him that those parts of the Bill now before the House which related to the rights of landlords to charge their properties were repugnant to each other, which, he contended, showed how carelessly and imprudently it had been framed. He would remind the House of what a man had to go through if he applied to the Government for a loan for the improvement of his land. He had notices to publish in the newspapers and to give to the parties even remotely interested, and the greatest care was taken by the Government that every shilling of the money granted was properly expended in the particular improvement for which it was destined, and that the improvement was made in the best possible manner. The proprietor had first to give notice of his intention to improve, then a preliminary inquiry was obliged to be held upon the spot, plans and specifications were then required to be submitted, together with a certificate of the suitableness of the improvement to the character of the holding; the money, moreover, could only be issued in instalments, and no instalment could be paid unless the certificate of the inspector showed that the previous instalments had been laid out upon the work. Let the House contrast that statement, every stage of which the Government deemed absolutely necessary to protect the advances made by them upon the security of lands, with the course which the Government proposed to take with regard to the property of landlords. Under this Bill tenants, without any previous investigation showing that the improvements were capable of being made, or that if made they would be proper or suitable to the holding, were to be allowed to charge the property of their landlords with the sum which had been expended, without any means of ascertaining that such expenditure was proper and just. The mode in which the Bill would work could be tested by a few illustrations. Suppose a tenant reclaimed a small portion of a bog, but in such a way as not to be beneficial to the land or to himself; thirty-five years afterwards, if the owner proposed to resume occupation, the tenant would be entitled to claim compensation, when, perhaps, every witness and every person at all cognizant of the original transaction might have died or gone out of the country. Suppose, again, that two sets of reclamations were made—one upon the side of a mountain to which access was difficult, where the land was sterile and the climate bad, and a number of years must intervene before the improvement could prove remunerative; the other a case where the reclamation was easy, the land fertile, and the man would be rewarded for his outlay by the first crop of rape that the land produced. How was the same law of compensation to be applied in those two cases? When a house was built upon a farm which might suit the tenant himself, but might be most unsuitable for the purposes of the landlord, or those of the adjacent holdings, under this Bill the landlord could not deal with the farm until he had paid the tenant the value of the house, built perhaps thirty-five years before, and to the erection of which he had been no party whatever. And there were many cases where the existence of a house upon a farm, instead of being an advantage, was a detriment. In the case of drainage, again. This was at the root of all agricultural improvement, especially in Ireland; but, unless properly done, it might be absolutely detrimental to the land itself. Thorough drainage could not be carried out by ignorant men, or men with only small holdings. But, according to this Bill, if a man drained in the most slovenly and inappropriate way—if he ran his drains across instead of down hill, and neglected to make a proper outfall—if, in fact, the land was in any way removed to make a drain, he had a right at any time within thirty years to come down upon the landlord and make him pay for this inferior and badly-done work. What would be the effect of all this? Why, that the landlord, on taking possession of the farm, would find that the whole of the work had to be done over again, being obliged, in addition, to repay the outlay of the tenant thirty-one years before. The same rule applied to farm roads. A farm road became perfectly useless when the land was laid down in grass; but because at one period it contributed to increase the letting value of the estate, the landlord would be obliged to pay for it at the end of a long term of years. He might go on almost *ad infinitum* showing how unjust, unequal, and uncertain these principles would be in the working, and how impossible it was that any just arrangement with regard to compensation could ever be come to between landlord and tenant unless at the time of entering into the agreement there was a specific contract between them. The Government themselves appeared to have felt that they had gone a little too far in this Bill, and, after transgressing in the most wholesale manner the principles of the law of property, with a view of obviating some of the dangers of the course taken, they proposed a remedy. This safeguard was, probably, the most wonderful ever found in an Act of Parliament. The 29th clause of the Bill stated that—

> "No tenant shall be entitled to compensation under this Act in respect of any improvements which the owner might have compelled him to make, or restrained him from making, in pursuance of any contract in writing regulating the terms of the tenancy."

That clause, when read, created great astonishment, and even puzzled the legal knowledge and acumen of his hon. and learned Friend the Member for Belfast (Sir Hugh Cairns), who accordingly thought it necessary to ask the Attorney General for Ireland whether it might not enable the landlords entirely to defeat the operation of all the other clauses. The answer of the Attorney General was most remarkable. He said that if a landlord made a contract specifically restraining the tenant from draining, or from building a house, or from reclaiming any bog, and no particular time was specified, then there would be no claim for compensation; but if a formal clause were inserted in the contract whereby the tenant bound himself not to take advantage of the provisions of the present Bill, that contract would be entirely invalid, as repugnant to the legislation of the country. That was the way in which the matter stood; and was it, he asked, a position in which the House wished to place any proprietor? A landlord, in place of holding out inducements to his tenantry to improve the land, would be actually obliged, in his own defence, and to protect his successors, to specify in the contract between the tenant and himself the particular improvements which a tenant was not to make—an extraordinary way, certainly, of promoting the general improvement of the country. The Attorney General said, "Oh, landlords are not so hard-hearted; it is impossible to suppose that they would in general enforce any such system of contract." He was happy to believe that Irish landlords were not hard-hearted; but this was a matter, not of feeling, but of business. The question was, whether proprietors of estates should permit these to be subjected hereafter to indefinite and vague charges, the extent of which they did not know, and were ignorant of the very time when these were to be enforced. If this Bill passed into law, though landlords might have been on the most kindly relations with their tenants, in defence of themselves and of their children, they must import the most rigid terms into every contract. There was another proposition in this Bill of a wholly novel character. It was that the amount of compensation to be given to the tenant was to be calculated not on the outlay made by him, but on the increased letting value of the farm. In the first place, he thought that mode of valuation impossible; and, in the next, if it were possible, it would be unfair. It was impossible because this question was to be decided by a valuator. The valuator would be called in, and on proceeding to value an improvement made eighteen or twenty years before he would ask what was the letting value at the time the improvement was made. And how could that be ascertained? The rent would be no criterion, because the farm might have been let too high, or it might have been let too low. There would be no documentary evidence, and the valuator would be obliged to depend upon the word of the tenant. Would that be a satisfactory mode of deciding the value of land at some particular date, eighteen or twenty years before? It would be better to let the landlord and the tenant decide the matter by a toss up, than to leave it in such a state as that. But the principle was unfair. He maintained, and the law had always maintained, that the increased letting value of a farm did not belong to the tenant, but to the landlord ; and the custom of the country recognized that it did belong to the landlord, because where compensation was given it was awarded on the outlay of the tenant. But on the principle introduced in the Government Bill he saw an old friend. It was to some extent one of the leading doctrines of a body which had existed in Ireland, and which had been called "the Tenant League." The leaders of that association laid down that in all future dealings between landlord and tenant this principle should be adopted—namely, that the only right of property which the landlord possessed was that of property in the land in its original state, and that if any improvement in the land gave it an increased value this belonged to the tenant. A more dangerous or a more communistic principle than that never was broached. He contended that one of the provisions in the Bill would lead to that principle, because if Parliament once declared that it was not the outlay of the tenant but the increased letting value which was to decide the amount of compensation, to some extent that principle to which he had just referred would be established by law. There was another important view of this subject. He wished the House to consider what effect such legislation as this might have on the tenantry of Ireland. He had never, in that House or elsewhere, made imputations on that tenantry, but much had been said from time to time about their laziness and improvidence. He believed there were to be found among the occupiers of farms in Ireland men as industrious, as honest, and as thrifty as any peasantry on the face of the earth, although they had not the commercial spirit so strong in them as the farmers of England. In his own neighbourhood there were a number of small holdings as well farmed and managed as thriftily as any farms to be found in any country in Europe. But what would be the effect of such legislation as this? Would it not engender a total want of confidence between the landlord and tenant? As had been observed by a noble Lord who gave evidence before the Committee of last Session, the interests of landlord and tenant were bound up together like those of husband and wife, and anything that improved the conditionof the one ought to improve the condition of the other. He was afraid, however, that if this Bill passed an impression would spring up among the landlords of Ireland that their properties were not safe, and they would feel bound to take steps to protect the incomes on which they and their families depended, and therefore with a view to save themselves from loss, they would refuse to let their farms to men of small means. He had stated, in the few observations which he addressed to the House when this measure was introduced, that he thought the immediate effect of it would be to produce a large number of evictions. It would produce either evictions or contracts of a most stringent character. As a landlord, he was in favour of contracts between landlord and tenant ; but he had great doubts whether the small tenantry would be much benefited by contracts. Though the landlord might be secured in his rent, and find his property on the whole more safe if there were written contracts, he had great doubts whether, in times of difficulty and destitution, they would not prove prejudicial to the tenant. Therefore, though in the abstract he was in favour of contracts, he thought that if he were in the position of a small tenant, his inclination would not be in that direction. But it was said that the landlords might be forced to give leases. That was true ; but the landlord would have a choice. They could not force him to give a lease to a poor struggling man. If he were compelled to part with his farm for a number of years he could not be made to lease it to a tenant who could not farm it. It followed, therefore, that one of the effects of this Bill might be to make landlords consolidate their farms. Now, he never had spoken in favour of a general consolidation of farms. In some cases, such as that of grass lands, it might answer very well ; but in a very large portion of Ireland small farms were more beneficial to the landlord and the tenant, and tended more to promote the interests of the country generally. He was of opinion, therefore, that observations as to the great improvement resulting from large farms might be very inapplicable to some parts of the country, while they might be correct as applied to others. If this Bill passed into a law it would hold out a permanent inducement to the landlord to resume the occupation of his farms and evict the tenants. Take the case of a tenant making improvements without the consent of the landlord. The landlord might say, a few years afterwards, "I shall have to pay for this in twenty-five years ; it will pay me better to pay for it now and take possession of the land," and he would accordingly get rid of the tenant and let the farm at a higher rent. This was a case that would present itself to the mind of every landlord should this Bill pass, and he was confirmed in that opinion by one of the most experienced land agents in Ireland, who had pointed out that that would be the effect of the Bill. Then, again, as to the compensation to be given to the tenant, this was proposed to be limited to £5 an acre, and a limitation of that kind was very reasonable if so uncertain a principle were adopted. It was obvious, however, that the limit of £5 per acre might prove hereafter to be wholly inadequate to the tenant for the outlay he had made. He would take the case of a man holding a farm of ten acres, and would suppose that he made the following outlay:—Thoroughly draining two acres at £7 per acre, £14; thirty perches of road, at 5*s*., £7 10*s*.; building a cowshed, £25; sinking 100 perches of river, at 4*s*. a perch, £20; reclaiming and clearing two acres, at £5 an acre, £10;—making in all £76 10*s*. Under the present Bill the maximum compensation he would receive would be £50, but the actual sum would probably be a great deal less; whereas, under the Act of 1860, if he effected his improvements with the consent of his landlord, he would get £76—that was to say, an annuity spread over a certain number of years, and made a first charge on the land, and which was worth £76 at the date it commenced. Looking, therefore, at the question from a tenant's point of view, and putting a case which was very likely to occur, he would get £76 under the measure of 1860 and only £50 under the present Bill. He objected to this Bill, because it was wholly at variance with what he believed was the solemn decision of Parliament on this matter, and the Resolution he proposed was framed in direct accordance with the principle of the Act of 1860, and with the opinion of the Committee that sat last year. It appeard to him that the conduct of the Government upon this matter had been, to say the least, very inconsistent. In 1860 a measure was introduced by the right hon. Gentleman opposite (Mr. Cardwell) on the responsibility of the Government, and it was passed after considerable discussion. The right hon. Gentleman, in introducing that Bill, stated that any departure from its principle would not only be wrong in itself, but would be fatal to any permanent settlement of this difficult question. Then, what happened last year? The hon. Member for Cork (Mr. Maguire) moved for a Committee to inquire into the operation of the Act of 1860. It was granted, and the Committee sat for a considerable time, the witnesses examined being entirely in the interest of the hon. Member. At the close of the Session the Committee, by a large majority, came to a Resolution which was substantially the same as that which he now had the honour to move. Moreover, so short a time ago as last year many of the leading Members of the present Government expressed very strong opinions on this matter. Lord Palmerston, speaking in answer to the hon. Member for Cork, said—

> "The hon. Member said that, in his opinion, the veto of the landlord ought not to be sufficient to prevent the tenant from making unauthorized improvements upon the property of the landlord, but that some tribunal should be created which should determine as between landlord and tenant what changes the tenant—for I will not adopt the word 'improvements' for they may not be improvements—may make upon the landlord's property, and what should be the conditions of rent and of period of occupation which the tenant should be liable to and have a right to with regard to the landlord. Now, it seems to me that an arrangement of that kind would violate the fundamental principles of justice."—[3 *Hansard*, clxxviii. 619.]

Now, with the exception of the question of rent, the present Bill proceeded in precisely the same manner as that of the hon. Member for Cork. Indeed, it went further, for it omitted this proposition for establishing a tribunal to determine the value of these improvements at the time they were made. It was, therefore, substantially the same proposal as that which Lord Palmerston declared to be a violation of the fundamental principles of justice. What, too, did the right hon. Gentleman opposite (Mr. Cardwell) say at a later period? He spoke last year in the following terms:—

> "I wish to express my individual opinion that, by whatever name it may be called, compulsory compensation for improvements effected against the will of the landlord is not a principle which is consistent with the rights of property."—[3 *Hansard*, clxxx. 758.]

He hoped, therefore, that when the House went to a division the right hon. Gentleman would give his vote for his Resolution. The present Chief Secretary for Ireland also took an active part in the discussion of the Committee, and fully agreed with their Resolution. Besides this, there was the evidence of a noble Lord who, he rejoiced to say, was now a member of the Government, and whose evidence showed the most intimate knowledge of the subject, and had been read from one end of the country to the other. He would not trouble the House with extracts, but the whole tenour of Lord Dufferin's evidence was strongly against the principle of this Bill; and he believed the noble Lord went so far as to say that if he had an estate that was to be liable for improvements made in so uncertain and indefinite a manner he should be inclined to give up the estate altogether. The late Prime Minister, who was intimately acquainted with the country, and the then Chief Secretary for Ireland (Sir Robert Peel), had always expressed themselves most strongly, most emphatically, against the principle of this Bill. Unfortunately, however, the death of Lord Palmerston took place, and the right hon. Baronet the Member for Tamworth (Sir Robert Peel was either turned out of office or was invited to retire, and the right hon. Gentleman the present Chief Secretary was promoted in his place. It was a somewhat remarkable fact that from the date of the retirement of the right hon. Baronet the whole policy of the Government towards Ireland changed. He did not wish to go into the whole question of the present policy of the Government towards Ireland, but he would, in a few words, allude to the measures now contemplated by Government with regard to that country. The Secretary of State for the Home Department had declared that the system of education as administered in Queen's College, Ireland, was to be altered, and that Bills were to be submitted to Parliament for that purpose. They had the most important declaration from the right hon. Gentleman the Chief Secretary for Ireland that great alterations would be made in the poor schools in Ireland, and that the mixed system of education in the model schools would be so changed as in his opinion to be greatly impaired. Again, the Chief Secretary the other night expressed his approval of a Motion coming from the Benches below the gangway advocating the total and entire abolition of the Established Church in that country. They then had the present Bill introduced, which, in his opinion, was entirely repugnant to all principles of British law, and was fatal to the rights of property. It was a singular coincidence that these changes were promised at the moment when the exigencies of party were peculiarly severe, and when equal divisions were expected. He regretted that the Government, to whom they should be able to look for the protection of the rights of property, of the Church, and of free education, should introduce such a measure as that before them, which he regarded as an attempt to fulfil a rash promise. He submitted with the greatest confidence the Resolution of which he had given notice.

Sir FREDERICK HEYGATE seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, though desirous of simplifying the method of securing to tenants compensation for outlay made in permanent improvements, is of opinion that, in any measure relating to the Tenure and Improvement of Land in Ireland, it is expedient to maintain the principle affirmed by the Act of 1860, namely, that compensation to tenants should be secured in respect of those improvements only which are made with the consent of the landlord; and that the provisions as to the Improvement of Land in Ireland contained in the measure of Her Majesty's Government would operate injuriously on the position of holders of small farms in that Country,"—(*Lord Naas,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

The ATTORNEY GENERAL for IRELAND (Mr. Lawson) regretted that the noble Lord (Lord Naas) should not have found it consistent with his duty to permit the Bill to be read a second time; but that instead of doing so he should have thought proper to interpose the Resolution he had just moved. It was not his office to defend the general policy of the Government with regard to Ireland, but with regard to the last observation of the noble Lord, he begged to inform him that, so far from the present measure having been brought in with a view to affect the approaching critical division, the right hon. Gentleman the Chief Secretary for Ireland, immediately after he took office, had entered into consultation with him (the Attorney General) with respect to introducing a measure on this subject, and the present Bill was the result. The general policy of the Government towards Ireland he left to stand upon its own merits, as he was assured that the just and liberal principles upon which it was founded would meet with the general approval of the House and the country. The noble Lord had stated that he had no objection to the principle of compensation to tenants for improvements effected by them, provided that the rights of property were in no way interfered with. Well, this was precisely what the Bill did. It carried out the principle of compensation to tenants for improvements without injuring the rights of property. The conclusion which he (the Attorney General) arrived at was that the noble Lord had not read the Bill which he condemned. He had fallen into the gravest and the most serious errors as to the vital principle of the Bill, which, with his sound understanding, he could hardly have done had he read the Bill. The noble Lord told them that the Bill was founded upon principles contrary to natural justice. He said that if a tenant built upon a small farm a house, however unsuitable, even should it deteriorate the value of the property, he would be entitled to be paid the full amount he had expended whenever he left the farm. Had the noble Lord read the Bill he would have seen that the compensation of the tenant was not to be based on the outlay or expenditure, but on the consideration whether, in making the improvement, the tenant had increased the value of the farm, and that this was to be ascertained by a valuator, and that the landlord was to pay no more than the amount of the increased value which the improvement had given to the farm. Well, was this subversive of natural justice and equity? Was this against the rights of property? Was it not rather a principle on which every honest man, without the compulsion of an Act of Parliament, would act? He believed that every English landowner would agree with him that the provision was a very just one. The noble Lord said further that if a tenant drained his farm in an ineffectual manner, or by neglect allowed the improvement to become worthless, he would still be entitled to compensation; whereas the Bill distinctly stated that where the improvements were inefficiently performed no compensation should be made, and that the valuator in ascertaining the amount of compensation should take into consideration any deterioration of the improvements owing to the tenant's neglect, and reduce the award of compensation accordingly. Was this against natural justice and subversive of the rights of property? The noble Lord fell into a further error in asking who was to compel the tenant to accept the thirty-one years' lease, the granting of which by the landlord was to be a full discharge of all the tenant's claims for compensation. But the Bill provides that the offer by the landlord of the lease was to bar the tenant's claim. The noble Lord had evidently read only the marginal note and not the clause itself. The marginal note is—

> "Grant of a lease of thirty-one years or upwards to be in lieu of all claims for compensation."

But if the noble Lord had read the clause he would have found that it runs thus—

> "And if any owner having power to make a lease for thirty-one or any greater number of years shall notify in writing to the tenant that he is willing to make to him a lease for the term of thirty-one or any greater number of years of his farm or holding, at the rent at which the same is then held, with the ordinary covenants between landlord and tenant, and if within three months after such notice the tenant shall not state to the landlord in writing his willingness to accept such lease, he shall be debarred from making any claim for improvements either then or afterwards made by him on his farm or holding."

Thus the noble Lord came there upon a mere superficial reading of the Bill to take its framers to task. He could assure the noble Lord that the Bill had been drawn up after mature, careful, and deliberate consideration, and he was confident that it would recommend itself to every man of sound understanding, who believed that property had its duties as well as its rights, and that a landlord was bound to deal justly and honestly by his tenant. The noble Lord had said that it would be impossible to get the valuation made; but there could not be any difficulty in making this valuation, when it was remembered that every tenement in Ireland was periodically and minutely valued by Government valuators appointed for that purpose; and therefore there was no difficulty whatever in ascertaining the value of any property in any particular year. To do so it was only necessary to turn to the Government books. The noble Lord, in opposing the Bill, had argued that it was destructive to the rights of the landlord, while it did not confer sufficient benefits upon the tenant. The noble Lord had objected to the limit of £5 an acre for improvements, and suggested that it should have been fixed at £7; but, instead of opposing the second reading of the Bill, it would be perfectly competent for him to move the increase of the sum named to the latter amount in Committee. The Government had limited themselves to that sum because they regarded it as a sufficient compensation for ordinary improvements; and in cases where anything beyond that was concerned, the tenant, knowing the state of the law, would have to make a special agreement with his landlord. If the House would listen to him for a short time he trusted he would be able to show that the present Bill solved a problem which the noble Lord himself admitted ought to be solved; in other words, that it benefited the tenant without interfering in any way with the just rights of property. It might be advisable to remind the noble Lord, as one connected with the landed interests of the country, that this, or any other measure of a similar character, ought to be met by the landed interest in a spirit of conciliation and concession, and that the landed interest of Ireland ought to be anxious to secure the settlement of this long-vexed question. The noble Lord had said that there was no necessity for legislation of this kind. Now he (Mr. Lawson) thought it was scarcely to be denied that a widespread spirit of discontent pervaded the tenantry of Ireland with respect to the state of the law relating to landlord and tenant. ["No, no!" "Hear, hear!"] He would show before he concluded, not only that such a feeling did exist, but that under the present state of the law such a feeling was both natural and just, and that the Bill offered a solution of the difficulty on the points on which it touched, which would protect the just rights of the tenant without infringing on the just rights of the landlord. Let the House not forget the many attempts which had been made to legislate on the subject. From the year 1835 down to the year 1860 scarcely a Session had elapsed without some such attempt being made. In 1845 Lord Stanley introduced a measure for settling the question, and he then stated that where the tenant had laid out money he ought to have compensation either in money or in the duration of the term; that where a tenant had increased the value of the fee-simple, and the landlord took advantage of his being a tenant-at-will and turned him out, it was the duty of the Legislature to interfere. He (Mr. Lawson) commended these sentiments to the attention of hon. Gentlemen opposite, and thought it would be very hard to distinguish them from the principles of the present Bill. Some hon. Gentlemen said—why legislate on the subject at all—why not leave these matters to be settled between the landlord and the tenant as in England? In order to answer that question it was necessary to advert to facts. The circumstances of the two countries were entirely different. This was fully set forth in the Report of the Devon Commission. The Commissioners, in their Report, said—

> "It is well known that in England and Scotland, before a landlord offers a farm for letting, he finds it necessary to provide a suitable farmhouse, with necessary farm buildings, for the proper management of the farm. He puts the gates and fences into good order, and he also takes upon himself a great part of the burden of keeping the buildings in repair during the term; and the rent is fixed with reference to this state of things. Such, at least, is generally the case although special contracts may occasionally be made, varying the arrangements between landlord and tenant. In Ireland the case is wholly different. The smallness of the farms as they are usually let, together with other circumstances to which it is not necessary to advert, render the introduction of the English system extremely difficult, and in many cases impracticable. It is admitted on all hands that according to the general practice in Ireland, the landlord builds neither dwelling-house nor farm offices, nor puts fences, gates, &c., into good order, before he lets his land to a tenant. The cases in which a landlord does any of those things are the exceptions. The system, however, of giving aid in these matters is becoming more prevalent."

The evidence given before the Committee of this House last Session proved that this state of things still continued. When, therefore, farms were let to tenants without those appliances which were necessary to their cultivation, if the tenant-at-will at his own expense made those improvements it was a question whether a landlord ought to be allowed at any moment to put an end to the tenancy, to confiscate those improvements, and deprive the tenant of the actual sum which he had thus invested. There had of course been extreme views advocated on this as on other subjects, and the noble Lord appeared to fear this measure because he saw in it something which savoured, as he thought, of the doctrine of fixity of tenure. The noble Lord on the one hand would have no change in the existing system—on the other hand a fixed tenure and compensation for retrospective improvements was insisted on by some. Now, by the Bill there was no compensation provided for retrospective improvements, nor in respect of contracts in existence before its passing. Its object was to do justice between landlord and tenant. The real question was how to secure compensation for the tenant without interfering with the just rights of the landlord. If the tenant had no compensation for improvements he would not improve; if he did improve, and the landlord had no more to pay than the actual cost of the improvements, he would be no sufferer, and would be in the same position as if the tenant had not improved. If he received so much more a year by reason of the improvements, he could only be called on to pay the sum which represented that increased value. The outlay of the tenant might be injudicious, and impart no value to the farm, but in such a case the tenant would get nothing. Unless his improvement was an existing improvement which added something in pounds, shillings, and pence to the value, he would not be entitled to compensation. He thought the proposed arrangement between landlord and tenant was perfectly just. But there was something higher to look to than the relations between landlord and tenant, and that was the interest of the community at large. It was the interest of the community that the land should be improved—that a state of the law should not be allowed to exist under which the tenant was discouraged from making any improvements, because he must be dependent on the mercy of the landlord whether his outlay was to be confiscated or not. What would be said of a trade or manufacture carried on upon that principle? The knowledge that any improvement introduced would not benefit the author, but that the profits would accrue to a third party, could have no other effect than that of paralyzing trade, and agriculture must in this respect be regarded as on the same footing as any other branch of industry. Under such a system no improvements would be made, for if they were to be made they would be at the disposal of the landlord. In fact, it was a good illustration of the *sic vos non vobis* principle. As evidence of the few freeholders or leaseholders now existing in Ireland, he said that he had often noticed during his professional experience the difficulty there was in some parts of Ireland of getting a sufficient number of jurymen, because tenants-at-will were not competent to sit in that capacity. Criminal justice, indeed, had often been delayed from that cause. Proceeding to discuss the arguments offered against the Bill, he would inquire of those who asserted that the securing of compensation without express contract was in violation of the first principles of justice, whether it was in accordance with natural justice and equity that improvements made by a tenant-at-will should become the property of the landlord? No such thing. It was the result of a legal implication founded on the feudal maxim that whatever was placed on the soil belonged to the soil; although the Act of 1860 provided that the relation between landlord and tenant should rest upon contract, and not upon feudal principles. The principle of such implied contract was not founded upon natural justice; indeed, the common law had always allowed the presumption to be rebutted by slight circumstances, and the exceptions to the rule, *quicquid plantalur solo, solo cœdet,* were numerous. Natural justice, in his opinion, required that the landlord should get back his land in precisely the same state as he gave it to the tenant, neither worse nor better, and it was contrary to natural justice to take it in an improved condition, caused by the outlay of the tenant, and refuse compensation when the landlord did not protect himself by an express contract; and, in his opinion, the law should be framed in accordance with that view. It should not be supposed that the Bill under consideration forbade the making of specific agreements between landlord and tenant; on the contrary, it gave full power and great encouragement to do so. The framers of the measure proceeded upon the assumption that a man who had acquired a lease for thirty-one years had sufficient motive to induce him to improve the land. According to English notions, perhaps thirty-one years might appear to be a long period, and it might be suggested that twenty-one years would be sufficient; but it should not be forgotten that many facilities existed in England for the improvement of land, while Ireland was notoriously deficient in that respect; profits, therefore, accrued less rapidly in Ireland, and the making of improvements was proportionately slow. But although the tenant in the absence of a contract could obtain compensation for any improvements he might make, the landlord could protect himself if he chose by making a special contract prohibiting the tenant from making any improvements of the kind specified in the Bill. He did not think any landlord would be so shortsighted as to make such a contract; but it was impossible to prevent a landlord from entering into a contract which might have the effect of securing the continued barrenness of the land; if that was to be done let it be done by the individual—let the responsibility rest on the man who insisted on his tenant entering into such a contract; but let it no longer be said that the law sanctioned this injustice—that in the absence of a contract the tenant should have no right to claim compensation for the additional value which he had given to the land by his outlay. At present a landlord might stand by watching his tenant-at-will as he improved the land; and when the improvement was completed the tenant might be made to leave, without power to gain compensation for its expenditure upon the land. He appealed to the House no longer to permit the law of England to sanction such monstrous injustice. If the tenant claimed compensation under this Bill the entire onus would be thrown upon him of showing that the improvements were effected and had increased the value of his holding. That was more favourable to the landlord than to the tenant, for the latter would have to satisfy the valuator sent down by a public body that he had made a beneficial improvement and increased the value of the land to the amount claimed. Ample provision was made by the Bill for the valuation of the improvements the tenant might allege he had made. The machinery of valuation was similar to that in use when land is to be acquired by Irish railway companies under compulsory powers. A valuator, acting under the Commissioners of Public Works, inspected the property and made his award. He would in the case of improvements certify also to their efficiency, and judge of them in respect to the additional value they had given to the land. It was proposed that if either tenant or landlord were dissatisfied with the award they should have power of appeal to the Chairman of Quarter Sessions without the intervention of a jury. What could be more satisfactory or less expensive than such an arrangement, or by what means could the interests of the landlord be more jealously guarded? He denied that this measure would interfere with any just right of property. It only effect would be to prevent a bad landlord from doing that which no good landlord would ever think of doing. The noble Lord had said that in his opinion this Bill, if passed, would produce a want of confidence between landlord and tenant. On this he would remark that there had always been a want of confidence between bad landlords and their tenants; but this Bill would do nothing to impair the just confidence which existed between good landlords and their tenants. If this Bill became law, a man who held, say five acres of arable land and thirty acres of mountain and bog, and who spent his whole time in reclaiming the waste and clearing it from rocks and stones, in the hope of bringing more and more of it year after year into cultivation, would be sustained by the consciousness that he could not be despoiled at the mere will or caprice of any man, but would feel assured that the value of the improvements he had effected could not be taken from him. Now that, in his opinion, would give a wonderful stimulus to the carrying out of improvements. The noble Lord had said that the tenants had money. Well, if that were the case—and no doubt in many cases they had sums of money hoarded up—where could they find a better bank to invest it in than their little farm if proper security were given? This Bill would create an extraordinary stimulus to improvement, and would remove the discontent now existing in the minds of the peasants, without doing any injustice to the landlords. Indeed, its effect upon the tenant class could not be over estimated. When he heard this measure described, on the one hand, as being destructive to the race of landlords, and, on the other, as conferring no real benefit upon the tenants, the conclusion he came to was that it was a just, a fair, and a reasonable Bill, and that while it did not infringe in any respect the rights of property, it held out to the tenant a reasonable hope of obtaining a fair amount of compensation for his improvements. He thought it was desirable to facilitate and promote the practice of written contracts between landlords and tenants, because then each person would know exactly how he was situate, and the Bill would have this operation. This Bill did not propose to destroy altogether the right of distress, but it would prevent the exercise of that right unless it were expressly conferred by a written agreement. The harsh exercise of the right to distrain had resulted in many cases of an extremely painful character, and he could, if necessary, quote the opinions of learned Judges as to the acts of injustice which had sometimes been committed. Indeed, he could truly say that in almost every instance the existence of agrarian outrages could be traced to some harsh dealing of a landlord with his tenantry. He hoped the time had now come when the British Legislature would give its consent to a Bill so sound in principle, and based, as he believed it was, on the principles of natural justice.

MR. LOWE: Sir, as one of those who joined in the Resolution of the Committee to which the right hon. and learned Gentleman (Mr. Lawson) has alluded—the Resolution—namely, which declared that no compensation for improvements ought to be given except where the improvements had been made with the consent of the landlord, I heard, with most unfeigned astonishment, that this Bill was in accordance with it. Because, let the House consider what the state of the law is now. The Bill of 1860, which was introduced by the right hon. Gentleman the Secretary for the Colonies when Secretary for Ireland, provided a most elaborate machinery for the assessment of the value of improvements; only in the 38th and 40th clauses it provided that no compensation should be paid unless the consent of the landlord had been obtained to the improvements, that is, unless he had full notice and time to dissent and had not done so. That Bill has been in force four years, and now the Government bring forward a Bill which contains a schedule for the repeal of these clauses, which render necessary the consent of the landlord before he can be charged with improvements. Not only so, but my right hon. Friend the Secretary for Ireland, in introducing this Bill, made use of this language. He said, speaking of the Bill of 1860—

> "There was the very great obstacle that in every instance before the improvement could be made notice had to be given by the tenant to the landlord, which would act as an invitation to dissent on the landlord's part, and which, in the unanimous opinion of all acquainted with Irish tenant farmers, had operated and would operate as a total bar to the success of the Act."—[3 *Hansard*, clxxxiii. 219.]

The object, therefore, of this Bill is to get rid of that bar to the success of that Act. But what is that bar? Why, that the landlord was to be informed by the tenant, and was to consent to improvements before he was charged with them. The right hon. and learned Gentleman says that is contrary to natural justice. He says, in substance, that the Legislature should withhold from the landlord all the means of knowledge which the Act of 1860 provides for him. That is the only ground on which the Chief Secretary to the Lord Lieutenant bases his Bill; yet the landlord, after this knowledge, has been studiously withheld from him by the Act of the Legislature—after all we could do has been done to keep him in ignorance of the fact of these improvements going on—is to be taken as consenting by implication of law and the principles of natural justice to the very thing we take every means to prevent him from knowing. That is not my notion of natural justice. If it is naturally just that a landlord should be charged with improvements only when he has knowledge of them, is it not a just law that provides that he shall have that knowledge? And is it not an unjust law, which provides as far as it can, that he shall not have that knowledge? Well, but to mount a little higher—we are told by the right hon. and learned Gentleman that this Bill rests on the principles of natural justice. Now, that is a very important statement, and one which I wish the House carefully to attend to. Because look at the fact—at the present moment the landlords of England, Scotland, and Ireland enjoy this right, that they shall not be charged in the absence of any contract with improvements made by their tenants unless they have consented to those improvements. It is proposed by this Bill to deprive the landlords of Ireland of this right; but it is proposed to leave this right to the landlords of England and of Scotland. It becomes, therefore, exceedingly important to ascertain on what ground this deprivation is advocated. If it is a ground peculiar to Ireland, I can understand it. It has its own importance. But if the ground is that of natural justice and right, it is not peculiar to one side of the Channel or another — and we are asked to assent to a principle which resting on such grounds may be used on another occasion with crushing and invincible force against ourselves. What, then, is this principle of natural justice? I have always understood that natural justice between landlord and tenant consists in the observance on both sides of contracts into which they have entered, and out of which their rights arise. I hold it is a retrograde notion in jurisprudence to pass laws to limit the power of free contract between landlord and tenant. I hold this introduction of a compulsory term into voluntary contracts to be a blunder—a solecism—in the very nature of things. Because it must come to this—when you introduce a compulsory term into a voluntary contract either both parties know it or they do not. If they know of that compulsory term, provision is made for it in the contract, and so the provision is nugatory; if they do not both know, a fraud is committed on the one who does not. This, therefore, is a thoroughly unsound principle on which to base any piece of legislation. I think the true principle on this matter is that as this relation arises only out of contract we should leave the contract to determine itself, having reference to custom, which is in the minds of both parties. I think, if you go beyond that, you get into dangerous and mischievous perplexities from which you will be unable to rescue yourselves. The truth is, this matter is a part of that branch of morals which deals with imperfect obligations. All jurists distinguish between perfect and imperfect obligations; and the fallacy of the Attorney General for Ireland is that he is seeking to enforce by law a matter which like gratitude and charity, for instance, ought to prevail universally, but with which positive law has nothing to do, since the only obligation the law can recognize arises out of contract, and must be left to be determined by the contract; but look a little further into this doctrine of natural justice. A tenant takes land for a specific purpose—cultivation or pasture; he should have over it just as much power and dominion as he contracts for; and if he assumes to deal with it as if he were the permanent owner, and goes beyond his mere possession as the hirer or holder, is he not going beyond the domain of natural justice, inasmuch as he avails himself of a contract entered into with him for one purpose to extend it to another not in the contemplation of the other party? *Suum cuique tribuito*—that is natural justice. If the tenant chooses to improve the land, unless he takes the precaution to obtain the consent of the landland—whether he increases the value of the property or not—he has no business to meddle with it. It is in the nature of a deposit in his hands, and he ought to return it as he received it. He receives it for a particular purpose, and for that purpose only he ought to use it. If he uses it for another purpose—to build a house on it, for instance—it may be a great improvement, but he has no right to do it—it is beyond the contract he entered into; and if there be no agreement in natural justice he has no right to compensation. If you go beyond this principle and permit men to set up notions for themselves as to what they may do under certain circumstances with other men's property you involve yourselves, as the framers of this Bill have done, in endless difficulties. Look at what this Bill does. The Attorney General says it has been framed with the utmost care and solicitude; and no doubt the 28th clause, which gives this power of compensation, is perfectly clear and explicit—

> "Any tenant of lands may make such improvements therein as are mentioned in the 37th section of the Landed Property (Ireland) Improvement Act 1860, and upon the determination of the tenancy by effluxion of time, or by the act of the owner, the tenant shall be entitled, save as hereinafter excepted, by way of compensation for his outlay, to a sum of money, &c."

That is quite clear; but now comes the 29th clause, and I hope some one who speaks on the part of the Government will tell us what it means. I have read it over and over again, but it entirely baffles my powers of construction. Literally and grammatically understood it would simply repeal the 28th clause altogether. The clause says—

> "No tenant shall be entitled to compensation under this Act in respect of any improvements which the owner might have compelled him to make or restrained him from making in pursuance of any contract in writing regulating the terms of the tenancy."

It would come to this—that in order to ascertain whether a tenant is able to recover for improvements or not, you must examine whether they could have been included in any contract in writing, and if they could have been included then he would not be entitled. I know that is not the meaning; but what the meaning is I confess passes my comprehension. Had I not been told the Attorney General for Ireland had paid great care and attention to the framing of this Bill I should have said this clause was a slip of the pen. I hope the meaning of it will be explained. [An hon. MEMBER observed, that it was matter for consideration in Committee.] Yes, it may be a matter for Committee, but unfortunately the principle of the whole Bill is in it. The Bill in the most explicit language saddles the landlords of Ireland with the necessity of paying for these improvements, and this is the clause relaxing the obligation, and therefore it is important to know what is the meaning of it. No one can have read the Irish newspapers, or attended to what has passed at public meetings in Ireland, without being aware that the most different constructions are put on it. With the view of ascertaining what the Government themselves say on the subject, I turn to the speech of the Chief Secretary of the Lord Lieutenant, and he says—

> "At the same time it was proposed to interfere in no way with the perfect freedom of contract between landlord and tenant; but the Act pro-

vided that, in the absence of any written contract to the contrary, the tenant shall, by the general rule of law, have a general beneficial interest in the permanent improvements executed at his cost."

Then the right hon. Gentleman goes on to say—

> "While they left the landlord and tenant at perfect liberty to regulate their own affairs by written contract, they yet proposed to place the law of the country on the side of natural equity and justice."

Now, I ask the House can any man, reading those two passages, fail to come to the conclusion that it is perfectly open to the landlord and tenant to contract as to whether these improvements shall be made or not; but the Attorney General for Ireland has told you that is not open—that while a landlord and tenant may contract in this way about specified improvements it would be an illegal contract if applied to improvements generally. Thus the Chief Secretary and the Attorney General for Ireland are at issue, and the clause which is to decide between them is incapable of rational construction. The whole of the improvements, however, cannot be by contract exempted from compensation; we know not how much can; and that is the position in which it is proposed to place Irish landlords, and on such a state of law every man is to be told to regulate his transactions. It is such a proposed enactment as this, which allows a man to do a great deal, but not all, and which does not draw the line between what he may and may not do, which has been described as having been carefully prepared, as calculated to allay angry passions, to do away with mistrust, and to establish peace and confidence between Irish tenants and landlords. Why is this Bill introduced? On looking to the speech of the Chief Secretary for Ireland, I find that he stated in the most glowing manner the wonderful improvements which had been going on in Ireland since 1841; how 2,000,000 acres of wild land had been brought into cultivation, and what an enormous quantity of good of different kinds had been done—the right hon. Gentleman seemed to look with wonder and astonishment on what had been effected; and therefore it could not be that this Bill has been introduced because the present state of the law prevents improvements. Well, I expected that the right hon. Gentleman would show that the existing law was calculated to prevent future improvements—but there was not a syllable in his speech to that effect. Then, if the law has not prevented improvements in the past, and if improvements are likely to go on in the future, I thought he would have shown that Irish landlords in general were taking advantage of the state of the law, and grossly oppressing their tenants—but the right hon. Gentleman never alluded to that subject. He seemed to think, because improvements were going on very fast in Ireland, that that was a reason for altering the state of the law. Again, the Attorney General for Ireland disclaimed the idea of basing the Bill on the ground of oppressive conduct on the part of the Irish landlords. He said that—

> "Flagrant instances of injustice on the part of Irish landlords were now and then brought to light; but these, he honestly believed, were the exception and not the rule."

Well, the same thing may be said in respect to England—no doubt there are in this country cases of exceptional hardship. But what are you going to do? You are going to introduce a principle which is to be applied to Ireland, but not to England and Scotland, and that on the plea that it is to meet an exception and not the rule. If this be so, what ground is there for the Bill? The Attorney General for Ireland quoted some extracts from the Report of Lord Devon's Commission in 1845. But we have not been asleep since then. Enormous improvements have been made in Ireland in the interval, and are now going on, and yet you now propose to make this important change, which cuts deep into the principles on which property is based, on grounds which are to be found only in a Report made twenty years ago, and which have since disappeared. No attempt has been made to show that there is any case of practical grievance, or of serious inconvenience. In the Select Committee of last year it is true that witnesses came before us and gave evidence in support of the principle involved in this Bill; but then these gentlemen knew nothing about land. On the other hand, we had two witnesses of practical experience, Mr. Curling and Lord Dufferin, and they both gave evidence against the notion that any practical grievance existed. I am not going to enter into abstract questions, but the property of the landlord consists in his rights over the soil, not in the soil itself, and, therefore, when you take away his rights you *pro tanto* take away his property. We know the history of this question and what it implies. I do not believe that there is any really serious demand on the part of the tenantry of Ireland for this measure. ["Oh, oh!"] I do not pretend to have an extensive knowledge of Ireland or its people; indeed, I should not have presumed to speak on the subject at all, but having been selected to serve on the Committee of last year, I had an opportunity of investigating the question. I did not find, after hearing the evidence of a great number of gentlemen, that there was any such demand; but I found that there was in Ireland a very great wish to maintain the present subdivided state of land occupations there, and that a Bill like the present is desired not to protect the tenant from ill-treatment on the part of the landlord, but to prevent the aggregation of farms together. A tenant may make improvements which, assuming things to remain as they are with regard to the subdivision farms, are good, though in the landlord's point of view, and on the plan he has for managing the estate, of which the tenant knows nothing, they may be no improvements, but incumbrances only. It is by facilitating the creation of these so-called improvements under this Bill, not only without the consent, but against the consent of the landlord, that you will retard that which most persons wish to see done, who look at the question with a view to the good of the country—namely, the putting an end to very small holdings, and aggregating them into large farms. We must remember that there is a great wish on the part of a powerful body in Ireland to maintain the subdivision of land. It is the interest of the priesthood to have the land subdivided. They have to make out their existence from the benevolence of their congregations, and they believe that they have an interest in keeping up the subdivision of land — their interests are that the people should be numerous rather than wealthy. There is another consideration which should never be lost sight of. Why is it that the tenant does not make terms beforehand with the landlord for the improvements he wants to make? The fact is that the demand for land in Ireland is so infinitely greater than the supply, and one man is so pressing upon another, that the tenant does not propose anything which would imperil his holding. That is a thing which legislation cannot remedy—it depends upon the laws of demand and supply—the evil must be dealt with by other means, and it is being dealt with by emigration, which is gradually reducing the population, and will continue to reduce it until landlord and tenant will be able to negotiate with each other on terms of perfect equality, or as in America where the landlord is at the mercy of the tenant. If you give to the tenant the power of securing compensation for the improvements he may make, it will be subtracted from him in a very disadvantageous form. Do you think that by driving the landlord to make an express contract with his tenant you will do a wise thing? Do you think that by imposing penalties upon persons who will not enter into written contracts you will advance the interests of the present tenantry of Ireland? That is not by any means so plain. This question seems to me to be two sided. The condition in which the landlord will be placed has probably not escaped the thoughts of those who drew up this Bill. The Attorney General has told us that it will be illegal to make a contract against the obligation to give compensation to the tenant; and were it not so such a contract undoubtedly would be very unpopular, and we all know what unpopularity in Irish country districts means. You are going to force the landlord to enter into written contracts by which his liberty will be circumscribed beforehand; and the effect will be that the landlord will say, "In for a penny in for a pound. Eviction is better than ruin; I will get rid of these small farms and aggregate them to others." By such a course you will probably lay the foundation for what you want to avoid. There will be a tendency to get rid of the small holdings, as hotbeds of dispute and litigation, and the consequence will be greater hardship than any that could be removed by the present Bill. Then you are to abolish the law of distress except in cases of a written contract; but do you think you are benefiting the poor tenant by such a provision? The landlords, I humbly submit, are better judges in the matter of granting leases than this House can possibly be; and do you think that you are benefiting the poor tenant by compelling the landlord, unless he grant a lease, to bring a civil action against his tenant instead of a distress, perhaps witnessing the disposal of his property, his cattle, his beasts, before his eyes, while the action against him for rent is going its slow course towards judgment. At a future time such a law may be beneficial to the country; but its operation will be exceedingly harsh during the exodus which is now going on. It will hurry on the process of evictions, and make it necessary for a landlord, for his own preservation, to turn out any tenant whom he cannot trust. Look, again, at the relation of landlord and tenant. It ought to be determined purely by contract; but there is no doubt that in Ireland it is simply the relation of the superior to the inferior, and the richer to the poorer. The latter has frequently to look to the benevolence, the generosity, the kindness, and the forbearance of his superior; but the effect of the compulsory powers proposed by the present Bill will be largely to prevent the exercise of those qualities. It is of no use whatever to expect to meet the case by forcing upon the landlord to do that to which, in the management of his property, he is averse. By such a proceeding are you not putting a weapon into the people's hands, which, if used, is sure to recoil with ten-fold force against their own breasts? Do you think you are acting wisely in encouraging the inferior to deal with the superior in a strict, it may be harsh and coercive manner, by means of the proposed compulsory powers, and that the landlord will come out defeated in the contest? If you insist on bringing the pot of clay into contact with the pot of iron, do you think the pot of iron will go to pieces? All these attempts against nature, against the law of political economy, and against that natural law which binds men by the contracts they make, must in the nature of things recoil; and the person whom you mean to benefit is injured by them. In this way you furnish excuses and provocation to the stronger to take vengeance against the weaker. Then there is another point which has been touched on before to which I will briefly advert. We all know that there are dreams in Ireland of an extraordinary character. The tenants may say, "We must have compensation for our improvements;" but then they will add, "What is the good of compensation for improvements, when the first notice of our intention to make them is met by a corresponding notice to quit the farm altogether?" It will be useless to give them the power of exacting compensation for improvements unless accompanied by fixity of tenure. Then, however, when fixity of tenure is given, you get a position in which the substance of ownership departs from the landlord and the shadow only remains. He is reduced like the Government of India in the Presidency of Bengal to the receipt of a permanent rent which cannot be raised, and the country becomes a country of ryots, with nothing left but the zemindars and the tillers of the soil. The Government might get rid of the landlords by taking into its own hand the collection of the rent, which could be easily managed, I have no doubt, by the Chancellor of the Exchequer, who would make a fine financial operation of it by means of terminable annuities. To show you the kind of dreams which prevail among the Irish people, I will just state to the House what I heard the other day. Two men in a certain part of Ireland entered into a dreadful combat with each other in which both were severely wounded. A benevolent lady undertook to nurse one of these men, and at last asked him the cause of the combat. The cause was that each of them had cast his eye upon a particular portion of the estate of the husband of the lady who had so kindly attended to him, and there being no Court of Law yet appointed to try such titles as would arise in case the Fenian conspiracy were successful, they determined to try it by the ordeal of battle and almost killed each other. Now, when you have people with such ideas in their heads, is it wise to encourage them by breaking down in their favour those laws of property which regulate tenancy, and which obtain in the rest of the United Kingdom? Is it wise to use the language we perpetually hear—that what is good sense and sound law on this side of the Channel is not so on the other? Are we to defer to Irish opinion, and let sound principles and the elementary rules of jurisprudence cease to have their efficacy? I know that it is the fashionable theory now about Ireland; and, though I wish to say nothing disagreeable, I am bound to say it seems to me to be the predominant principle which actuates the policy of the Government. I think any person who looks at these things with calmness and impartiality will see that there are not two truths in these matters. If there is a right and wrong, a wise and a foolish course, it cannot be altered by circumstances. Prejudices and old animosities make certain persons in certain parts of the country take different views of these circumstances. I have no doubt myself that in Ireland, more than anywhere else, it is necessary our legislation should be founded on principles perfectly broad, perfectly well ascertained, perfectly defensible upon the most abstract philosophical grounds. I say in

Ireland especially, because in the turgid vortex of Irish opinion and discord we have nothing else but abstract principle to rely upon. You cannot give up principle without encouraging those dreams of reconquering land which has been taken from them. You cannot give up all that is asked by the Ultramontane Episcopate without encouraging them in dreams equally fatal to the welfare of the people and the country. You must take your stand upon something; that something ought to be truth, honesty, and sound principle. If it is necessary to maintain them in England, it is ten times more necessary to adhere to them with punctilious accuracy in Ireland. Our wisdom is, when we have got existing institutions in Ireland, whether they be land laws, colleges, or schools, founded on the best principles we can find out for our own use in this country, to stand by them and maintain them firmly, yielding to no clamour, seeking no vulgar popularity, but doing our duty as far as we know with reference to what is true and just, and not with any idea of momentary expediency. If I were to describe what our policy with regard to Ireland ought to be in a few words, I should say it consisted in patience, forbearance, firmness, and impartiality.

MR. J. STUART MILL: It was in an auspicious hour for the futurity of Ireland and of the Empire of which Ireland is so important a part, that a British Administration has introduced this Bill into Parliament. I venture to express the opinion that nothing which any Government has yet done, or which any Government has yet attempted to do, for Ireland—not even Catholic Emancipation itself — has shown so true a comprehension of Ireland's real needs, or has aimed so straight at the very heart of Ireland's discontent and of Ireland's misery. It is a fulfilment of the promise held out by the Chancellor of the Exchequer at the beginning of the Session, when, in discharging the painful duty of calling on Parliament to treat Ireland once more—let us hope for the last time—as a disaffected dependency, he declared his purpose, and that of the Government of which he is a Member, to legislate for Ireland according to Irish exigencies, and no longer according to English routine. To have no better guide than routine is not a safe thing in any case; but to make the routine of one country our guide in legislating for another, is a mode of conduct which, unless by a happy accident, cannot lead to good. It is a mistake which this country has often made—not perhaps so much from being more liable to it than other countries, as from having more opportunities of committing it: having been so often called on to legislate and to frame systems of administration for dependencies very unlike itself. Sir, it is a problem of this sort which we still have before us when we attempt to legislate for Ireland. Not that Ireland is a dependency—those days are over; she is an integral part of a great self-governing nation: but a part, I venture to say, very unlike the remaining parts. I am not going to talk about natural differences, race, and the like—the importance of which, I think, is very much exaggerated; but let any hon. Gentleman consider what a different history Ireland has had from either England or Scotland, and ask himself whether that history must not have left its impress deeply engraven on Irish character. Consider again how different, even at this day, are the social circumstances of Ireland from those of England or Scotland; and whether such different circumstances must not often require different laws and institutions. People often ask — it has been asked this evening—why should that which works well in England not work well in Ireland? or why should anything be needed in Ireland which is not needed in England? Are Irishmen an exception to all the rest of mankind, that they cannot bear the institutions and practices which reason and experience point out as the best suited to promote national prosperity? Sir, we were eloquently reminded the other night of that double ignorance against which a great philosopher warned his co-temporaries—ignorance of our being ignorant. But when we insist on applying the same rules in every respect to Ireland and to England, we show another kind of double ignorance, and at the same time disregard a precept older than Socrates—the precept which was inscribed on the front of the Temple of Delphi: we not only do not know those whom we undertake to govern, but we do not know ourselves. No, Sir, Ireland is not an exceptional country; but England is. Irish circumstances and Irish ideas as to social and agricultural economy are the general ideas and circumstances of the human race; it is English circumstances and English ideas that are peculiar. Ireland is in the main stream of human existence and human feeling and opinion; it is England that is in one of the lateral channels. If any hon.

Gentleman doubts this, I ask, is there any other country on the face of the earth in which, not merely as an occasional fact, but as a general rule, the land is owned in great estates by one class, and farmed by another class of capitalist farmers at money rents fixed by contract, while the actual cultivators of the soil are hired labourers, wholly detached from the soil, and receiving only day wages? Parts of other countries may be pointed out where something like this state of things exists in an exceptional fashion, but Great Britain is the only country where it is the general rule. In all other places in which the cultivators have emerged from slavery, and from that modified form of slavery, serfage, and have not risen into the higher position of owning land in their own right, the labourer holds it, as in Ireland, directly from the landowner, and the intermediate class of well-to-do tenant-farmers has, as a general rule, no existence. Ireland is like the rest of the world, and England is the exceptional country. Then, if we are making rules for the common case, is it reasonable to draw our precedents from the exceptional one? If we are to be guided by experience in legislating for Ireland, it is Continental rather than English experience that we ought to consider, for it is on the Continent, and not in England, that we find anything like similarity of circumstances. And this explains why so much has been said in Ireland about tenant-right and fixity of tenure. For what does Continental experience tell us, as a matter of historical fact? It tells us that wherever this agricultural economy, in which the actual cultivator holds the land directly from the proprietor, has been found consistent with the good cultivation of the land or with the comfort and prosperity of the cultivators, the rent has not been determined, as it is in Ireland, merely by contract, but the occupier has had the protection of some sort of fixed usage. The custom of the country has determined more or less precisely the rent which he should pay, and guaranteed the permanence of his tenure as long as he paid it. Such a social and agricultural system as exists in Ireland has never succeeded without tenant-right and fixity of tenure. Do I therefore ask you to establish customary rents and fixity of tenure as the rule of occupancy in Ireland? Certainly not. It is perhaps a sufficient reason that I know you will not do it; but I am also aware that what may be very wholesome when it grows up as a custom, approved and accepted by all parties, would not necessarily have the same success if, without having ever existed as a custom, it were to be enforced as a law. Only I warn you of this. Peasant farming never answers anywhere without fixity of tenure. If Ireland is ever to prosper with peasant farming, fixity of tenure is an indispensable condition. But you do not want to perpetuate peasant farming; you want to improve Ireland in another way. You prefer the English agricultural economy, and desire to establish that. The only mode of cultivation which seems to you beneficial is cultivation by well-to-do tenant-farmers and hired labourers. Well, Sir, there is a good deal to be said against this doctrine—it is very disputable, but I am not going to dispute it now. I accept this as the thing you have got to do, and assuming it to be desirable, I ask, how is it to be brought about? This is not the first time that a problem of this sort has been propounded. The French Economists of the 18th century—on the whole the most enlightened thinkers of their time—tried to deal with a state of things not unlike what you have to deal with; and they wanted exactly what you want. They had a wretched, down-trodden, half-starved race of peasant cultivators, and they wanted to have, instead of these, comfortable farmers. Some of the more enlightened of the great landlords of France adopted the doctrines of the Economists, and would gladly have carried them into practice; but nothing came of it, and the reform of the agricultural economy of France had to wait for a revolution. Now, to what do the best writers attribute the failure of these agricultural reformers? To this—that they aimed at putting farmers in the place of the peasants, when they should have aimed at raising the peasants into farmers. If you are going to succeed where they failed, it can only be by avoiding their error. Instead of bringing in capitalist farmers over the heads of the tenants, you have got to take the best of the present tenants, and elevate them into the comfortable farmers you want to have. You cannot evict a whole nation—the country would be too hot to hold you and your new tenants if you attempted it. And supposing even that things could be made smooth for the successors of the existing peasantry by means of emigration, are you going to expatriate a whole people? Would any hon. Gentleman desire to do that?

Would he endure the thought of doing it? Supposing even that you sought to use the right of landed property for such a purpose, is there any human institution which could have such a strain put upon it and not snap? Well, then, how are the present tenantry, or the best of them, to be raised into a superior class of farmers? There is but one way, and this Bill which is before you affords the means. Give them what you can of the encouraging influences of ownership. Give them an interest in improvement. Enable them to be secure of enjoying the fruits of their own labour and outlay. Let their improvements be for their own benefit, and not solely for those whose land they till. There is no parallel problem to be resolved on this side of St. George's Channel. The system of tenancy in England is found to be at least not incompatible with agricultural improvement. In England and Scotland a large proportion of the landowners either give leases to their tenants, which afford them sufficient time for reaping the benefit of whatever improvements they may make, or, when there are no leases, there is generally such a degree of confidence and mutual understanding between landlord and tenant, that they make their improvements in concert; or at all events the tenant, as a general rule, has no fear that the landlord will take an unfair advantage of him, and, by accepting a higher offer over his head, will possess himself without compensation of the increased value which the tenant has given to the land. This is the case in England: but how is it in Ireland? The reverse in all respects. There are few leases, except old and expiring ones, and no confidence at all between landlords and tenants. ["Oh, oh!"] Well, at least one-half of the landlords, or some other proportion of them, do not deserve confidence, and the consequence is that the tenants dare not trust the other half. If a tenant does trust his landlord, he does not trust, for he does not know, the next heir, or the stranger who may buy the property in the Landed Estates Court. The extent to which this want of confidence reaches is really one of the most remarkable facts in all history. There have been incontestable proofs of late years that the tenant farmers of Ireland often possess a considerable amount of savings. Where do these savings go to? They go into banks of deposit; they go into the English funds; they go under the thatch; everywhere but to their natural investment, the farm. There is something, to my mind, almost tragical in this state of things. For the fact is decidedly honourable to Irish landlords that these savings have been made by their tenants; it exculpates a large proportion of them from the indiscriminate charges often brought against the entire class; it proves that a much greater number of them than has often been supposed are neither greedy nor grasping, do not rack-rent their tenants, or take the last farthing in payment of rent; and in spite of this, the tenants are so absolutely without confidence in them, that even the sums which the landlord's forbearance has enabled them to accumulate are sent away everywhere—are employed for any purpose—except the most obvious and natural purpose, the improvement of their farms. Now, are you going to let this state of things continue? If we all deplore it—if we all are ashamed of it—what remedy is there but one? Give the tenant compensation, awarded by an impartial tribunal, for whatever increased value—and only for the increased value—he has given to the land. Do not use the fruits of his labour or of his outlay without paying for them, or without giving him assurance of being paid for them. The Bill appoints an impartial tribunal. When the parties do not agree, the case is to be adjudged by authorities who even in Ireland deserve and possess the confidence alike of landlords and tenants. Valuers appointed by the Government Board of Works will decide in the first instance, and the assistant barrister, the stipendiary Chairman of Quarter Sessions, is the Judge in appeal. I believe no one doubts that such arbitrators as these would be impartial, and would be trusted by the Irish people. But the right hon. Gentleman who spoke last (Mr. Lowe) said it was not so much the giving compensation he objected to, as to the fact that improvements might be made under the Bill, to which the consent of the landlord had not been previously obtained. That provision, however, if we consider the matter, is the very essence of the Bill, and is indispensable to its operation. If improvements are only to be made by the landlord's permission, and on his voluntary promise of an indemnity, that can be done now; saving, indeed, some insufficiency in the legal power of a limited owner to bind his successors. But experience proves that when there is a want of confidence between landlords and tenants, improvements which require the previous consent of the landlord are not made at all. The tenant is afraid to serve a notice on his landlord. He is afraid to announce beforehand to the landlord that he is in a condition to make improvements, lest, being mostly a tenant-at-will, he should be thought to be also in a condition to pay a higher rent. Or he fears that the landlord will do—what some landlords have been known to do—withhold his assent, on the speculation that the tenant may make the improvement notwithstanding, and the landlord may be able to profit by, without paying any indemnity. Or he thinks that the landlord may dislike an improving tenant, from a mere wish to keep his tenantry in a state of dependence. And what does the landlord sacrifice by renouncing the condition of previous consent? Nothing whatever but the power of taking for himself the fruits of the labour of others. He will still be free to improve the estate himself, if he can and will. But if he does not, and his tenant does, he will be prevented from appropriating the value which the tenant has created, without paying him an equivalent. What he will have to pay, will be determined not by the outlay of the tenant, but by the value actually added to the farm by the tenant's labour or outlay, in the opinion of an impartial tribunal. It is of no consequence how much the tenant may have expended; unless he has made the land worth more money to the landlord for the landlord's uses, he will receive nothing. Even in such a case as that to which the right hon. Gentleman alluded, and to which reference was frequently made before the Committee—the case of a landlord wishing to consolidate his farms, and the buildings erected by the tenant not being required when such consolidation took place—this circumstance would be taken into consideration by the valuer, and the tenant would have to bear the loss. Indeed, in no case would the landlord sustain any pecuniary loss. He would simply have to pay for value received. The objection is what would be called, on almost any subject but the present, a purely abstract objection. The Bill is thought to violate a certain abstract right of property in land. I call it an abstract right, meaning that it is of no value to the possessor though it is hurtful to other people. Of what earthly use to any landed proprietor is the right of preventing improvement? It is the right of the dog in the manger. Yet, wonderful to relate, even this the Bill does not take away; it leaves to the landlord the power of preventing the tenant's improvements by a previous stipulation. But it does this in the confidence—I believe the well-grounded confidence—that the power will seldom be used, except when there is something to justify it in the special circumstances of the case. The framers of the Bill place a just reliance in the influence of a sound moral principle when once embodied in the law. They know that there is a great difference between requiring the tenant to ask permission from the landlord to make improvements, and throwing the onus on the landlord of prohibiting by anticipation a public benefit, which the law, if this Bill passes, will have declared its purpose of encouraging. I maintain, Sir, that the claim of the improver to the value of his improvements, so far from conflicting with the right of property in land, is a right of the very same description as landed property, and rests on the same foundation. What is the ground and justification of landed property? I am afraid some hon. Members think that I am going to give utterance to some grave heresy on this subject. At least, those hon. Gentlemen who have been so obliging as to advertise my writings on an unexampled scale, and entirely free of expense either to myself or to my publisher, seemed to be much scandalized by some passages they had discovered, to the effect that landed property must be more limited in its nature than other proprietary rights, because no man made the land. Well, Sir, did any man make the land? If not, did any man acquire it by gift, or by bequest, or by inheritance, or by purchase, from the maker of it? These, I apprehend, are the foundations of the right to other property. Then what is the foundation of the right to property in land? The answer commonly made to this question is enough for me, and I agree in it. Though no man made the land, men, by their industry, made the valuable qualities of it; they reclaimed it from the waste, they brought it under cultivation, they made it useful to man, and so acquired as just a title to it as men have to what they have themselves made. Very well: I have nothing to say against this. But why, I ask, is this right, which is acquired by improving the land, to be for ever confined to the person who first improved it? If it requires improving again, and some one does improve it again, does not this new improver acquire a kind of right akin to that of the original improver? Of course I do not pretend that when one person has acquired a right to land by improving it, another, by improving it again, can oust the first man of his right. But neither do I admit that the man who has once improved a piece of land, acquires thereby an indefeasible right to prevent any one else from improving it for the whole remainder of eternity; or a right to profit, without cost to himself, by improvements which some one else has made. Landed property in its origin had nothing to rest upon but the moral claim of the improver to the value of his improvement; and unless we recognize on the same ground a kindred claim in the temporary occupier, we give up the moral basis on which landed property rests, and leave it without any justification but that of actual possession—a title which can be pleaded for every possible abuse. We have heard a good deal lately about "thoughtful Reformers." It seems there are a great many thoughtful Reformers in this House—some of them very thoughtful ones indeed. I wish there were as many thoughtful Conservatives; but I am afraid they keep most of their thoughtfulness for Reform. However, we know there are thoughtful Conservatives, and they cannot be all on this side of the House. Let me remind them of a writer with whose works they must all of them be familiar—the most thoughtful mind that ever tried to give a philosophic basis to English Conservatism—the late Mr. Coleridge. In his second Lay Sermon, this eminent Conservative propounds a theory of property in land, compared with which anything which I ever hinted at is the merest milk and water. His idea of landed property is, that it is a kind of public function—a trust rather than a property—which the owner is morally justified in using for his own advantage, only after certain great social ends, connected with the cultivation of the country and the well-being of its inhabitants, have been amply fulfilled. I am not claiming anything comparable to this. All I ask is, that the improvement of the country and the well-being of the people may be attended to, when they are proved not to be inconsistent with the pecuniary interest of the landowners. This modest demand is the only one I make; because I believe, and because it is believed by those who are better judges of the condition of Ireland than I can pretend to be, that no more than this is necessary to cure the existing evils. Sir, the House has now a golden opportunity. When I think how small a thing it is which is now asked of us, and when I hear, as I have heard, Members of this House, usually classed as of extreme opinions—men who are Irish of the Irish, who have the full confidence of what is called the National party—when such men assure us that the tenantry, who have been scarcely touched by any of the things you have hitherto done for the benefit of Ireland, will, as they hope, and as they think there is ground to believe, be reconciled to their lot, and changed from a discontented, if not disloyal, to a hopeful and satisfied part of the nation, by so moderate—I had almost said so minute—a concession as that which is now proposed; I confess I am amazed that those who have suffered so long and so bitterly are able to be conciliated or calmed by so small a gift; and deplorable would it indeed be if so small a gift were refused to them. Even if we ourselves had not full confidence in this remedy, there is nothing in it so alarming that we need be afraid to try, as an experiment, what is so ardently wished for by a country to which we owe so much reparation that she ought to be the spoilt child of this country for a generation to come—to be treated not only with justice but with generous indulgence. I am speaking in the presence of many who listened, like myself, to that touching speech which was delivered on the last night of the Reform debate, by the hon. Member for Tralee (The O'Donoghue)—when he, who is so well entitled to speak in the name of the Irish people, and of that portion of them of whom we have had the hardest thoughts, and who have had the hardest thoughts of us, held out his hand to us and declared that if there is even one party in this House and in this country who reciprocate the feeling he then showed, and really regard the Irish as fellow-countrymen, they will be fellow-countrymen to us—they will labour and contend by our side, have the same objects with us, look forward to the same and not to a different future, and let the dream of a separate nationality remain a dream. Many, I am sure, must have felt as I felt while I listened to his eloquent and feeling words, that if this House only wills it, that speech is the beginning of a new era. Let us not fling away in want of thought—for it is not want of heart—the reconciliation so frankly tendered. History will not say that we of the present generation are unwilling to govern Ireland as she ought to be governed:—let us not go down to posterity with the contemptible reputation of being unable to do so. Let it not be said of us that, with the best possible intentions towards Ireland, no length of time or abundance of experience could teach us to understand her—whether it is insular narrowness, making us incapable of imagining that Ireland's exigencies could be in any way different from England's; or because the religious respect we cherish for everything which has the smallest savour of a right of property, has degenerated, as is sometimes the case with other religions, into a superstition. Let us show that our principles of government are not a mere generalization from English facts; but that in legislating for Ireland we can take into account Irish circumstances: and that our care for landed property is an intelligent regard for its essentials, and for the ends it fulfils, and not a servile prostration before its mere name.

MR. DILLON said, the first duty of an Irish Member, rising after such a speech as they had just listened to, must be to thank the speaker for the generous sentiments he had expressed. He (Mr. Dillon) could only wish in addition that such sentiments could be acted on for ten years in legislating for Ireland; for he was sure that at the end of such a beneficent course the relations of the two countries would be very materially different. Adverting to subjects touched on in the previous portion of the debate, the hon. Member contended that the principle of compulsory compensation to the tenant of an absentee landlord was not contrary to natural justice. The argument that a system which did not apply to landlords and tenants in England and Scotland should not apply to Ireland, his right hon. Friend the Attorney General for Ireland had already answered, by showing that the state of Ireland was peculiar. In England and Scotland farms were let with improvements made upon them; while all improvements made upon farms in Ireland were made by the occupiers, and not by the landlords. But there was another answer to that argument which he (Mr. Dillon) would take the liberty of mentioning. The responsibility for an exceptional state of things which rendered exceptional legislation necessary, rested entirely upon the Legislature and people of England. The treatment received by Ireland in past times, at the hands of the English Government, had created an artificial relation between the classes of proprietors and occupiers in Ireland which rendered such special legislation for that country absolutely necessary. It was the English nation and the English Government who placed in Ireland a proprietary of one race and one religion over a peasantry of another race and another religion; and he submitted that when, on behalf of Ireland, special remedies were now demanded for the special and exceptional evils so created, the Legislature was simply evading its responsibility, when it referred them to the case of England and Scotland, where existing social relations were the result of free and natural development. The right hon. Gentleman the Member for Calne (Mr. Lowe) had introduced into his speech an illustration which appeared to be a favourite one with him, for he had used it in a question put to him (Mr. Dillon) when examined upon the Committee last year. He had then given an answer which he would now take the liberty to repeat—namely, that the applicability of the illustration rested on the supposition that the pot of iron and the pot of clay do not now come into collision; but he was aware from his experience that collision between them was frequent, and always resulted most disastrously to the weaker vessel. He said he thought, therefore, that some protection for the sides of the pot of clay should be devised, which would enable it to bear the shock of the collision; and this Bill might be fairly taken as a protection of that kind. The discontent existing in Ireland could not be traced to a single cause, but the most fruitful source of discontent was the relation between landlord and tenant. In support of that assertion he begged to read the observations made by the Lord Lieutenant of Ireland a few evenings ago in the other House.

MR. SPEAKER: The hon. Member is not in order in quoting in this House a speech made in the other House during the present Session.

MR. DILLON said, that he would not make any quotation from the speech to which he had referred, but probably the noble Lord's words would be in the recollection of the Members of the House. Nothing could be more strong than the observations made by the noble Lord respecting the connection between the discontent in Ireland and the relations between landlord and tenant, and the necessity for such a change in the law as the Bill contemplated. The principle of the Bill—the principle of giving compensation to an improving tenant — was founded in justice, and the House was estopped from controverting that principle by its own acts, and by the declarations of distinguished Members on both sides of the House. Three Bills obtained a second reading, embodying, in a spirit more or less liberal, the principle of compensating the tenant for improvements. He should not detain the House by reading the declarations of such eminent men as Lord Palmerston, Lord Derby, and Lord Westbury, when Attorney General; but there were three Members of the House to whose opinions he would refer. Those Members were the noble Lord the Member for Cockermouth (Lord Naas), the right hon. Gentleman the Member for Dublin University, and the hon. and learned Member for Belfast. The noble Lord the Member for Cockermouth was Chief Secretary for Ireland in 1852, when a Bill was introduced embodying the principle of compensation for retrospective improvements. Retrospective compensation must have been compensation for improvements made, not only without the consent of the landlord, but made at a time when the landlord could have no suspicion that a claim would be made against him for them. The noble Lord the Member for Cockermouth spoke strongly in favour of that Bill. The right hon. Member for the University of Dublin said the Bill specified the improvements for which compensation would be allowed—they were prospective and retrospective. Therefore he said he thought they were entitled to take credit for those Bills; "because, if they were compared to the Report of the Devon Commission, they would be found to contain, not only the recommendations of that Commission, but to go far beyond them." They did not on the present occasion ask the right hon. Gentleman to go beyond the recommendation of the Devon Commission; they were more moderate in these days. The hon. and learned Member for Belfast (Sir Hugh Cairns) gave notice when the Bills referred to were pending before the House of the following Amendment:—

> "Be it enacted that if any tenant, or those under whom he derives, shall, before the passing of this Act, have executed improvements in the holding, of the nature contemplated by the Act, and if the landlord for the time being shall proceed by any process of law against such tenant for the purpose of evicting and shall evict his interest in the holding otherwise than for non-payment of rent or breach of covenant, such tenant may recover from such landlord just and reasonable compensation for the expenditure of labour and money *bonâ fide* made by such tenant, or those under whom he derives, and the court shall award such compensation."

He recalled the strong testimony borne on a former occasion by those three hon. Members to the justice of the principle of giving compensation to tenants for improvements made without the previous consent of the landlord, not only because their opinions had justly great weight with the House, but also for the purpose of reminding them that a decent regard to consistency must compel them to support the moderate affirmation of that principle contained in the present Bill. He would next refer to two still higher authorities, both of whom would probably be remembered in future times as ornaments of that House. One of them had passed away long since, having left a name as imperishable as the language in which his noble thoughts were enshrined. To the other it was still their privilege to listen when he shed the light of his calm and unclouded intellect upon the subjects of their discussions. About ninety years ago, writing on the condition of Ireland, Edmund Burke powerfully pourtrayed the evil effects of insecurity of tenure, not merely on the material condition, but on the moral qualities and character of the people in the following words:—

> "Confine a man to momentary possession and you at once cut off that laudable avarice which every wise State has cherished as one of the first principles of its greatness. Allow a man but a temporary possession; lay it down as a maxim that he never can have any other, and you immediately and infallibly turn him to temporary enjoyments; and these enjoyments are never the pleasures of labour and free industry whose quality it is to famish the present hour, and to squander all upon prospect and futurity. They are, on the contrary, those of a thoughtless, loitering, and dissipated life."

The second authority to whom he (Mr. Dillon) alluded was that of the hon. Member for Westminster (Mr. J. Stuart Mill), who thus described the results of the present system of Irish Land Tenure in his *Political Economy*—

> "Almost alone among mankind, the Irish cottier is in this condition, that he can scarcely be either better or worse off by any act of his own. If he was industrious or prudent, nobody but his landlord would gain; if he is lazy or intemperate, it is at his landlord's expense. A situation more devoid of motives to either labour or self-command, imagination itself cannot conceive. The inducements of free human beings are taken away and those of a slave not substituted. He has nothing to hope and nothing to fear, except being dispossessed of his holding, and

against this he protects himself by a defensive civil war. Is it not then a bitter satire for the mode in which opinions are formed on the most important problems of human nature and life, to find grave public instructors imputing the backwardness of Irish industry and the want of energy of the Irish people in improving their condition, to a peculiar indolence and *insouciance* in the Celtic character?"

Turning to the Bill then before the House, some appeared to think it an invasion of the rights of the landlord. Others held that it did not go far enough in protecting the rights of the tenant. But he believed there was a large preponderance of feeling in Ireland, which was prepared to make fair allowance for the difficulties of the Government in introducing a measure of that kind, and which acknowledged that any settlement of that question must be a compromise. If the Bill were to be received by the landlords of Ireland as a body in a spirit of hostility, he admitted that it would not be worth much to the tenantry of Ireland. For himself he had never yet advocated this question in a spirit of hostility to the landlords. He had always said that, as a body, they were disposed to act fairly, and that legislation was required not for the honest majority, but for the dishonest minority. It was enough to justify the passing of an Act of this kind if there were occasional instances of oppression; few as compared with the bulk of the transactions between the landlords and tenants, but still numerous enough to shake the confidence of the body of tenantry, and to paralyze the industry of the country. Now, he would take the liberty of asking the landlords of Ireland to consider fairly and without prejudice the present Bill, and especially to consider the securities with which it proposed to guard their interests. In the first place the Bill gave no compensation in any case, save when the tenant was evicted by the landlord; so long as the tenant was left in possession of the land, no claim for compensation could arise at all. If he were to say that landlords habitually evicted their tenants without giving them compensation, it would be resented as a calumny on the landlords. Well, assuming that the rule was the other way, the landlords as a body had nothing whatever to fear from the Bill. Again, tenants with leases for longer terms than thirty-one years would have no claim for compensation. By the 29th clause the landlord had power to stipulate that any specific improvement should not be made by the tenant, and, if made, that he should have no claim for compensation. This provision would oppose an effectual bar against attempts at making improvements which would be unreasonable and out of place. It was sometimes said that this would legalize a general agreement against all improvements whatever, but this was an unfair interpretation of the clause. The landlord had a fourth effective security in the provision that the limit of compensation was to be the increase in the letting value of the land, as fixed by an impartial valuator. To insist on the necessity of an expressed consent by the landlord preliminary to any improvement was equivalent to saying that no legislation whatever ought to take place, since an agreement between landlord and tenant might of course be made at any time without legislation at all. He warned the Government not to consent to the introduction of that fatal provision into the Bill. If the Amendment of the noble Lord were adopted the Bill would do much more to exasperate and alienate the tenantry of Ireland than to conciliate them.

Mr. PIM said, he was surprised to hear from the noble Lord opposite (Lord Naas) that there was no strong feeling on this subject in Ireland. He held an entirely different opinion; and from his own experience he could say that there was no question, whether real or fanciful, which excited so much feeling in that country. Another topic very much dwelt upon by the noble Lord and those who followed on the same side, was the various extravagant ideas which prevailed in Ireland on the land question. No doubt very extravagant ideas in reference to tenant-right did once prevail in Ireland; but constant ventilation and agitation of the subject had done much to correct opinion; and one of the reasons why he was desirous that this Bill should become law was that he believed it would put an end to those extravagant ideas, coming as it would, backed by the approval of hon. Members who were considered the representatives of the most extreme party in Ireland on the subject of an amendment in respect of the tenure of land. A friend of his, who was a large landed proprietor, had told him he hoped the Bill would pass, because it would satisfy public feeling; and any inconvenience to which he as a landlord might be put, would be amply compensated by the agitation on the subject being put an end to. The whole of the discussion that had taken place that night had reference to the third part of the Bill; but, though the first and second parts were not so important, still they were of considerable importance, and were necessary in conjunction with the third part, to give symmetry to the measure. The whole object of the Bill was to simplify the Act of 1860, by getting rid of some notices which appeared to be unnecessary. He believed that the improvements made by landlords in Ireland during the last few years were very considerable, and that the £2,000,000 to which reference had been made had been most judiciously employed. Complications had been swept away, and landlords could spend their money with less trouble than they could formerly. He was pleased to find that the Bill, following the example of the Montgomery Act of Scotland, proposed to give power to landlords who were owners for life to charge improvements upon their estates. Nothing could be more important to Ireland than an increase in the number of proprietors and an increase in the number of resident proprietors; and it would be well if both were multiplied tenfold, because there was a great want of men of education and position to take part in the management of local affairs and to discharge the duties of magistrates, which was the real reason why it was necessary to have stipendiary magistrates. It was surprising to him that many gentlemen who called themselves Englishmen, but who were connected with Irish families, and held large properties in both countries, did not divide their property, and form two great families, which the magnitude of their estates would warrant them in doing. The second part of the Bill had special reference to the leasing powers, and showed an improvement on the Bill of 1860, and much that was calculated to impede the operation of that Act had been removed, several unnecessary formalities having been got rid of. From what he had read he inferred that very great improvements must have been made in the lowlands of Scotland within the last 150 years. He had been told a story of a man who took a lease of land at 15*s.* an acre for nineteen years, laid out £2,000 or £3,000 within seven years, and amply repaid himself in fourteen years, having made the land worth, at the expiration of the lease, 50*s.* an acre. This was an illustration of what might be done under a lease with capital, energy, and industry. He had consulted two tenants about the Bill. One, a shrewd, intelligent man, had great objections to a limitation to £5 an acre; and the other, whose family had held the same farm for 150 years—proving that there were long tenures in Ireland as well as in England—desiderated leases clearly defining what was to be done by landlord and tenant. As he understood the noble Lord the Member for Cockermouth (Lord Naas), he stated that the improvements would be concealed from the landlord. He (Mr. Pim) did not see how it was possible to conceal improvements; but he thought the tenant should within twelve months give the owner notice that he had made certain improvements which he conceived entitled him to compensation, and then the necessary evidence on the subject could readily be obtained. The noble Lord also said that if the Bill passed all land would be hereafter held under written contracts. He (Mr. Pim) thought that the most valuable effect of the Bill. The noble Lord had said that the entering into contracts to regulate the compensation would lead to an unpleasant state of things. He (Mr. Pim) did not think that would be the case if the landholders were honourable men, and men who attended to their estates personally. It was for the benefit of the State that the landlords should be obliged to attend to their properties, and this would be necessary if this Bill passed. He thought he might without exaggeration assert that a great number of Irish landlords paid no attention whatever to their property, either by themselves or their agents, beyond collecting the rents twice a year, and it would be beneficial to the country if such landlords were compelled by law to look after their property a little more. For his part, he could see no difficulty with respect to a landlord making a contract. The Bill of 1835, which contained many proposals far more objectionable than this—especially the retrospective clauses—was supported by hon. Gentlemen opposite, who, nevertheless, were now opposing this. As to legislating for Ireland in the same way as for England, that had been the dream of his life. The system of exceptional legislation for Ireland he had from his childhood regarded as so great a grievance that he used to think that if ever he should have the honour of a seat in the House of Commons, he would oppose every measure which did not extend to the three countries together. There had been numbers of Whiteboy Acts and other exceptional statutes for Ireland, and within his own memory the Habeas Corpus had been twice, if not thrice, repealed in that country. But this was not a subject to which the objection to exceptional legislation applied; the Bill intended to enforce in respect of land the mercantile principle of written contracts; and then the great benefit of the Bill would be that hardly any land would be held without a written contract, so that both parties would know their exact position, and the injustice and heartburning which had arisen from the landlord and tenant understanding matters in a conflicting manner would thus be avoided. He could see no grounds except those of class feeling for opposing the second reading. Lord Derby in 1860 urged that the Bill of that year should be allowed to go into Committee, where it might be made into a workable measure; and he (Mr. Pim) hoped that hon. Members on the other side of the House would show fairness enough to let this Bill go into Committee, where its details might be properly sifted.

MR. READ said, he believed that he was the only Member of the House who derived his income entirely from the occupation of land, and it would naturally be assumed, therefore, that his sympathies were with the tenant farmers. He was rejoiced to hear that there was to be a just and generous measure introduced, which was to settle the grievances and the wrongs of the Irish tenantry. He could claim no personal knowledge of the agriculture of Ireland, but having in his younger days passed a few years in South Wales, with a soil and climate similar to Ireland, he knew something about reclaiming bogs, the cultivation of hill sides, building stone walls, and constructing rude farm buildings. He understood that what was called tenant-right in England—namely, compensation for the expenditure of artificial food and manures, and the application of lime, chalk, clay, and mineral manure—was not applicable to Ireland, and these being only transient improvements were generally paid cheerfully by the incoming tenant, required no notice from either party, and were seldom objected to by the landlord.

The object of the Bill, he took it, was to give security to the tenant in cases where everything was done by him and nothing by the landlord. It was a gross injustice that a man who had drained and enclosed and built upon a farm should soon after be called upon to pay an advanced rent or be ejected; but how was this to be remedied? Some said that no tenant should be so foolish as to trust such an earthen vessel as an Irish landlord without a lease—while others maintain that a tenant should never be ejected from a farm as long as he paid the original rent. The Bill did not go quite so far as that, but its tendency was in that direction, for it provided that a tenant should enjoy the farm for thirty-one years before paying an additional rent, and that if he spent £5 per acre on the improvement of the land he should be entitled at the end of twenty-five or thirty years to be recouped every farthing if the improvement was as good as when it was first made. There were some improvements in which this was the case, such as the removal of large boulder stones, good pipe draining, and the raising of fences. Now, his opinion was, that if a tenant occupied a farm for such a length of time as to reimburse himself, with moderate profit and fair interest, for the capital he had expended on it, the landlord should at the expiration of that period come into the full enjoyment and possession of it—and he contended that for most agricultural purposes twenty-one years were amply sufficient. But this Bill repudiated such views, and in the case of reclaiming bogs and erecting farm buildings, extended the compensation to forty-one years, without any graduated schedule, the full extent of which would be illustrated by supposing a tenant to judiciously spend £50 in reclaiming ten acres of bog this year, he could even in the year 1906—supposing his works were in good order—claim the whole of his £50 from the landlord.

Some part of his own county, a hundred years ago, was a mere heath or rabbit-warren, but in consequence of the land having been let on twenty-one years' leases it had been enormously improved in value, and the rents had increased 200 per cent, and was now occupied by a prosperous and contented tenantry; and the hon. Member for Dublin City (Mr. Pim) had just shown how a nineteen years' lease in Scotland had, to the mutual satisfaction of both landlord and tenant, raised the value of the land from 15*s.* to 50*s.* an acre, which destroyed many of his able arguments in favour of the Bill. The Irish landlords were now called upon to pay for improvements which, whether efficient or inefficient, might altogether interfere with their plans for a general improvement of the property. It was no safeguard to the landlord that he should only be called upon to pay the increased value of the property. The hon. Member for Westminster (Mr. J. Stuart Mill) was wrong when he said the valuer in assessing the compensation would regard the improvements as they bore upon the value of the whole of the landlord's estate, whereas he, on the other hand, believed that the valuer would only look to the benefit the improvements might confer upon the particular farm occupied by the tenant. It was easy to understand that improvements which might be beneficial to a particular plot of land might be inconvenient if not detrimental to the estate at large. The late Mr. Pusey had introduced three moderate measures into that House on this subject, which embodied the very reasonable principle that if a tenant with the consent of his landlord erected buildings, &c., he should at the expiration of his tenancy be paid compensation, which advantage, with others of a similar nature, had been already secured to the Irish tenantry; but Mr. Pusey's Bills were rejected, in another place, and therefore he was sure that the present measure had no chance of being carried through Parliament. He contended that if a tenant would build upon the property of another without or it might be against the owner's consent, surely justice would be satisfied by enabling him to sell and remove his buildings.

The last clause in the Bill partly abolished the law of distress, and, if passed, a similar clause would be necessary for England and Scotland. It would be absolutely impossible to maintain the law of distress in England and the law of hypothec in Scotland after passing such a measure as that before them. The abolition of the law of distress would be hailed by the wealthy portion of the tenantry with delight, as they believed that under the present system the landlord had a preference over the general creditors. They believed that the landlord often passed over a responsible man in order to let his land to a man of straw who offered a larger rent, and that he did so because he felt sure of getting his rent. But in the event of such a change taking place, land could not be let upon the same terms as at present, as the landlord would be compelled to enforce the payment of his rent before, instead of after, it was due, and in times of calamity he would not be able to grant his tenants the indulgence he could safely offer them under the existing system. But the proposal of the Government would inflict all the hardship of the existing law without conferring any of the benefits of total repeal. The general creditor would be deluded into the idea that the landlord had no preferential claim, and the owner might still prefer the man of small means, as he knew he could at any time retain the power of distress by entering into a written agreement to that effect with his tenant. It was said that the real object of the Bill was to compel landlords to grant written agreements to their tenants, and to abolish the law of distress; but if that were so he should object to such changes being effected by a side-wind, instead of being boldly carried as substantive measures.

He regretted that he had not been able to consult with any hon. Gentleman as to the legal interpretation of some clauses of the Bill, but he had had the advantage of going through the Act with his hon. Friend the Member for Linlithgowshire (Mr. M'Lagan), who represented the Scotch tenantry as much as he did the farmers of his own county, and found that he was still more decidedly hostile to some of its provisions. Therefore, believing the Government measure to be dangerous in principle and faulty in detail, he was reluctantly compelled to record his vote against the second reading of the Bill.

Mr. SAUNDERSON said, that so far as he could see the Irish landlords would have a guarantee in the 29th clause of the Bill, which would prevent them from suffering any loss from its operation. That clause would enable landlords to enter into contracts with their tenants that certain things should not be done which might be considered prejudicial to the property. Objections had been made to the proposed legislation on the ground that it was different from what had been adopted for England. No doubt if the laws of England were the same as in Ireland there would be no room for those who represented Ireland to claim any exceptional legislation. But this objection vanished when it was considered that the condition of the two countries had in the course of centuries become entirely different, and that the beneficial legislation that had made England what it was had not extended to Ireland. It was in consequence of the exceptional legislation which had taken place to the advantage of England that this Bill had become necessary. He did not believe that this Bill, if passed, would have any effect in removing the disaffection which existed in Ireland—and he denied that the tenant farmers of Ireland had had anything to do with that disaffection. For the last seventy or eighty years that body had held aloof from agitation. At the same time, he must say that the effect of bad government in Ireland would take years of good Government to completely eradicate. In 1798 there were very few farmers concerned in that rebellion ; in 1848 very few of the farming class were engaged in the conspiracy which was terminated in Widow Cormack's cabbage garden, and they were altogether absent from the Fenian conspiracy of 1866. He hoped that this Bill would be passed into law after the details had been carefully considered in Committee. It was his intense and undeniable belief that if their beloved Sovereign should require the assistance of Her Irish subjects, She would find amongst the Irish tenant farmers as many loyal and willing hands and hearts as might be necessary.

Mr. WHITESIDE said, his right hon. and learned Friend the Attorney General for Ireland had characterized the Bill as a measure which was calculated to do no injury to the landlord, while it conferred every conceivable benefit upon the tenant, and at the same time he maintained that it was a Bill which was generally called for. He (Mr. Whiteside) challenged both statements, and asserted that it would injure the landlord and do no good to the tenant, while at the same time it was not asked for by the tenant farmers as a class. As far as the tenantry of Ulster were concerned, he believed that nothing would more excite their indignation than any measure of this kind, because they knew that it would set aside that ancient custom under which they had prospered. He concurred with the hon. Gentleman who last spoke (Mr. Saunderson) in saying that the tenantry of Ireland were at present contented ; he would go further and say he believed them to be prosperous. He denied that they were a wretched, ill-governed, down-trodden people, as the hon. Member for Westminster (Mr. Stuart Mill) had characterized them. The tenantry of Ireland were, he believed, in a higher state of prosperity than they had been for many years passed. They did not want this Bill, and everybody in the North of Ireland knew that it would be accepted with disfavour in that country. Much had been said of the Bill introduced upon this subject some twenty-five years ago by the then Lord Stanley. The right hon. and learned Gentleman the Attorney General for Ireland had referred to a Bill introduced by Lord Stanley in 1845 in the other House, but did not produce the Bill itself. He (Mr. Whiteside) had been unable to procure a copy of it, but he would venture to say that if it were produced and read its clauses would be found to be very different from those contained in the present measure. He thought it hardly fair to cite a Bill which was not produced, and which if produced would refute the very argument which it was brought forward to support. In 1852, again, the right hon. Gentleman said that the Conservatives introduced a Bill which could only be regarded as worse than the present measure —a description which was, he thought, scarcely complimentary to the Bill now brought forward. The fact of the matter was this—that the Devon Commission had produced an enormous quantity of evidence which lay in a heap before the Government of Lord Derby. The question, then, was what was to be done with it? Lord Derby's Government thereupon produced three Bills, two of which were now law. Now, the Law of Landlord and Tenant in Ireland was not, as the hon. Member for Birmingham said, existing in 200 Acts of Parliament. It existed only in one. Those 200 Acts had been all repealed, and what was considered valuable in them was selected and embodied in that one Act. The first of those Bills passed by the Derby Government was the Leasing Powers Bill, which gave what was now asked for—leasing powers for the granting of twenty-one years' leases to the agricultural classes. Next, a Bill was introduced founded upon the principle of compensating tenants for improvements. It, however, did not give money to the tenants for real improvements, but it said that if the tenant performed all his covenants, and paid his rent, he should have a certain allotted period of time to enjoy the benefit of those substantial improvements. The present measure, however, unlike its predecessor, invited the tenant not to pay his rent, but to set off against its non-payment improvements, which might have been effected not only without the consent of the landlord but even against his will. Sir John Young submitted a Bill on this subject to a Committee, but it was not approved of. It proposed, amongst other things, to give the tenant a claim for emblements and fixtures. It was, however, agreed to by the Committee to pass a fixture clause, and that clause was embodied in the Leasing Powers Bill. As Lord Dufferin remarked last year when speaking on this subject, if such a principle as was now contended for was allowed a landlord might let his land to a tenant for a dairy, his object being to keep it a grass farm—nevertheless the tenant might change the nature of the plan by building on it a house, and claim compensation from the landlord for the same, although the change might be utterly opposed to the object of the latter. The right hon. Gentleman the Member for Calne (Mr. Lowe) said he was at a loss to know why such a measure as this was introduced into the House. He (Mr. Whiteside) could understand the why and the wherefore. He had no doubt that it was one of the three measures which had been sketched out by the hon. Member for Birmingham in his letter to the Lord Mayor of Dublin. That hon. Gentleman in his letter stated that if the Gentlemen from Ireland would but join the Liberal party in carrying the Parliamentary Reform Bill, the Liberal party would join the Gentlemen from Ireland in their endeavours to carry three questions—the one was in respect to education, the other was the small matter of the Irish Church, and the third was this landlord and tenant question. This, then, was the honourable performance of the compact between the Liberal party and the Irish Members—a fair return for services rendered, and he could only hope that the hon. Gentlemen concerned were satisfied. Now, the landlords of Ireland did not object to compensate tenants for permanent improvements. Why, in the present Session a Bill had been introduced to enable landlords to borrow money for the purpose of making improvements of the nature contemplated by this Bill; and now, in the face of that measure, the Bill now under consideration was introduced with a view of enabling the tenant to effect improvements against the wish of his landlord, although they had already given the latter facilities in a rational way of effecting them. The effect of this measure would simply be to nullify the previous legislation. He had been astonished at hearing the hon. Member for Westminster (Mr. Stuart Mill) say that, in his opinion, the Bill before the House was second in importance to the Catholic Emancipation. He could not be certain that that was what the hon. Gentleman had said, but he should be glad to know if he had understood him rightly. [Mr. J. STUART MILL: Hear, hear!] He could scarcely have believed that the hon. Gentleman could have been possessed of such a delusion. But he could understand what the hon. Gentleman really meant when he said that this Bill was more important to Ireland than Roman Catholic Emancipation—it was important in the hon. Gentleman's eyes not from what it now did, but from what he calculated would follow it hereafter. The principle of this Bill struck at the root of property. It might, however, accomplish the objects which, perhaps, some scientific jurist had in view. What right had that House to set aside the law of contract? It was a recognized principle in all former Bills on this subject that notice should be given to the landlord of all intended improvements by the tenant; but this Bill did not require any such notice to be given, and the landlord who might be an absentee proprietor would find himself mulcted under it for compensation for what the tenant called improvements of which he had previously known nothing whatever. A Committee had been appointed some years ago on the Motion of the hon. Member for Cork (Mr. Maguire), and he found that the right hon. Gentleman the Secretary for the Colonies had voted for the following Resolution passed by that Committee:—

> "The Committee having examined several witnesses on the recommendation of the promoters of the inquiry are of opinion that the principle of the Act of 1860, embodying the 38th and 40th sections — namely, that compensation to tenants should only be secured upon improvements made with the consent of the landlord, should be maintained."

Lord Palmerston also said at that time that a Bill framed on any other principle would be a direct attack on the rights of property. The present Bill was intended to apply to an existing lease. It provided that any tenant of lands might make such improvements as were mentioned in the 37th section of the Lands Improvement Act, and that on the determination of the tenancy the tenant should be entitled to compensation. He understood the meaning of that to be, that although there was a contract in writing between the landlord and tenant, after the expiration of ten or fifteen years the tenant might claim for that term. But the masterpiece of legislation was the 29th clause, which proceeded directly to nullify the 28th clause—which was, indeed, the only thing that could be said in its favour. It provided that no tenant should be entitled to compensation in respect of any improvements in pursuance of any contract in writing regulating the terms of the tenancy. The meaning of that enactment was this—the landlord might say to the tenant, "They have passed a law to annoy me and do you no service; let us consider how we can defeat that law; we do not ignore the existence of the Act, but as there are some things of substance and some things of no value, I will allow you to make fences that cost little or nothing, but you shall not do anything else prescribed by the Act." And this was called legislating upon principle! Those who professed to be friends of the tenant deluded themselves in the belief that this was a measure of substantial improvement. But it was a law vicious in principle—a law contradicted by the Act of 1860—a law contradicted by the Report—a law contradicted by the evidence given before the Committee. And was Parliament now to set aside the Report of their own Committees, and the Act which they passed five years ago, so as to overpower contracts? Judge Longfield, in reply to questions put to him, said the desire amongst the peasantry of Ireland for the change was not very great, but when they became tenants they desired to become landlords, and to sublet. Now, it was the object of the landlord to prevent them from doing so. Lord Dufferin—a truly liberal landlord—was asked whether he did not think a long lease beneficial. His Lordship's reply was—

> "To these long leases, which were common in that part of Ireland, I attribute to a great extent the false position in which the landlord and tenant stand."

And he went on to say that the tendency of cultivation sustained by long leases was to deteriorate. Mr. Curling, an eminent agent and valuer of land, was asked if he had ever heard of a landlord to whom a tenant approached, saying he had £200 to lay out, and asked for security, and who objected to his doing so—he said he did not believe that such a landlord could be found. In reply to a question as to the effect of improvements being executed against the will of the landlord, he said it would create ill-will, and cause the most mischievous consequences. There being no probability of vindicating the Bill, and the 29th clause being contradictory of the 28th, and there being an easy mode of evading the operation of the Bill, he asked why should the House agree to pass it? A good deal had been said about the emigration of tenants. The real state of the question as to the number of holdings was this:—Between 1841 and 1851 there was a reduction in the number of small holdings of five acres to 217,000 from 825,000. The diminution of holdings under five acres was 309,000. What had occurred of late years? The holdings had actually increased between 1861 and 1864 from 608,000 to 609,350, although they had diminished in 1864 to 601,750. Of the holdings above five acres instead of there having been any diminution there had been a small increase. The Attorney General for Ireland had used a mischievous argument when he said, with a view to support the Bill, that general discontent prevailed in Ireland because of the laws by which the country was governed. That was a most mischievous argument coming from one in the position of his hon. and learned Friend. It implied that the discontent was just and consequent upon oppression by the landlord. That was certainly a most severe sentence to pronounce upon landlords as a class; especially as vast estates in the country had been held by the same family of tenants from generation to generation without a scrap of writing, and without any rise of rent. He (Mr. Whiteside) would not object to a change in the law if it were really desired, but he insisted that it should be amended in accordance with some recognized principle, and made to apply to England as well as Ireland. Believing the Bill to be entirely without principle and fraught with injustice, having reason to expect it would be mischievous to the landlord and delusive to the tenant, he supported the Amendment of his right hon. Friend as it was in exact conformity with the Report of the Committee, which had been assented to by the leading Members of the existing Administration.

Mr. SYNAN: I rise to address the House upon this most important question, with mingled feelings of regret and anxiety—regret that opposition should be offered in this House to this Bill, by some of the persons who, in my opinion, ought to be first to accept the present Bill as a settlement of the question—I mean some of the landed proprietors—and anxiety at the consequences in Ireland of the disappointment of the people's hopes if this Bill be rejected. It appears to me that this Bill is opposed on grounds totally untenable, and by persons who ought not be heard in this House against the principle of the Bill. It is opposed as a violation of the right of property, and by persons who call themselves defenders of those rights, but who seem to me not to have very clear notions as to what by the laws and constitution of this country those rights are. I said that the opponents of this Bill ought not to be heard in this House against this Bill as a violation of the rights of property, because if the Bill be a violation of the rights of property, they carried in this House, and in the other House twelve years ago, a Bill that was a greater violation of the rights of property. I hope the good sense of this House will not allow this question to be any longer made the subject of party strife between the two great parties in this country, but that an honest attempt will be made to settle it satisfactorily to the people of Ireland generally. I shall consider the question itself, and the objection as to its being a violation of the rights of property—the peculiar condition of Ireland which requires the immediate settlement of it, and the attempts at legislation that have failed and will fail as long as the proper remedy is not applied. One would naturally expect to hear, from those gentlemen who put forward the argument about the rights of property, a clear definition of what those rights are that are to be violated, but neither hon. Members nor hon. and learned Members have given us any such definition—vague ambiguity is better for their purpose. Now, as far as I understand the rights of property (and of course in the present discussion we confine ourselves to landed property) they rest upon the law, and that law rests upon public utility. I know no rights of property above the law, nor will I recognize any law that is a violation of public utility. As far as I can understand the legal rights of landed property, they are the following—namely, security in its enjoyment or actual occupation (if in possession), and security in the enjoyment of the rent of it, if it be in another's occupation, and to have that rent regulated by the contract between the parties. How does this Bill violate those rights? No one can assert it does. There were times and countries, when in obedience to the necessities of the times, and to the great law of public utility, to which men and nations must submit, the tenure of land was changed in almost every country of Europe. The system in Prussia, France, Austria, Holland, and Belgium, even the barbarous system of Russia has yielded to the operation of this great law, and the serfs of Russia have been emancipated into the condition of free occupiers. Now we ask for no such violent changes, and the present Bill only distinguishes in a clear and satisfactory manner the rights of the proprietor, and the rights of the occupier. I have defined the former, I now come to define the latter. The occupier is either a capitalist or a peasant occupier. In the former case the law of the land gives him the same right it gives to all other capitalists, security in the enjoyment of the profits of his capital. In the latter case it gives, or ought to give, security to the peasant occupier in the enjoyment of the profits of his skilled labour, which is the capital. Any law that does not give this security confiscates the property of the capitalist, and the profits of the skilled labourer, and confers them upon the proprietor. Let us now see what the law of Europe is in this respect. Wherever, in the countries I have mentioned the proprietor is not occupier, the Roman law prevails, and if the *instrumenta* for the farm were not provided by the landlord, the tenant had the power to make the improvements, and had the property in them if the landlord did not pay for them. That was not considered confiscation, but the most conservative and just of laws. In Scotland, where a farm is let without the improvements, the tenant has a right to make them, and to be paid for them in the event of his leaving the farm. The language of Lord Donoughmore in introducing the Land Bills in 1854 into the other House, fully concurs in this view of the law, and says it ought to be applied to Ireland. From various causes, he says that 'landlords in Ireland had been in the habit of letting land and not farms.' And with respect to past improvements, he stated that—

> "Some means ought to be adopted consistent with the rights of property, to relieve the large class of persons, who had, many of them, laid out their capital on bad titles."

Now I have quoted an authority that ought to carry great weight with Gentlemen who oppose this Bill, and I ask them to follow that authority and help to make this Bill better than it is by adding a clause for retrospective compensation. I now come to the second question—the particular circumstances of Ireland requiring this law. Now, in the first place, it is conceded that almost all the improvements in Ireland have been made by the tenants. I believe that state of facts will not be attempted to be controverted. Ireland is peculiarly, and, I may say, solely an agricultural country, and to use the words of the noble Lord the Member for King's Lynn (Lord Stanley), "all her eggs are in one basket." That state of facts has required in every country in Europe peculiar legislation on the subject of land tenure, and peculiar remedies and protection for the tenant or occupier. It had led to the adoption of the Roman or Civil Law, which gave the right to the occupier to make the improvements and to be allowed for them, or to retain possession. I have seen it somewhere stated that the commerce and manufactures of England have saved the English land tenure system, and that had she been purely agricultural her land system would be the same as the Continental. No person conversant with history can doubt the force and truth of that observation. But it is said it is the system of small farms that has produced the present condition of Ireland and render compensation for improvements impossible. ["Hear!"] Now I beg to inform the Gentlemen who say "hear!" that I hold in my hand a Return of the size of farms in some of the counties in the North and South of Ireland, made twelve years ago, and they will be surprised, I think, at the result. In Galway the average size is 55 acres; in Mayo, 29 acres (now much more); Roscommon, 22 acres; Clare, 30 acres; Kerry, 46 acres; Cork, 39 acres; Down, 19 acres; Armagh, 13 acres. That is, the farms are smallest in counties that are most prosperous, and largest when poorest. Again, what is the average value of land in the North, as compared to the South of Ireland? Why, in the North it sells for twenty-five years purchase; in the South it seldom reaches twenty years. What is the cause? I can only see one cause—the tenant-right of the North. Now I will not inquire whether that custom is the direct result of the plantation of Ulster, and the terms upon which the plantation was made and the land given—or whether it was the result of compensation for improvements—or whether it was merely a custom that arose from the better feelings and relations between landlord and tenant in the North of Ireland. Whatever be the cause, the fact stands and is a powerful argument in favour of a law that may affect the same security for improvements in the South as in the North of Ireland. Let us now turn our attention to the changes in the condition of Ireland in point of population and holdings from 1841 to the present. In 1841 there was a population in Ireland of 8,175,124; in 1851, 6,552,386; in 1861, 5,798,937; in 1841 there were of holdings of fifteen acres, 252,758; in 1851, 191,854; in 1861, 120,196. Since 1861 we may take the diminution of population as follows:—In 1852, about 150,000; 1863, 116,391; 1864, 115,428, or nearly 500,000. Now what has principally led to that? It is asserted by the people themselves that it is the consolidation of farms, and certainly the reduction of the population and consolidation of farms have gone hand in hand. That fact cannot be denied. Now, I am not here to deny that the state of things in America, and the great rise of wages in that country, have been one cause of the emigration that is draining this country of population. But I say that a much greater cause is the want of security of the peasant occupier for his skilled labour, or the improvements that he effects by it. And my reason for saying so is, that the emigration is not going on in the North of Ireland where that security exists. But it will be said that those occupiers have made no improvements. The simple answer to that is, that if they will not make beneficial improvements they will not be allowed for any under this Act. But is it true that such occupiers have not made improvements, and beneficial improvements? I beg leave to state that it is not true, and that statements have been made showing the value of such improvements in the North of Ireland alone at not much short of £12,000,000. I will candidly admit that I cannot give any figures for such a result, nor is it necessary for the purposes of the present debate. But of this there can be no doubt, that improvements had been made in Ireland to a large amount, and that it is the tenants and not the landlords that have made whatever improvements at present exist. I have authority for this which cannot be denied, and it is as old as it is authentic, and stamped with the weight of moderation, and conservatism, and wisdom. Edmund Burke in his *History of the Penal Laws* says that improvements were then made in Ireland by the tenants, while in England and Scotland they were made by the landlords. But I have a later authority of equal weight upon this subject—the authority of a man who never hesitated to sacrifice the personal position and opinions which he found to be erroneous, when the cause of his country required him to do so, the late Sir Robert Peel, I see every reason (said that wise and great statesman) why Ireland should be most prosperous if her position in respect of tenure could be improved. An opportunity now presents itself of improving that tenure, if the gentlemen interested are wise enough to accept it. In my opinion, instead of opposing this Bill, the Conservative party should be most anxious to support it and thereby help to settle this very vexed question. But it may be said that this is all the cry of agitators, and that the people are not interested. Are some of the largest and best landlords in Ireland, who are in favour of this Bill, agitators? Are the landlords who allow this very compensation on their estates, agitators? Are the landlords and agents who were examined before the Select Committee of 1865, agitators? I hold in my hand a letter from the most extensive agent in the South of Ireland, as published in a local paper, *The Munster News*, who was examined before the Select Committee, approving of the clauses of this Bill, and stating that they are substantially in accordance with his evidence. I am of opinion that this evidence goes further, and that this Bill ought to go further. But it is also said you are legislating for a state of facts that does not exist; there is really no capital in Ireland to make improvements, and no wish to do so. Upon that subject I beg to refer to what must be high authority to Gentlemen on the Conservative side of this House, Lord Donoughmore. He stated, in moving the Bill of Lord Derby's Government in 1854, that £800,000 was being imported from Ireland into England yearly, and invested in funds and speculations there for want of any field of investment in Ireland in the absence of a good law of land tenure. He said—

> "So far from there being no capital in Ireland to be laid out under this Bill, there is more capital in Ireland than they know what to do with."

Now, Sir, the amount of the investments in Joint Stock Banks in Ireland by the tenant class in that country at 30*s.* to £2 per cent has been repeated *usque* and *nauseam* as amounting to £15,000,000. Would it not be much better both for landlord and tenant that this sum should be laid out in improvements on the land than in this manner? But it may be said that there are no instances of tenants being prevented by landlords from improving, or being deprived of the value of their improvements. Now, Sir, I again refer to the authority of Lord Donoughmore, who gives a very remarkable case of a tenant being, I may say, robbed of an outlay of £5,000, and obliged to pay £1,500 for a lease. Mr. Sharman Crawford, in 1848, gives several examples of such confiscation of tenants' improvements. Of course every Irish Member in this House will remember cases of such confiscation, and the answer generally given is that there are more cases of hardship on the tenants' part against the landlord. I do not mean to go into this question of set-off, or inquire on which side the balance of injustice lies, but I say, here is a Bill that proposes a fair settlement, and if you are wise accept it; it can be made a good Bill in Committee. I now come to the third part of the subject, and that is, what have been the Bills and Reports on the question issuing from both sides of this House? In 1843 the Devon Commission was issued, and made its Report in 1845. By that Report, after giving a most painful description of the condition of the people of Ireland, they reported that, in their opinion the tenant-at-will, or the tenant from year to year, in Ireland, should have legal protection for his improvements. In the same year a Bill was brought in on the subject by Mr. Sharman Crawford and Mr. Martin John Blake, which does not seem to have passed beyond a second reading, and never went through Committee. In 1846, Lord Lincoln and Sir James Graham brought in a Bill on the subject which was substantially repeated in 1848. In 1850, Sir William Somerville brought in a Bill containing a clause for retrospective compensation for holdings of £10. In 1852, Mr. Napier brought in the most comprehensive Bill on the subject that was submitted to Parliament by, or on the part of, any Government, and that contained a clause for retrospective compensation. That Bill provided the following terms for compensation: — Agricultural leases thirty-one years; improvement of waste land sixty-one years; private buildings ninety-nine years; and retrospective compensation for twenty years. That was the Bill brought in by the Government of Lord Derby twelve years ago — carried through this House and through a second reading in the other House. When I consider that that Bill was introduced and supported by the Tory party, who now, for purposes well known to themselves, oppose the present Bill, I must only express my surprise and astonishment. I must only conclude that the policy hitherto foreshadowed by the friends of the Conservative party is changed, and that it is intended to give nothing in the way of remedial land measures, such as were formerly promised to the people of Ireland. I regret that conclusion, and hope it may not be too late to reconsider it. In my opinion, the first thing the party who oppose this Bill should do ought to be to frankly accept this Bill and try to settle this question. As for myself, without pledging myself to its details, I will give my support to the principle of this Bill. The want of notice with which it dispenses, and on account of which it has been opposed, recommended it to all who wish to see the tenants encouraged to make improvements. As long as that notice was required the Bill of 1860 was inoperative, and as long as the Bill of 1860 was useless it had the approbation of the hon. Members who oppose this Bill. This is the first honest attempt made to enable the tenant to make improvements, and although I do not approve of some of the clauses, and will move the Amendments of which I have already spoken in Committee, yet to enable us to go into Committee, I will support the second reading. When the clause limiting compensation is amended in Committee and the other Amendments made, the Bill may be accepted by the people of Ireland as a settlement of the question. The time is come when this House is called upon to declare the policy it means to adopt towards Ireland. If that policy is to be liberal and remedial—the House will pass this Bill, and in other respects adopt towards Ireland a generous course of legislation that may secure the peace and happiness of that distracted and misgoverned country.

Sir FREDERICK HEYGATE, as the representative of a county (Londonderry) in which tenant-right, though not the law of the land, prevailed by custom, thought that this Bill would not give satisfaction in the North of Ireland, where there was at present no limit to the compensation which might be received for improvements, whereas this Bill would be thought to limit their right. He believed that most Irish landlords would be anxious to grant leases if there were persons to whom leases could be properly given; but how could they be expected to grant leases to tenants who held such small portions of land? It would be absurd to say that improvement leases could properly be granted to tenants who held only twenty or thirty acres of land. It was a misapprehension to believe that the principle as to the improvement of land in Ireland was throughout the whole of Ireland totally different from what it was in England. He believed that this Bill, if passed, would tend to prevent Irish landlords from taking any interest in the improvement of their property, and it would introduce suspicion between landlord and tenant; for the landlord would watch to see that the tenant did not saddle the property with what would not produce in future a compensation for what might have to be paid. As to the law of distress, he believed that Irish landlords did not place any value upon that, and would be ready to give it up if the law were abolished in England and Scotland also. He agreed with the hon. Member (Mr. Stuart Mill) that this Bill if passed would lead to fixity of tenure, for the logical result of the passing of the Bill would be the exemption of tenants from eviction; and such a law would strike at the root of the law of property. Landlords would hail with gratitude any Bill that would improve the position of the tenant and stop emigration. He did not believe that emigration was any real benefit to the country, but he would rather see it stopped by increased trade than by legislation of this character. He hoped that the period in which they were so often asked to make alterations in the principal laws of the country would soon pass away.

Mr. ESMONDE, repudiating on the part of landowners an assertion which had been made, said, he did not believe any landlord, who had his own interest at heart and any sense of propriety, would eject a tenant for making improvements or would take possession without paying adequately for them. In 1845, after the Report of the Devon Commission, a Bill was introduced by the noble Lord who was then Secretary for the Colonies (Lord Stanley), and who was more looked up to by hon. Members opposite than by himself; and the object of that Bill was to provide for compensation to tenants, in case of their being dispossessed of their holdings, for improvements they might have made. In supporting that Bill the Earl of Devon said that improvements in Ireland meant things that were considered absolutely necessary in England; and Lord Stanley called upon the Legislature to do by law for Ireland what custom effected in England. A more complete and appropriate defence of the present Bill could not be found than the speech of Lord Stanley in 1845. The measure was a just medium between extravagant demands on one side and undue retention of privileges on the other, and he believed it would be found of as much advantage to the landlord as the tenant.

Mr. BAGWELL rose to address the House, but was met by such loud and repeated cries of "Divide! Divide!" that he desisted, and was understood to move the adjournment of the debate.

The CHANCELLOR of the EXCHEQUER said, it would not be possible to close the debate that evening—["Oh!" *and ironical cheering.*] He hoped those hon. Gentlemen who had only favoured the House with their presence during the last half hour would exhibit a little patience while he stated the grounds for that opinion. A great number of Members, English and Irish, were desirous to speak on this subject, and several Irish Members had risen at different periods of the evening, and yet had not gained an opportunity of addressing the House on a subject of great importance to their constituents. Moreover, his hon. and learned Friend the Solicitor General would find it necessary to address the House at considerable length on this subject. Although, therefore, it wanted a few minutes of their usual time for adjournment, nothing, he thought, could be more inexpedient then to abridge in any manner the facilities of Gentlemen representing Irish constituencies for expressing their sentiments. The question was of the deepest importance to the people of Ireland, and he was bound to say that it was also one which the Government regarded with the deepest interest. An hon. Gentleman called "Go on," but he must have only just entered the House, or he would have seen that during the last half hour the greatest signs of impatience had been exhibited. He did not think it was quite fair to Gentlemen who naturally desired to express themselves freely and even copiously on the subject to bring the debate prematurely to a close. [The right hon. Gentleman spoke amid much interruption, and cries to proceed and for a division.]

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Bagwell.*)

Mr. Esmonde

The House *divided*:—Ayes 167; Noes 154: Majority 13.

AYES.

Acland, T. D.
Adam, W. P.
Akroyd, E.
Amberley, Viscount
Armstrong, R.
Ayrton, A. S.
Baines, E.
Baring, hon. T. G.
Barry, G. R.
Bass, A.
Biddulph, M.
Blake, J. A.
Blennerhasset, Sir R.
Bonham-Carter, J.
Bowyer Sir G.
Brady, J.
Brand, hon. H.
Brecknock, Earl of
Bright, J.
Bruce, Lord C.
Buxton, C.
Buxton, Sir T. F.
Calcraft, J. H. M.
Candlish, J.
Cardwell, right hon. E.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cheetham, J.
Childers, H. C. E.
Clive, G.
Cogan, W. H. F.
Coleridge, J. D.
Collier, Sir R. P.
Colthurst, Sir G. C.
Cowen, J.
Cowper, rt. hon. W. F.
Crawford, R. W.
Crosland, Colonel T. P.
Dalglish, R.
Dawson, hon. Captain V.
Dent, J. D.
Dilke, Sir W.
Dillon, J. B.
Dodson, J. G.
Dunkellin, Lord
Enfield, Viscount
Erskine, Vice-Adm. J. E.
Esmonde, J.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
FitzPatrick, rt. hn. J. W.
Fitzwilliam, hn. C. W. W.
Foljambe, F. J. S.
Forster, W. E.
Foster, W. O.
Fortescue, rt. hon. C. P.
Gavin, Major
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W. E.
Gladstone, W. H.
Goldsmid, Sir F. H.
Goldsmid, J.
Goschen, rt. hon. G. J.
Graves, S. R.
Gregory, W. H.
Greville, A. W. F.
Gray, Sir J.
Grey, right hon. Sir G.
Gridley, Captain H. G.
Grove, T. F.
Hamilton, E. W. T.
Hankey, T.
Hartington, Marquess of
Hay, Lord J.
Hayter, Captain A. D.
Headlam, rt. hon. T. E.
Herbert, H. A.
Hibbert, J. T.
Holden, I.
Howard, hon. C. W. G
Hughes, T.
Hurst, R. H.
Ingham, R.
James, E.
Kearsley, Captain R.
Kennedy, T.
King, J. G.
Kinglake, A. W.
Kingscote, Colonel
Knatchbull-Hugessen, E
Lawrence, W.
Lawson, rt. hon. J. A.
Leatham, W. H.
Leeman, G.
Lefevre, G. J. S.
Lindsay, Colonel R. L.
Locke, J.
Lusk, A.
M'Kenna, J. N.
M'Laren, D.
Maguire, J. F.
Mainwaring, T.
Martin, C. W.
Martin, P. W.
Merry, J.
Milbank, F. A.
Mill, J. S.
Mitchell, A.
Monk, C. J.
Moore, C.
More, R. J.
Morris, M.
Morris, W.
Morrison, W.
Neate, C.
Norwood, C. M.
O'Beirne, J. L.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
Oliphant, L.
Osborne, R. B.
Padmore, R.
Palmer, Sir R.
Pelham, Lord
Philips, R. N.
Pim, J.
Platt, J.
Pollard-Urquhart, W.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, W. P.

Pritchard, J.
Proby, Lord
Rearden, D. J.
Robertson, D.
Rothschild, Baron M. de
Russell, A.
Russell, F. W.
Samuda, J. D'A.
Saunderson, E.
Seymour, A.
Sherriff, A. C.
Speirs, A. A.
Stacpoole, W.
Stansfeld, J.
Stock, O.
Stone, W. H.
Sullivan, E.
Synan, E. J.
Tottenham, Lt.-col. C. G.
Trevelyan, G. O.
Vandeleur, Colonel
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, Capt. hn. J. C. W.
Waldegrave-Leslie, hn. G
Western, Sir T. B.
Whalley, G. H.
Whitbread, S.
White, J.
Wyld, J.
Young, R.

TELLERS.

Bagwell, J.
Barry, R. G.

NOES.

Adderley, rt. hon. C. B.
Agar-Ellis, hon. L. G. F.
Archdall, Captain M.
Arkwright, R.
Baggallay, R.
Bailey, Sir J. R.
Baring, hon. A. H.
Baring, T.
Barnett, H.
Barttelot, Colonel
Beach, W. W. B.
Beaumont, W. B.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. P.
Bingham, Lord
Booth, Sir R. G.
Bourne, Colonel
Bovill, W.
Bridges, Sir B. W.
Bromley, W. D.
Browne, Lord J. T.
Bruce, Sir H. H.
Cairns, Sir H. M'C.
Capper, C.
Cartwright, Colonel
Cave, S.
Cobbold, J. C.
Cole, hon. H.
Cole, hon. J. L.
Conolly, T.
Corry, rt. hon. H. L.
Cooper, E. H.
Cox, W. T.
Cranbourne, Viscount
Craufurd, E. H. J.
Cubitt, G.
Dalkeith, Earl of
Dawson, R. P.
Dick, F.
Disraeli, rt. hon. B.
Duncombe, hon. W. E.
Dyke, W. H.
Earle, R. A.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, hon. W.
Elcho, Lord
Farquhar, Sir M.
Fellowes, E.
Fergusson, Sir J.
Forester, rt. hon. Gen.
Galway, Viscount
Gaskell, J. M.
George, J.
Goddard, A. L.
Gore, W. R. O.
Greene, E.
Grey, hon. T. de
Griffith, C. D.
Grosvenor, Lord R.
Gurney, R.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, G.
Hartopp, E. B.
Hervey, Lord A. H. C.
Hay, Sir J. C. D.
Heathcote, hon. G. H.
Heneage, E.
Herbert, hon. P. E.
Heygate, Sir F. W.
Hogg, Lt.-Colonel J. M.
Holford, R. S.
Hood, Sir A. A.
Horsfall, T. B.
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Hunt, G. W.
Jones, D.
Ker, D. S.
King, J. K.
Knightley, Sir R.
Knox, hon. Major S.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Lascelles, hon. E. W.
Lefroy, A.
Leslie, C. P.
Lopes, Sir M.
Lowther, J.
M'Lagan, P.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Meller, W.
Miller, S. B.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Naas, Lord
Neville-Grenville, R.
Noel, hon. G. J.
North, Colonel
Northcote, Sir S. H.
O'Neill, E.
Peel, rt. hon. Sir R.
Peel, rt. hon. Gen.
Powell, F. S.
Read, C. S.
Ridley, Sir M. W.
Russell, Sir C.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Somerset, Colonel
Stanhope, J. B.
Stanhope, Lord
Stanley, Lord
Stanley, hon. F.
Stirling-Maxwell, Sir W.
Stronge, Sir J. M.
Sturt, Lieut.-Col. N.
Sykes, C.
Taylor, Colonel
Torrens, R.
Trevor, Lord A. E. H.
Turner, C.
Tyrone, Earl of
Verner, E. W.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.
Whiteside, rt. hon. J.
Whitmore, H.
Wise, H. C.
Wyndham, hon. H.
Wynn, Sir W. W.
Yorke, J. R.

TELLERS.

Bateson, Sir T.
Cochrane, B.

The CHANCELLOR of the EXCHEQUER said, that as there was no hope that the debate could be resumed tomorrow night, and as it would be inconvenient to Irish Members to fix the Bill for Thursday next, the first night that the House would reassemble after the holydays, he proposed to name Monday week for the renewal of the discussion, with the view of then stating definitively when it would be again brought on.

Debate *adjourned* till *Monday* 28th May.

CUSTOMS AND INLAND REVENUE BILL.

[BILL 145.] SECOND READING.

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Childers.*)

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

Mr. HUBBARD, who had given notice to move as an Amendment on the Motion for the second reading—

> "That it is inexpedient to retain, as part of the Inland Revenue for the service of the year, the present Duties on Fire and Marine Insurances, which are unjust in their incidence on property, and injurious to the national industry,"

said, he thought there was an understanding that the second reading of this Bill was to be postponed to enable him to bring forward his Motion. It being past twelve o'clock, he should move the adjournment of the debate.

The CHANCELLOR of the EXCHEQUER said, he had already postponed this important Bill several times to suit the convenience of the hon. Gentleman. The Motion was just as applicable, and could be as well discussed on the Motion for going into Committee as now. He hoped the hon. Gentleman would allow the Bill to proceed.

Mr. HUBBARD said, he was in the hands of the House. The right hon. Gentleman the Chancellor of the Exchequer was in error when he said he had postponed the Bill on several occasions to suit his (Mr. Hubbard's) convenience. It was he who had postponed his Motion to suit the convenience of the Chancellor of the Exchequer. There was no necessity for so much hurry with the Bill. His Motion was germane to the Bill, and this stage was the most fitting time for bringing it forward.

Motion made, and Question put, "That the Debate be now adjourned." — (*Mr. Hubbard.*)

The House *divided* :—Ayes 101 ; Noes 120 : Majority 19.

Question again proposed, "That the Bill be now read a second time."

Mr. LOWTHER moved the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Lowther.*)

The CHANCELLOR of the EXCHEQUER confessed it was with some surprise he heard these Motions. The question was simply one of public convenience. On Monday week they were to return to a subject which they must expect to occupy all their available hours as long as it might remain under discussion in Committee. It was necessary, therefore, to get forward the other business ; and, as this Bill contained no proposition that seemed to be objectionable to the House, he hoped his hon. Friend the Member for Buckingham (Mr. Hubbard) would be content with the offer he had made him, and would use his interest to have the Motion for the adjournment of the House withdrawn.

Mr. W. E. DUNCOMBE protested against pressing this Bill forward with such undue haste. Fuller opportunity ought to be given for the discussion of such an important constitutional change before the Bill was read a second time. He was surprised that the Chancellor of the Exchequer should propose to read so important a Bill a second time at so late an hour—at half past twelve, or within five minutes of it—and when the hon. Member for Buckingham (Mr. Hubbard) wished to state his views upon the question. Was it unreasonable to ask for a twenty-four hours' postponement of a Bill of this kind? He hoped the Chancellor of the Exchequer would meet them in the conciliatory spirit which might be expected on such an occasion, and that he would agree to a postponement. Why was the whole public business to be hurried on for the convenience of a Minister, and to suit the exigencies of party? He protested against such a mode of conducting their proceedings, and he hoped his hon. Friend would persevere in his proposal. [The hon. Gentleman spoke amid continued interruption.]

Mr. CHILDERS said, that the object of this Bill simply was to carry out certain Resolutions as to the Customs, which had been agreed to without opposition, and also to enable the collectors of income tax to resume the collection of that impost, six weeks having elapsed since the Act under which it had been collected had expired.

Mr. DISRAELI said, he desired as much as he could consistently to assist the Government: but he must say the House had been placed in a very difficult position with regard to the conduct of business, and he did not think that any hon. Gentleman, and particularly one with the standing of his hon. Friend the Member for Buckingham (Mr. Hubbard), on matters of that kind should be deprived of his legitimate opportunities of raising a discussion. The Chancellor of the Exchequer had thought fit—and he did not at all quarrel with his conduct in that respect—to include all his financial measures in one Bill. No doubt the right hon. Gentleman had taken that course after grave consideration ; but it was a course attended, nevertheless, with considerable inconvenience, reducing as it did the opportunities offered to hon. Members of criticizing, or of opposing, if necessary, the measures of the Government. That was one reason why he thought the wish of his hon. Friend the Member for Buckingham should be acceded to by the Goverment. But another reason was the embarrassing position in which the House found itself at the present moment as the result of the general conduct of business during the last week or two. His hon.

Friend the Member for the North Riding of Yorkshire (Mr. W. E. Duncombe) had alluded to the introduction of the Bill for the Re-distribution of Seats, and his remarks on that point were received with loud cries of "Question" from hon. Gentlemen opposite; but in his (Mr. Disraeli's) opinion, it was impossible for anybody to speak more strictly to the question than his hon. Friend had done. There could be no doubt that by fixing the second reading of that Bill for last Monday the position in which public business had been placed had been much affected. He himself had not offered any opposition to the proposal of the Government, after introducing the Redistribution of Seats Bill, that its second reading should be fixed for that day week; but the interval allowed between those two stages certainly was, for a measure so important, unusually brief. The Government, however, could not complain that, having fixed the second reading for so early a day, much time had been wasted in discussion upon that occasion. Well—what had the Government done that night? They were extremely oppressed on account of the state of their financial business; and the hon. Member for Buckingham had a very important Amendment to move with respect to the present Bill. Although no one addressed them on financial subjects with greater ability and clearness than his hon. Friend, yet that was not a question on which he could like to address them at one o'clock in the morning—the debate was one which it would not be well to commence at such an hour. What had the Chancellor of the Exchequer done under these circumstances? He placed on the paper as the first Order for that evening the Bill with regard to the relation between Landlord and Tenant in Ireland. He must say the House did not appear to him to enter very earnestly into the discussion of that measure. The debate upon it proceeded languidly, and was with difficulty kept up, particularly on the side of the Government. Altogether, the general aspect of the debate was much like that of the debate upon the Irish Church. It made its appearance, and having answered its purpose they heard little more of it. What would have been the position of public business if the Chancellor of the Exchequer had fixed the Customs and Inland Revenue Bill for the first Order? They would have had a real business-like discussion, and the matter would have made considerable progress. Therefore, the situation in which they now found themselves was entirely owing to the management of the Government. It was said that the hon. Member for Buckingham would have an opportunity of doing what he desired to do at a subsequent stage; but they might not go into Committee on the Customs and Inland Revenue Bill till the question of the Reform Bill had been settled. It was true the income tax was in arrear for six weeks; but he had known that tax to be in arrear for a still longer period; and that was not a sufficient argument for depriving his hon. Friend of his legitimate opportunity of addressing the House upon an Amendment of his intention to move which he had given long and repeated notice to the Government. He therefore trusted that the right hon. Gentleman would not press that Bill forward that night otherwise they might be kept there till four in the morning, and that probably, after all, without much expediting matters.

THE CHANCELLOR OF THE EXCHEQUER said, he had no choice but to consent to postpone the Bill if the Motion for the adjournment of the House were withdrawn.

Motion and original Question, by leave, *withdrawn.*

Second Reading *deferred* till *To-morrow.*

FISHERY PIERS AND HARBOURS (IRELAND) [GRANTS, &C.]

Considered in Committee.

(In the Committee.)

Resolved, That it is expedient to empower the Commissioners of the Treasury to issue to the Commissioners of Public Works in Ireland out of any monies that may be granted by Parliament for the purpose, such further sums as may be required to carry out the provisions of any Act of the present Session for extending the provisions of the Acts for the encouragement of the Sea Fisheries in Ireland.

Resolution to be reported *To-morrow.*

ELECTIONS (RETURNING OFFICERS) BILL.

On Motion of Mr. GOLDSMID, Bill to consolidate and amend the several Acts now in force relating to the powers and disabilities of Returning Officers to vote at the election and Return of Members to Parliament, *ordered* to be brought in by Mr. GOLDSMID, Mr. HUDDLESTON, and The O'CONOR DON.

Bill *presented,* and read the first time. [Bill 161.]

INDUSTRIAL SCHOOLS BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to consolidate and amend the Acts relating to Industrial Schools in Great Britain, *ordered* to be brought in by Mr KNATCHBULL-HUGESSEN and Sir GEORGE GREY

Bill *presented*, and read the first time. [Bill 163.]

REFORMATORY SCHOOLS BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to consolidate and amend the Acts relating to Reformatory Schools in Great Britain, *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN and Sir GEORGE GREY.

Bill *presented*, and read the first time. [Bill 162.]

NUISANCES REMOVAL BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to amend the Nuisances Removal and Diseases Prevention Act (1860), *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN and Sir GEORGE GREY.

Bill *presented*, and read the first time. [Bill 164.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, May 18, 1866.

MINUTES.]—*Took the Oath*—The Lord Raglan.

PUBLIC BILLS — *First Reading*—Life Insurance (Ireland) * (122); Hop Trade * (123).

Committee—Land Drainage Supplemental * (106); Cattle Assurance * (83).

Report—Land Drainage Supplemental * (106); Cattle Assurance * (83).

Third Reading—Selling and Hawking Goods on Sunday (121), debate *adjourned.*

Royal Assent—Public Offices (Site) [29 *Vict.* c. 21]; Qualification for Offices Abolition [29 *Vict.* c. 22]; Customs Duties (Isle of Man) [29 *Vict.* c. 23]; Local Government Supplemental [29 *Vict.* c. 24]; Exchequer Bills and Bonds [29 *Vict.* c. 25]; Drainage and Improvement of Lands (Ireland) [29 *Vict.* c. 26]; Dockyard Extensions Act Amendment [29 *Vict.* c. 27]; Labouring Classes' Dwellings [29 *Vict.* c. 28]; Inclosure [29 *Vict.* c. 29]; Harbour Loans [29 *Vict.* c. 30]; Superannuations (Officers Metropolitan Vestries and District Boards) [29 *Vict.* c. 31.]

STATE OF EUROPE.—QUESTION.

VISCOUNT STRATFORD DE REDCLIFFE: My Lords, we are about to separate for the holidays, and we shall be for the next ten days without the facility of communicating with Her Majesty's Government on the present very important, critical, and threatening state of affairs on the Continent. Within the last few days there have been gleams of hope thrown upon the black prospect; but, on the other hand, we have seen in all the movements of armies anything but substantial reasons for apprehending that things have improved since the last time this subject was mentioned in this House. My Lords, I think it may be a service rendered to the public if we afford Her Majesty's Government the opportunity of throwing some light on this subject, so far as the delicate state of affairs may allow, before our separation. There is reason to hope—if we may trust rumours here and there which appear in the newspapers—that efforts have been made to bring about a Congress, and that some impression has been made on that great monarch who may be considered the arbiter of affairs on the Continent. I give full credit to Her Majesty's Government for an intention to do everything in their power to avert the great calamity which threatens Europe; but still it would be a great satisfaction to this House, and a great advantage to the commercial community, to know if there be any circumstance which may justify us in entertaining a hope that the efforts of Her Majesty's Government are such as to give reasonable prospect of a successful issue. When we look at the immense extent to which war is likely to be carried, if it unfortunately should take place—if we consider the vast interests involved, not only material but moral; when we see the new-fangled doctrines which are advanced as elements of confusion, but entertained by those who put them forward with a better hope; when we see the great man himself at the head of affairs in France holding language fatal to the treaties by which all Europe holds, and somewhat at variance with the principles of International Law as generally interpreted —I say, when we see these things, it is natural for us to wish to have all the light thrown on the subject which Her Majesty's Government feels itself at liberty to afford. In Italy—and I may say for myself there are few men who entertain a more ardent wish for the prosperity of that country than I do, and who more lament that the great scheme of Italian Unity was not carried out in the first instance; but I must say there is something of still more value, and that is the conservation of the moral principle of Europe—when we see a danger that the interests of all other European countries may be thrown into the shade and sacrificed; and, after all, whatever opinions we may entertain individually, it cannot be denied that Austria, with respect to Venetia, rests her claim upon a foundation of right—her possession of that country has been sanctioned by treaty with France. We may lament that she does not perceive her real interests more truly, but we cannot ignore the rights she has; and when I see the troops of Italy moving—when I see the interests of that great country placed in jeopardy in order to snatch the opportunity of seizing a district of country against all right—I say that is a subject which increases the apprehension which the present aspect of affairs on the Continent is calculated to inspire. So in Germany we find most extraordinary ideas put forward. Notions not only of universal suffrage, but of something far beyond it, are put forward by a Minister who cannot comprehend, or make the measures of his Government coincide with, the constitution established and recognized in his country. When we see these things, they seem to me to contain elements of confusion if, unfortunately, war should occur. Under these circumstances, and when we consider the confusion which has lately prevailed in the mercantile interests of this country, and the favourable operation of even the slight hopes gathered from the Continent on their monetary system within the last few days, I am the more induced to call on the Government to give us *quantùm valeat*, the benefit of any fact which may afford us a satisfactory prospect of peace. I do not wish to tax the indulgence of the House any further; I will, therefore, conclude by reading the Question which I wish to put to my noble Friend on the opposite side of the House. The Question I have to put to the noble Earl the Secretary of State for Foreign Affairs is, Whether any negotiations, or preliminaries to negotiations, official or confidential, are actually in progress on the part of Her Majesty's Government with a view to a settlement, by a Congress or other peaceful means, of those unhappy differences among several of the great Continental Powers which threaten to expose to imminent risk the peace of Europe? If the answer to that Question should be in the affirmative, I should like to know whether those negotiations appeared, in present circumstances, to offer a reasonable prospect of an amicable issue?

THE EARL OF CLARENDON: My Lords, it is impossible to over-estimate the importance of the situation at the present crisis, and I therefore thank my noble Friend for having exercised such a wise discretion in asking the Question he has addressed to me before the House separates for the vacation. In reply to his Question, I will state that official, and I may say confidential, communications are at this moment in progress; but it would scarcely be advisable that I should state their exact character. They are going on at this moment, and I hope they may terminate in the meeting together of all the Powers concerned—not only those which are neutral, but those which are armed. I cannot hold out any hope that may insure peace, but I think that a meeting of all the Powers, both those concerned and those not immediately concerned, to deliberate on these differences, may give some hope of an amicable issue. I can only say that no effort of Her Majesty's Government will be wanting to preserve peace; and I believe it is also the wish of the Emperor of France; but in the present state of the communications—I will not say negotiations—I think it would not be advisable to say anything further.

SELLING AND HAWKING GOODS ON SUNDAY BILL.

(No. 121.) THIRD READING.

Order of the Day for the Third Reading read.

LORD REDESDALE said, that in consequence of his noble and learned Friend (Lord Chelmsford) having withdrawn from the charge of this Bill, he (Lord Redesdale) felt it his duty to continue the progress of the measure, with a view of seeing whether it could not be rendered beneficial. He thought the Bill might be made of great utility for the purpose for which it was brought forward, and that by closing shops after ten o'clock in the morning, and not allowing them to open until one o'clock, a great check would be put upon Sunday trading. One great cause of Sunday trading was that people rose late on that day, instead of at their usual hours, and thus drove off their purchases to a late hour of the morning. All public-houses were at present closed during that period of three hours, and it was only reasonable that other shops should be closed also. Thus a great advance would be made in obtaining a proper and more pious observance of the Lord's Day in that respect. He trusted their Lordships would see that this Bill could not do any harm, that it was in accordance with the principle on which similar legislation had proceeded, and was calculated to produce good results. He therefore moved the third reading of the Bill.

Moved, "That the Bill be now read 3^a."—(*The Chairman of Committees.*)

Lord TAUNTON said, he was ready to admit that the Bill as it now stood was a considerable improvement on its original form, yet at the same time he thought it was still open to grave objections; he therefore moved an Amendment that it be read a third time that day six months. The noble Lord the Chairman of Committees proposed by this Bill to prohibit Sunday trading between the hours of ten o'clock and one o'clock, and to allow the sale of any articles during the rest of the day. [Lord Redesdale: No, no!] Of course the old obsolete law of Charles II. would continue in force, but it would be wholly inoperative in practice, and as had been said by a right rev. Prelate (the Bishop of Carlisle) in the course of the discussion on this Bill, whatever was not forbidden by the law would be considered as permitted and encouraged. The Bill, it should be remembered, applied not to the metropolis alone, but to the whole of England, and it would be difficult to make unsophisticated people in the country understand that the Legislature objected to trading at other hours of the day than those during which it was expressly prohibited. It might be desirable in some way to prevent during morning service the scandalous exhibition of goods for sale which took place in some parts of London; but the Bill was introduced not with that view, but for the purpose of securing to the trading classes a day of rest. As the Bill stood traders were to be allowed to keep their shops open until ten o'clock in the morning, and their liberty commenced again at one o'clock in the afternoon; and he feared that such a law could only lead to difficulty and confusion. He did not underrate the evil which existed, but it was not by legislation such as this that that evil could be remedied. A noble Friend of his had stated that he was willing to support the Bill as an experiment. There were subjects, no doubt, on which experiments might be safely and usefully made; but matters touching the religious views of the country or the habits of the poor were not safe subjects for experiment. Such cases involved considerations with which it was not well lightly to tamper. People must know what they were about. They must not constantly interfere with the habits of the people, telling them the Legislature considered this wrong one Session and that right another. If they could find the means of legislating safely and soundly upon these questions let them do so, and he hoped that in any measure with that object the repeal of the Act of Charles II. would be included. He did not like obsolete laws upon the statute book. If they were able to devise any law which, without unduly interfering with the habits of the people, should insure a better observance of the Sunday they would be doing a great service to the country, but if they did not see their way clearly to that result they had better leave the question untouched. One noble Lord did not like sending the Bill to the House of Commons, because he did not think it would meet with a favourable reception there; and as he left the House on the previous evening he met a distinguished Member of the other House, who was not more remarkable for the deep religious feeling which he evinced in the attention which he paid to religious subjects as a Member of the Legislature than for the surer test afforded by a blameless life, and that Gentleman said to him, "I hope the Bill will never come into the House of Commons. It will never pass, but we shall have disagreeable and mischievous discussions upon it." Unless they believed the measure would pass the Legislature, he entreated their Lordships at once to stop its progress. They were not attempting to stem a torrent of irreligion or lax practice in the observance of the Sabbath through the length and breadth of the land, for it was notorious that the moral and religious feeling and good sense of the country—stronger in these matters than the Legislature—had been securing gradually but surely a greater degree of respect for the Sabbath in all parts of the country. They might depend upon it that the efforts of good men, and the progress of public opinion, would reach even those parts of the social system which were most impervious to such influence; but, at any rate, they might rest assured that they would do no good in tampering with the subject in the manner proposed by this Bill. Under all these circumstances, then, he felt it to be his duty to invite their Lordships to reject the measure by moving that it be read a third time that day six months.

An Amendment *moved,* to leave out ("now,") and insert ("this day six months.")—(*Lord Taunton.*)

VISCOUNT LIFFORD thought the supporters of the measure had scarcely been fairly treated in the course which had been taken with regard to it. The opposition to the second reading and the Committee was carried on by one noble Lord, who was unable even to find a teller, and now they found suddenly a great number of noble Lords entertaining an opinion which they might as well have expressed at an earlier stage.

THE EARL OF HARROWBY said, the objection to the Bill which was founded on the argument that it would give to some extent a legislative sanction to Sunday trading, seemed to him to be rather strengthened than weakened by the alteration which it had undergone, inasmuch as under the provisions as it stood, any sort of traffic, however little called for it might be, would be rendered legal during the greater portion of the Sabbath. But he was so conscious of the evil which resulted from Sunday trading in some districts of the metropolis, that he should be willing to support some alteration in the hopes of finding, if not a remedy, at least an abatement of the evil. Under these circumstances, if the Motion for the third reading should be agreed to, he should move the insertion of words in the last clause confining its operation to London and the metropolitan districts.

LORD RAVENSWORTH thought the suggestion that the Bill should be confined at present to the metropolis was a wise one. They must all feel the extreme difficulty of legislation respecting the Sabbath—he himself was so strongly impressed with it that he should not have supported the Bill as it originally stood—but he would venture in all humility to throw out for their Lordships' consideration a suggestion on that subject. He asked whether it might not be possible to frame a Bill giving considerably extended powers to local authorities, for the purpose of mitigating, if not entirely stopping, the evils connected with the desecration of the Lord's Day. One of the results of that would be that local meetings would be held, and discussions take place, in which the grievances now suffered by many persons in that matter would be brought to light, and some satisfactory means of remedying them perhaps discovered and agreed upon. In that way the public mind in different parts of the country might be much better prepared for interference in that matter by the local bodies than it could be for the direct action of Parliament in the manner proposed by the present Bill.

LORD TEYNHAM said, the periodical cry for legislation to repress Sunday trading by legal penalties was a kind of intermittent fever which attacked the public mind from time to time. When those who were afflicted with that fever found that persons who were free from it would not comply with their wishes on that subject, the malady subsided for a while, but only to break out again at some future time. The noble and learned Lord who introduced the Bill (Lord Chelmsford) brought in a similar measure a few years ago, which fell through, and he had hoped that that result would have cured him of the malady for ever. He need not remind their Lordships how it broke out in Southampton, and in the City of London, when Mr. Pearson was City solicitor; and it was no new thing, for it had raged at the beginning of the last century, 1703, when Bull was the Bishop of St. David's, at which time it extended into Carmarthenshire, and many thousands of poor persons suffered from it. If they allowed this Bill to pass, the number of persons brought to punishment would be greater than it was in those days. The penalties of the present Bill not being levelled against a thing that was naturally evil, but against a thing which one man might think very wrong, another only moderately wrong, and a third not wrong at all, they must expect that they would be enforced with varying degrees of severity or lenity, according to what might happen to be the personal opinions of individual magistrates in regard to the observance of the Sabbath. For a single offence a magistrate might fine, if he pleased, to the amount of 20*s.* If that offence were repeated he might fine to the extent of 40*s.*, and might repeat that penalty of 40*s.* for every act of selling done by the person brought up as a criminal to his bar. Particular magistrates, with strong Sabbatarian views, might inflict the full amount of these cumulative penalties; and it must be remembered that the sales being most numerous in articles of the smallest value, a poor person who dealt in articles whose price might be represented by the smallest coin of the realm, might be subject to penalties a hundred times greater than a person who sold a single article of larger value. He earnestly hoped that their Lordships would reject a Bill so harsh, so oppressive, and so grossly unjust.

VISCOUNT STRATFORD DE REDCLIFFE said, he had listened with attention to the discussions upon that subject, and the impression they had left on his mind was that it was impossible to legislate with effect upon it. If this Bill were carried to a third reading, it might run the risk of defeat in another place, and might also lead to debates of a very delicate and embarrassing character, and that more harm than good would thus be done. With these convictions, he thought it would be better that they should stop where they were, and not agree to the Motion for the third reading.

THE DUKE OF CLEVELAND said, that taking everything into consideration, and more especially the opposition the Bill was likely to encounter in the other House, it appeared to him that it would be better they should not proceed with it any further. He admitted that an evil existed, but he saw no practical mode of providing for its remedy.

LORD REDESDALE said, he did not believe there was one of their Lordships who would not say it was desirable that shops should be closed on Sundays. The provisions of the Bill were very simple, and he saw no difficulty in carrying out the Bill with his Amendment. The provisions against Sunday trading were already carried out in the case of public-houses, and as the inhabitants of the metropolis had submitted to legislation on that subject, why should it be supposed they would not equally submit to the closing of shops for the same hours under this Bill? He did not believe there would be a great amount of trading in the afternoon under his Amendment. If the shops were closed at ten a.m., he believed they would not reopen after one o'clock, and there would not be the same amount of trading in the afternoon that there was now in the morning during the hours between ten and one. He was willing to accept the proposal of the noble Earl on the cross-benches (the Earl of Harrowby) that the Bill should be confined to the metropolis. It might be fairly tried there, for that was the chief seat of the evil, and if it worked well in the metropolis might be extended to other towns.

On Question, That ("now") stand part of the Motion? their Lordships *divided*:— Contents 50; Not Contents 49: Majority 1.

Lord Teynham

Resolved in the *Affirmative.*

Bill read 3ª accordingly.

CONTENTS.

Cranworth, L. (*L. Chancellor.*)

Armagh, Archp.

Richmond, D.
Rutland, D.

Abercorn, M.
Bristol, M.
Lansdowne, M.

Bandon, E.
Belmore, E.
Cadogan, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*)
Ducie, E.
Fortescue, E.
Graham, E. (*D. Montrose.*)
Grey, E.
Harrowby, E. [*Teller.*]
Huntingdon, E.
Lucan, E.
Manvers, E.
Morton, E.
Nelson, E.
Russell, E.
Stradbroke, E.
Strange, E. (*D. Athol.*)
Verulam, E.

Clancarty, V. (*E. Clancarty.*)
De Vesci, V.

Ely, Bp.
Gloucester and Bristol, Bp.
Lincoln, Bp.
Oxford, Bp.
Peterborough, Bp.
Ripon, Bp.
St. Asaph, Bp.

Berners, L.
Blantyre, L.
Bolton, L.
Castlemaine, L.
Feversham, L.
Heytesbury, L.
Kilmaine, L.
Portman, L.
Ravensworth, L.
Redesdale, L. [*Teller.*]
Sherborne, L.
Skelmersdale, L.
Somerhill, L. (*M. Clanricarde.*)
Stewart of Garlies, L. (*E. Galloway.*)
Stratheden, L.
Tredegar, L.

NOT-CONTENTS.

Cleveland, D.

Normanby, M.

Abingdon, E.
Albemarle, E.
Camperdown, E.
Carnarvon, E.
Cathcart, E.
Chichester, E.
Cowper, E.
De Grey, E.
Devon, E.
Effingham, E.
Granville, E.
Leven and Melville, E.
Minto, E.
Morley, E.
Romney, E.
Shaftesbury, E.
Spencer, E.

Bolingbroke and St. John, V.
Eversley, V.
Halifax, V.
Hardinge, V.
Leinster, V. (*D. Leinster.*)
Lifford, V.

Powerscourt, V.
Stratford de Redcliffe, V.
Sydney, V.

Abercromby, L.
Aveland, L.
Belper, L.
Camoys, L.
Carew, L.
Congleton, L.
Dartrey, L. (*L. Cremorne.*)
Digby, L.
Foley, L.
Hunsdon, L. (*V. Falkland.*)
Minster, L. (*M. Conyngham.*)
Mont Eagle, L. (*M. Sligo.*)
Overstone, L.
Oxenfoord, L. (*E. Stair.*)
Panmure, L. (*E. Dalhousie.*)
Skene, L. (*E. Fife.*)
Stanley of Alderley, L.
Taunton, L. [*Teller.*]
Teynham, L. [*Teller.*]
Wodehouse, L.
Wrottesley, L.

LORD PORTMAN rose to move the omission of the fourth clause, which required the police to see that the provisions of the Bill were carried out. He could conceive nothing more mischievous to the interests of that great force than to require them to perform such a duty. It had been said by Lord Grey that the smoke nuisance would never have been put down if the police had not been actively engaged in carrying the law into effect. But their Lordships might search through the whole of the Acts of Parliament on the subject and they would not find a single clause which required that the police should take any steps whatever. On the contrary, great care was taken that the police should not interfere except by order of the Secretary of State when the local authorities neglected the performance of their duty. In his opinion, nothing could be more unwise than to enact that every policeman who saw a poor woman selling an orange after ten o'clock on Sunday morning, should take her for that offence before a magistrate.

An Amendment *moved*, to leave out Clause 4.—(*Lord Portman.*)

LORD REDESDALE said, he was prepared to strike out of the clause the words which absolutely required the police to enforce the provisions of the Bill, and to accept in place of them words which would merely empower the police to interfere in that case under the instructions of their Chief Commissioner. That Amendment would perhaps meet the objection made by the noble Lord opposite to the clause as it stood.

THE EARL OF HARROWBY inquired whether the noble Lord meant to preclude the police from acting at all? If the words were struck out, would it be the duty of the police to put the Act in force like any other Act?

LORD PORTMAN said, it would.

LORD REDESDALE said, the effect of retaining the clause amended in the way he had suggested would be that the police would act on the instruction of the authorities.

LORD STANLEY OF ALDERLEY asked, whether there was in any other Bill a provision which specially directed the police to act.

THE EARL OF HARROWBY said, he would be satisfied, provided the police were to carry the regulations into effect in the same manner as the regulations which affected public-houses.

LORD PORTMAN said, his wish would be to postpone parting with the Bill for a fortnight that they might have an opportunity of considering that point. But his position was this—that there was no more need of requiring the police to carry out the law in this respect than in any other. Nothing could be wiser than the provisions under the Smoke Act, which said that the Secretary of State should have the power to require certain things to be done if he saw it necessary.

LORD STANLEY OF ALDERLEY objected to the police, who usually acted under instructions, being specially required to take cognizance of breaches of the Act.

THE MARQUESS OF CLANRICARDE suggested the re-committal of the Bill.

EARL GREY said, that whatever the law was, it ought to be enforced, and the best persons to enforce it were the police. He certainly believed, until he was contradicted, that a change had been made in the Smoke Act by which the police were compelled to see it carried out. Was his noble Friend (Lord Portman) sure that there was not a clause in the Police Act which made it the business of the police to lay informations in all cases where the law was contravened? He believed the best course would be to adjourn the debate.

LORD PORTMAN said, he had looked with care through the Police Act, and remembering past debates, could venture to say that the law was put in force by the order of the Secretary of State to the local authorities. The Commissioners of Police wished to prevent pressure on the individual policeman.

LORD REDESDALE asked if there would be any objection to empower the Chief Commissioner of Police in any district to take steps for enforcing the Act?

EARL RUSSELL said, that the objection was to the individual policeman being required to interfere. What seemed to him to be desirable was that the Commissioners of Police should give orders to their subordinates, and that the Secretary of State should give similar orders to the Commissioners of Police, so that the whole thing could be done regularly.

THE MARQUESS OF CLANRICARDE moved the adjournment of the debate.

THE LORD CHANCELLOR: I have not taken any part in the discussion, but I must own I do think an adjournment absolutely necessary. It will not be consistent with the dignity and the respectability of your Lordships' House to pass a clause the terms of which no Member of the House will know exactly. Therefore, I think the proposal to adjourn the debate to this day fortnight is one your Lordships cannot object to.

Debate adjourned to *Friday* the 1st of *June* next.

METROPOLITAN WORKHOUSE INFIRMARIES.—QUESTION.

THE EARL OF **CARNARVON** inquired, Whether Her Majesty's Government will undertake to lay upon the table the Reports ordered by the President of the Poor Law Board to be made as to the condition of the Metropolitan Workhouse Infirmaries as soon as such Reports are completed and sent in to the Poor Law Board? He took great interest in the condition of those institutions, and in an interview he had a few weeks since with the President of the Poor Law Board he was informed that the condition of the workhouse infirmaries was most unsatisfactory. There should be no more delay than was absolutely necessary in knowing what was the character and nature of these infirmaries, and he therefore begged to put his Question to the noble Earl.

EARL **GRANVILLE** said, some of the reports had been already furnished to the Poor Law Board, and it would be the duty of the Government to lay them before Parliament.

EARL **FORTESCUE** said, that a year ago he protested against the care of the metropolis being considered a secondary or supplementary part of the duty of the Poor Law inspector who had charge of the Lancashire district. He was met by the assurance that everything was going on satisfactorily. But a very few weeks afterwards a series of cases of the most scandalous and disgraceful kind came in succession before the public, and it was conclusively proved that things were not going on in so satisfactory a manner as had been represented. In his belief, the metropolitan Poor Law authorities had not stimulated, rebuked, and exercised sufficient supervision over the inspectors who were nominally in charge of the metropolis. That part of the evil which had since occupied the attention of his noble Friend opposite and many other person had been caused by diminished watchfulness, which, indeed, was inevitable, because a man could not be superintending in Lancashire and London at the same time. He trusted that in future the undivided attention of at least one inspector would be given to the management of the Poor Law concerns of the metropolis.

THE WHITSUNTIDE RECESS.

On the Motion of Earl RUSSELL, House adjourned at a Quarter before Seven o'clock, to Monday the 28th instant, a Quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, May 18, 1866.

MR. SPEAKER'S ILLNESS.

The House being informed by Mr. Speaker, that he had received notice that a Commission to give Her Majesty's Royal Assent to certain Acts of Parliament is ordered for this day, and that, being disabled from attending with the House in the House of Peers, he should be obliged, by permission of the House, to withdraw before the arrival of the Usher of the Black Rod.

Resolved, That during the temporary absence of Mr. Speaker from the House, this day, for the reason stated by him, the Chairman of the Committee of Ways and Means do take the Chair as Deputy Speaker, and do attend with the House in the House of Peers, and do report to the House the Royal Assent to the said Acts. —(*Mr. Bonham-Carter.*)

Mr. SPEAKER withdrew from the House, and Mr. DODSON, the Chairman of the Committee of Ways and Means, took the Chair as Deputy Speaker, pursuant to the Resolution of this day.

Message to attend The LORDS COMMISSIONERS:—

The House went; and being returned; —Mr. DEPUTY SPEAKER *reported* the *Royal Assent* to certain Bills.

Whereupon Mr. SPEAKER returned to the House, and resumed the Chair.

SALES OF CATTLE.—QUESTION.

MR. **READ** said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to allow the general sale of cattle at markets, fairs, and public auction after the 1st of June, and if any alterations in the present restrictions are contemplated, he will state those alterations to the House?

SIR GEORGE GREY said, in reply, that the present opinion of Her Majesty's Government was, that it would be inexpedient to make any alterations in the Order of the Privy Council, which would expire on the 1st of June, imposing restrictions upon the open sales of cattle at fairs and markets, and therefore they proposed to renew that Order not for a specified time, but until any other Order should be made in reference to this subject. Representations had reached him from three counties in Wales, alleged to be entirely free from cattle plague, and from the towns of Liverpool and Wolverhampton, praying for some relaxation of the restrictions now in force. In the first case, it was alleged that it was difficult to get people to go up to the various farms to purchase cattle, and under the circumstances their request had been complied with, that certain fairs should be held, power being reserved to the Privy Council to re-establish restrictions at any time they thought fit. In the cases of Liverpool and Wolverhampton the representations were founded upon the apprehension that it would be impossible to carry out the present system during the heat of summer, because, in addition to other inconveniences, the slaughter of so many cattle in one place might injuriously affect the health of the inhabitants of those towns. The Privy Council had given directions that inquiries be made on the subject of these latter representations, and had postponed coming to any decision upon the question until they had obtained the requisite information.

NAVY—COMMODORE DE COURCEY.

QUESTION.

MR. GRAVES said, he wished to ask Her Majesty's Government, If it is true that Commodore de Courcey, who was recently sent to Valparaiso to succeed Commodore Harvey on the Pacific Station, has been superseded; and, if true, whether it is at his own request, and what are the reasons given for relinquishing his command?

MR. BARING said, that Commodore de Courcey had been superseded in consequence of his own request that he might be removed from his command.

GLONOIN OR GLYCERINE OIL.

QUESTION.

MR. GRAVES said, he would beg to ask the President of the Board of Trade, If it is his intention to introduce a Bill for regulating the landing, moving, and shipping of glonoin or glycerine oil?

MR. MILNER GIBSON, in reply, said, his Department had been in communication with the authorities of the Customs on this sebject, in order to ascertain whether, under the present state of the law, precaution could not be taken to prevent accidents arising from this oil. Immediately after the holidays a Bill would be introduced in reference to this question.

SIAM—THE MYLOONGEE CASE.

QUESTION.

COLONEL SYKES said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether the Foreign Office has yet received any Despatch from Consul Knox, at Bankok, in reference to a claim of Mr. Burn, and known as the Myloongee Case, and for the production of which notice was given on the 12th of April?

MR. LAYARD said, in reply, that the papers to which the hon. and gallant Member alluded were only received within the last few days, and were now before the Law Officers of the Crown. When those learned gentlemen had given their opinion upon the case, he should be in a position to give an answer to the question put by the hon. and gallant Member.

THE CHOLERA AT LIVERPOOL.

QUESTION.

MR. LAIRD said, he wished to ask the Vice President of the Committee of Council on Education, By whose orders 200 Emigrants from the *Helvetia,* a ship infected with Asiatic Cholera, were removed from that vessel late in the evening of Tuesday the 8th instant, and placed in the Government Emigration Depôt at the Birkenhead Docks, there being in that depôt at the time 400 healthy Emigrants waiting to embark; why the local authorities at Birkenhead were not communicated with before these Emigrants from an infected vessel were sent to the depôt; if Her Majesty's Government are aware that within four hours after the arrival of the 200 Emigrants at the depôt Asiatic Cholera broke out; that up to the 15th instant eight deaths had occurred; and that twelve of the Emigrants are now suffering under an attack of Cholera; and what steps, if any, have been taken by Her Majesty's Government in reference to the use of the Emigration Depôt for such purposes?

Mr. H. A. BRUCE said, in reply, that the Government had been informed that the emigrants from the *Helvetia* were removed to the Emigration Depôt at Birkenhead by order of the Mayor of Liverpool. That depôt was not the property of the Emigration Board, but was occasionally used by them to house their emigrants. It appeared that 200 emigrants were sent from the *Helvetia* to that depôt which was a very large one, containing a mess room and dormitories capable of accommodating 400 persons. At the time those emigrants were removed to the depôt there were 400 other emigrants in the depôt, but the latter were sent upstairs to the dormitories and next morning they were removed to their ship, and had since left. There was no reason to suppose that they had suffered from the 200 other emigrants having been for so brief a period in the depôt with them. With regard to the latter, the cholera soon after broke out amongst them, and the number of cases was as stated in the Question of the hon. Gentleman. But he (Mr. H. A. Bruce) was happy to say that the last report was more favourable, as no more deaths were mentioned nor new cases, while the cases of those who were suffering from the disease were reported upon favourably. The depôt would continue to be employed as at present. He was unable to say whether the Birkenhead authorities were communicated with before the emigrants were removed to the depôt.

POOR RELIEF AT PLYMOUTH.

QUESTION.

Mr. MORRISON said, he wished to ask the Secretary to the Treasury, Why no part of the amount annually voted in aid of the Local Assessment for the relief of the poor in the Plymouth district, as stated in the Return just presented to Parliament, is paid on account of the Government property in the borough of Plymouth?

Mr. CHILDERS said, in reply, that the Return alluded to by the hon. Member stated the amounts paid according to the districts, and the particular parishes in each. The reason why the two parishes at Plymouth did not receive any part of the grant referred to was because the rateable value of Government property in them was only one-ninetieth of the parishes, and the rule was that unless one-sixth of the rateable value of a parish was in respect of land occupied by Government, no grant from the public funds was given in aid of the rate for the relief of the poor. On the other hand, Devonport and Stoke contained a large amount of public property, and therefore they received corresponding aid towards their poors' rates.

BANK OF ENGLAND ISSUES.

QUESTION.

Mr. WYLD said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is expedient that the Directors of the Bank of England should exercise the power they possess by their exclusive privilege of issuing notes to compel the sale of Consols, and thereby depreciate the securities of the State upon which their own issues are mainly founded?

The CHANCELLOR of the EXCHEQUER: Sir, I hope my hon. Friend will allow me to say that this is a question which opens a very wide field for discussion upon a matter of general policy. It amounts in reality to a question as to whether the entire position of the principal issuing body in this country should be changed, and whether issues and advances should be made on the direct responsibility of the State? This is a question which it is impossible for me to meet or discuss in answer to a simple interrogatory; but I must say that on the principle of the law as it stands, and viewing the position of the Bank of England as essentially that of a commercial establishment, especially as that position has been defined and understood by the Act of 1844, I think it would be quite impossible to deprive the Bank of England of the discretion it is possessed of, and which it exercises with a view of making a greater or less amount of advances either on public securities or mercantile accounts.

ALLEGED IMPORTATION OF DISEASED CATTLE FROM IRELAND.

QUESTION.

Mr. OWEN STANLEY said, he would beg to ask the hon. Member for Birkenhead, Whether it is true that among a cargo of cattle from Ireland, one of the animals on landing had been pronounced by the Inspector as infected with the cattle plague?

MR. LAIRD said, in reply, that the Chairman of the Birkenhead Commissioners had informed him that last Saturday week a cargo of cattle arrived from Ireland and were sold in the Liverpool market on Monday, and some of them were taken to the Birkenhead slaughter-house on the Tuesday and killed. It was then found that one of them was far gone in the cattle disease, and it was immediately buried. He (Mr. Laird) had promised the Vice President of the Committee of Council that he would ascertain all the facts from the officers of the market, and forward the information to the Privy Council.

HYDE PARK.—QUESTION.

MR. LOCKE said, he wished to ask the First Commissioner of Works, Why the Turf has been stripped off a space of nearly three acres in Hyde Park, near to the Guards' Barracks, on the north side of the Serpentine; and whether it is intended to replace it?

MR. COWPER was understood to say that it was owing to the very ungenial state of the weather that the turf had not been already re-placed.

CONGRESS ON EUROPEAN AFFAIRS.

QUESTION.

MR. SANDFORD said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether the great European Powers have agreed to a Congress for the purpose of taking into consideration the questions of Venetia and Schleswig-Holstein; and whether it is true that in certain contingencies France wishes to commit England to an armed mediation?

MR. LAYARD said, in reply, that the only answer he could give his hon. Friend was that negotiations were at that moment going on between the Governments of France, Russia, and this country for the purpose of holding a Congress at Paris. Considering, however, the present state of those negotiations, it would be improper to give any further answer to the question.

CHILE—BOMBARDMENT OF VALPARAISO.—QUESTION.

MR. DARBY GRIFFITH said, he wished to call the attention of Her Majesty's Government to the Despatch of Commodore Rogers, in which that officer stated that the English Admiral had first agreed to join with him to prevent the bombardment of Valparaiso, but had subsequently declined to adhere to the compact. He therefore wished to know, How the statement made on a previous evening that such an event had never occurred, was reconcilable with the declaration of Commodore Rogers and with the resolution agreed to at the meeting of the British merchants, in which it was declared that the British Admiral's plea for non-interference—the want of a sufficient force—was inadmissible, inasmuch as he could have secured the co-operation of the United States squadron?

MR. LAYARD said, in reply, that the despatch purporting to be written by Commodore Rogers which he had read was entirely inconsistent with the official statement forwarded by Admiral Denman. In a day or two all the papers would be laid before the House, and hon. Members would then be able to judge between the two statements. He might also take that opportunity of stating that the conduct of Mr. Thomson, our Minister at Chile, had received the entire approbation of Her Majesty's Government.

COMPULSORY CHURCH RATES ABOLITION BILL.—QUESTION.

LORD JOHN MANNERS said, he wished to repeat the question which he had asked on the previous evening as to what day was fixed for the second reading of the Bill for the Abolition of Compulsory Church Rates?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that after what had taken place on the previous night it would be very difficult to find a Government day, the more so as his noble Friend had given notice of a Motion involving the whole principle of the Bill. Under those circumstances he had placed it for Wednesday, the 30th of May, when he hoped they would be able to secure for it a full discussion.

ADJOURNMENT OF THE HOUSE.

THE CHANCELLOR OF THE EXCHEQUER: Sir, I rise to move that this House will, at its rising, adjourn till Thursday next.

UNITED STATES AND CANADA—THE RECIPROCITY TREATY.

OBSERVATIONS.

MR. WATKIN rose for the purpose of calling attention to the termination of the Reciprocity Treaty. He said, it was with considerable pain that he felt compelled, although a supporter of Her Majesty's Government, to believe that on one of the most important questions that had claimed the attention of the Foreign Department for years, not only had the action of Her Majesty's Government been characterized by great negligence, but it had also been marked by the absence of that faculty which induced men of business to look ahead. He thought also that the House had not been fairly dealt with, because the information which ought to have been furnished to hon. Members had, he believed, been withheld. Government appeared to forget that while Cabinets were not held in much reverence, how much soever distinguished individual Members of them might be and were, across the Atlantic, the opinion of the House of Commons was invariably regarded with attention and respect. The debates of that House, whenever devoted to the discussion of questions affecting America, were invariably published in full by the American press, and they were universally read and criticized. They influenced public opinion as the expressions of British public opinion; hence it was that, in the absence of all information from the Government, he had venture to invite the House to consider this question, involving, as it did, those relations of commerce and of friendship which men of all parties in that House were anxious to preserve between the great branches of the Anglo-Saxon race. Were any other reason required, he should find a still further excuse for bringing it forward upon the Motion for the adjournment of the House in the news that arrived in this country only the previous day, that a fleet of sixteen vessels, among which were the *Miontonomah* and the *Dunberberg*, which were regarded by many naval men, not in the United States alone, as the most powerful iron-clads afloat, was to be sent to the fisheries. It could not be necessary to send that enormous armament to preserve the peace among the fishermen, and therefore any person reading such an account unaccompanied by any explanation from Her Majesty's Ministers would be led to believe that the question was one of a far more serious character than they had been led to suppose. Probably every hon. Member recollected that before the treaty was made in 1854, very serious difficulties were continually arising from the conflict of right between the fishermen of the respective countries. Lord Clarendon then stated distinctly that Her Majesty's Government felt the difficulty to be one of so grave a character as to require the services of no less able a man as Plenipotentiary than Lord Elgin. On the 27th of June, 1854, Lord Clarendon said, in the House of Lords, in answer to a question put by Lord Fitzwilliam—

> "It appeared to Her Majesty's Government that the return of Lord Elgin to Canada afforded an opportunity which ought not to be neglected of endeavouring to settle those numerous questions which for years past have been embarrassing the two Governments. One of those questions, especially that relating to the fisheries, has given rise to annually increasing causes of contention, and has sometimes threatened collisions, which, I believe, have only been averted for the last two years by the firmness and moderation of Sir George Seymour and the British and American naval commanders, and by that spirit of friendship and forbearance which has always characterized the officers of both navies. But my Lords, your Lordships are aware that there are other questions which have given rise to embarrassing discussion between the Governments of the two countries—questions which involve the commercial relations of our North American possessions with the United States, and that those questions which involve very divergent interests, have become so complicated as to render their solution a matter of extreme difficulty."—[3 *Hansard*, cxxxiv. 730.]

And he added—

> "I trust, therefore, that nothing will occur to mar the completion of this great work which, I firmly believe, more than any other event of recent times, will contribute to remove all differences between two countries whose similarity of language and affinity of race, whose enterprize and industry ought to unite them in the bonds of cordial friendship and to perpetuate feelings of mutual confidence and good will."—[3 *Hansard*, cxxxiv. 731.]

On the same occasion all the noble Lords who spoke agreed as to the vast importance and value of the treaty, but Lord Derby, in doing so, added the following caution:—

> "He was afraid that, if we had to consult the colonies with respect to a treaty with a foreign country, the effect would be that on such questions the colonies would be independent."—[3 *Hansard*, cxxxiv. 732.]

The House would remark that in 1854 the services of the ablest of our negotiators, no less a man than the Governor General of British North America, who was armed with plenary powers, were called into special requisition. He had, however, of course to avail himself of provincial advice and aid, but he himself undertook the serious responsibility. In 1866 the Government, so far as they had enabled the House to know, did nothing until the exigency compelled certain gentlemen from the provinces to take up the subject for themselves and to go to Washington some six weeks only before the treaty came to an end. Proceeding to consider the Reciprocity Treaty itself, he said it might be described under four heads. It permitted in the first place free trade in the produce of the soil, the forest, and the mine, all customs regulations being abolished in that respect on both sides; the fisheries on the coast and the tributaries running into the ocean were thrown open to the fishermen of both countries; the navigation on Lake Michigan and of the St. Lawrence from Lake Ontario to the ocean was free to both; and lastly, the Americans were free to float their timber down the river St. John. In addition to these provisions two Acts were in existence passed by Congress in 1845, called the Bonding Acts, by virtue of which the Canadians, shut out from using their ports in consequence of the severe winters during five months of the year, might transmit their merchandise in bond through the States by the ports of America. In order to show what the treaty had done, he observed that the trade between the States and the British North American provinces had increased from 20,000,000 dollars per annum in 1853 to 68,000,000 dollars in 1864; and during the whole period of the treaty, the trade between the United States and the British provinces had amounted to £100,000,000 sterling, the balance of trade being £10,000,000 in favour of the United States. So great, indeed, had the trade between the British provinces and the United States become, that it was only second to the trade between the States and England herself. It was three and a half times greater than the trade between the United States and China or Brazil; three times larger than the trade of the States with Mexico; two and a half times greater than the trade with Hamburg and Bremen, notwithstanding the direct lines of steamers; and two and a quarter times greater than the trade with France itself. But its reciprocal operation over so wide an area led to a singular balance of exchanges of the same article. He would cite the case of coal. Pennsylvania supplied about 170,000 tons of coal a year to Upper Canada, while Nova Scotia, 1,000 miles apart, supplied 200,000 tons to the Eastern and Atlantic States of the Union. The Western States sent their wheat and flour into parts of Canada, while Canada supplied some of the Eastern States with the same articles, and New York and Boston sent similar supplies to Nova Scotia and New Brunswick. The Americans had no doubt benefited largely by the arrangement with regard to the fisheries. One of their principal trades was the mackerel fisheries. In 1852 they had only 250 vessels engaged, but under the operation of the treaty they had now 600; and while they had only 2,700 men engaged before the treaty, they had now 9,000. The total value of the catch during the year 1852 was 850,000 dollars; but during 1864, it amounted to 4,500,000 dollars. If he wanted to describe what had been the operation of the treaty, what had been its intentions, and what had been its moral obligations, he could not do so better than by quoting a few terse words which appeared in a letter written by the hon. Member for Birmingham to Mr. Aspinall, of Detroit, during the sitting of the convention held in that city in July last, on the Reciprocity Treaty. Mr. Bright, writing to Mr. Aspinall, said—

> "The project of your convention gives me great pleasure. I hope it will lead to a renewal of commercial intercourse with the British North American provinces, for it will be a miserable thing if, because they are in connection with the British Crown, and you acknowledge as your Chief Magistrate your President at Washington, there should not be a commercial intercourse between them and you, as free as if you were one people, living under one Government."

It was held, too, by some distinguished men in the United States that the fisheries were essential to preserve their naval position. One able American in official position had recently stated that if his country was ever to secure naval supremacy, it must be either by encouraging its fisheries or by absorbing the British maritime provinces. But above and beyond mere physical and material benefits appeared the moral good in peace, friendliness, and good neighbourhood borne along by the treaty. It had, in fact, fulfilled all the anticipations of Lord Elgin and Mr. Marcy. That being the position of affairs, he had at various times endeavoured to induce Her Majesty's Government to give some information upon the subject. In May, 1864, the Under Secretary for Foreign

Affairs asserted in reply to his question that no negotiations were in progress with respect to the Reciprocity Treaty. Inquiring in February, 1865, for any papers in the possession of the Government of a later date than 1861, he was told that none existed. That, he regretted to say, was an answer common to the Treasury Bench, and by no means creditable to it. Lord Palmerston, at about the same time, of course informed by the hon. Gentleman, made a similar declaration to the hon. Member for Radnorshire; and after a most diligent search he had been unable to learn of the presentation to Parliament of more than two papers touching the question—the one giving a letter from which he should quote, the other being the notice from the American Government of its intention to terminate the treaty, and a brief acknowledgment of the receipt of the notice. Thus it happened that a treaty which had been negotiated by Lord Elgin, and had resulted in extraordinary benefits to both the British possessions and the United States, had been allowed to come to an end without a single opportunity having been afforded to the British Parliament to offer its opinion upon the subject, or to press upon the American Government and people the policy and justice of a renewal of so beneficent a compact. The Government could not excuse itself on the ground that it had been taken by surprise in the matter. The question had been under discussion during the last five years, both in the States, in the provinces, and at home. In 1861 the Chamber of Commerce of New York called especial attention to the subject, and Congress referred it to the "Committee on Commerce," and that Committee reported in 1862 in favour of an extended treaty, and its Chairman (Mr. Ward) reported resolutions for a joint Commission in 1864; and in the following year the matter was fully discussed in both Houses of Parliament in Canada. Then, on the 23rd of November, 1864, Mr. Adams, echoing a despatch from Mr. Seward, wrote a letter to Earl Russell upon the subject, and he would read the following extract:—

> "The welfare and prosperity of the neighbouring British provinces are as sincerely desired on its part (the United States) as they can be by Great Britain. In a practical sense, they are sources of wealth and influence for the one country only in a less degree than for the other, though the jurisdiction appertain only to the latter. That this is the sincere conviction of my Government has been proved by its consent to enter into relations of reciprocal free commerce with them almost as intimate as those which prevail between the several States of the Union themselves. Thus far the disposition has been to remain content with those relations under any and all circumstances, and that disposition will doubtless continue, provided always that the amity be reciprocated and that the peace and harmony on the border, indispensable to its existence, be firmly secured. The fulfilment of that obligation must be, however, as your Lordship cannot fail to perceive at a glance, the essential and paramount condition of the preservation of the compact. Even were my Government to profess its satisfaction with less, it must be apparent that by the very force of circumstances peace could scarcely be expected to continue long in a region where no adequate security should be afforded to the inhabitants against mutual aggression and reprisal."

From the year 1861 to the 23rd of November, 1864, there appeared every disposition on the part of the United States to negotiate a treaty; indeed, they seemed to be in advance of England in their desire to establish relations similar to those then existing. On the 17th of March, 1865, however, notice was given to put an end to the treaty. In the month of July of the same year, a convention was held at Detroit, at which delegates from the Western and Eastern States attended; and, after many days of anxious and serious discussion, they passed a resolution requesting the President of the United States to enter into negotiations with the Government of Great Britain, with a view to the execution of a treaty between the two countries for reciprocal commercial intercourse which should be just and equitable to all parties, including the free navigation of the St. Lawrence river, and the making of such improvements in the river and the canals as would render them adequate for the requirements of the West in communicating with the ocean. Here was again an opportunity for the commencement of friendly negotiations, but there did not appear to have been any attempt to take advantage of it. The next happened when the Government of the United States delegated to Mr. Derby, of Boston, the duty of reporting upon the treaty, and when the Revenue Commission of the United States presented their report upon the subject. Both reports, while admitting that it was discreet to give notice that the treaty would terminate, contained strong recommendations to re-establish international and commercial relations on a broader basis, and observed that it would be impolitic on the part of the United States, to decline the consideration of propositions with that end in view, seeing that such a course would be in entire opposition to the spirit of the age, the liberality of the American people, and the policy of reducing their debt by rapidly developing their resources. Six weeks only before the termination of the treaty, deputations from Canada, New Brunswick, and Nova Scotia attended in Washington and discussed the subject with what was called the Committee of Ways and Means, which consisted for the most part of the chief Protectionists of the United States, but the negotiation failed entirely in its endeavour to effect the object in view. A majority of the Committee decided that they would not accept a treaty with Canada except upon such terms as would practically have excluded the great bulk of the Canadian products from the markets of the United States. The delegates from the British provinces, with a view to overcome the difficulties in their way, proposed to agree that whatever internal taxes might be put upon particular articles, the same should be imposed upon similar commodities imported from the British provinces, so that no favours should be extended which were not enjoyed by the people of the United States. They also proposed to retain the free navigation of the lakes and rivers, that goods should be passed from one district to another in bond. The negotiations, however, were a failure. The delegates from the British provinces then drew up a report, and presented it to Sir Frederick Bruce, informing him of the result of their endeavours, stating the propositions they had made and those made in return, Sir Frederick entirely concurring in the course they had pursued, though he, unfortunately under the circumstances, could do nothing. He would now inquire whether Her Majesty's Government had any excuse for not negotiating. He might, however, be told that the Government could not take cognizance of matters of public notoriety, and that they could only act upon official documents. Well, on the 19th of February, 1865, the Executive Council of Canada passed a minute, which he was sure was sent to the British Government, and which could not have been thought of so little importance as to allow of its being thrown into a pigeon-hole and lost sight of. That minute stated that the recent proceedings of the Congress of the United States with respect to the Reciprocity Treaty had excited the deepest concern among the people, those proceedings having as their avowed object the abrogation of the treaty at the earliest moment. A very practical request was then made, his Excellency being asked to induce our Government to institute negotiations for the renewal of the treaty, with such modifications as might be mutually agreed to before notice was given. The fear was also stated that the notice for the termination of the treaty, if once given, would not be revoked; and the desire was expressed that the matter might be brought under the immediate notice of Her Majesty's Government. Here, then, was a direct official representation from an important dependency, sent through no less a person than the Governor General to Her Majesty's Government; but, notwithstanding that, no negotiations based upon it were entered into. He was, therefore, bound to ask what Her Majesty's Government had done in the matter during the period from 1862 to 1865; and this suggested a further question—namely, which Department of the Government is it, the Foreign Office, the Colonial Office, or the Board of Trade, which has charge of these vast and important relations subsisting between this country and the United States? Would any hon. or right hon. Member on the Treasury Bench get up and say that he was responsible for the future, if not for the past, so that the House might be assured that somebody had charge of these questions? The House had not been supplied with any papers in regard to the treaty in question, although it concerned a trade of £13,000,000 annually. He asked, what had the Foreign Office been doing? Why negotiating, and with what results every one knew and many deplored, about Poland and Denmark. Between the years 1862 and 1864, negotiations were entered into by Her Majesty's Government with regard to Denmark and Poland, and no fewer than 369 papers were printed and laid on the table relating to Denmark, and 170 relating to Poland. A reply might be made to this statement that Her Majesty's Government were most anxious to preserve their relations with the United States, and were ready to negotiate at any moment, but that the temper of the United States during the recent struggle in that country rendered such a course impossible. He would, however, meet that issue with a distinct denial, being supported in that denial by personal knowledge. Beginning with the year, ever to be remembered, when Her Majesty's eldest son went across the Atlantic in the latter portion of 1860, down to the 23rd of November, 1864, there was never a week, certainly never a month, during which it would not have been possible, if proper means had been taken, to initiate negotiations which would probably have led to a satisfactory settlement of the question. To show that the Government of the United States were disposed to deal with difficult international questions, notwithstanding the war in which they were engaged, it was only necessary to mention the manner in which it dealt with the treaties as to the slave trade on the coast of Africa, negotiated in 1862 and 1863. That involved a question which had been agitated in vain for a quarter of a century. Yet the United States Government had met the wishes of this country, and after negotiation had made, and the Senate had confirmed, a treaty disposing for ever of the question of the right of search. If further evidence were required in regard to this treaty, he would quote from the speech of a Member of the House of Representatives of the United States, and whose words on matters of fact could be relied upon. Mr. Brooks, on the 14th of March, 1866, stated that—

> "He did not believe there would have been thirty votes obtained in this House last year for the abrogation of the Reciprocity Treaty with Canada; but on the explicit understanding that some sort of reciprocity in trade would be forthwith re-established, either through the treaty-making power, or through the legislative power of the Government, he had voted for its abrogation under a high sense of duty. The people of the United States were ground down by the internal revenue taxation, and he had not felt at liberty to let the Reciprocity Treaty stand, without being at liberty to make some sort of bargain with the people of Canada, that whatever our internal revenues might be, the same would be levied, either by them or by us, on our imports from them."

What he complained of especially was, not merely that the opportunities of making better arrangements with the United States had been lost, and, in his opinion, most culpably, but that the indifference which Her Majesty's Government had shown, and their entire want of apparent care for the interests of the provinces, had led to a feeling in the minds of many persons in the United States that this country would not much object to the doctrine of annexation being put in practice. The American Government was commonly spoken of as a Government of the majority, but anybody who had studied the Constitution of the United States knew that there was no country in the world where the influence of a small but active minority was so unmistakably felt. By the course which Her Majesty's Government had taken the annexationist and protectionist parties in the United States, small minorities as they were, had been fanned into importance. And the result was seen, among other things, in the language held by the United States Consul, at Montreal, in the Convention assembled at Detroit in 1865—the very Convention to which the hon. Member for Birmingham wrote. Mr. Consul Potter, who told the Convention that he was authorized by his own Government to attend and express his views, said—

> "I believe I express the general feeling of those who are the most friendly to the United States, in Canada, when I say that it is not the policy of our Government, or our policy, to continue this treaty, and I believe that in two years from the abrogation of the Reciprocity Treaty the people of Canada themselves will apply for admission to the United States."

The Consul also quoted a letter which he had received from Mr. O. S. Wood, an American citizen, of Montreal, who stated that all the friends of the Western States there would rejoice to submit to temporary inconvenience and loss for the purpose of preventing the renewal of the treaty, knowing that such a renewal would be the only effectual check on the annexation movement, and that the renewal would be one of the greatest political blunders on the part of the United States. Mr. O. S. Wood was the manager of the Montreal Telegraph Company, and that position he was compelled by public opinion to resign; but in the case of Mr. Potter, the United States Consul, who attended the Conference and made these statements, ostensibly on the part of his own Government, no steps whatever appeared to have been taken, and no remonstrances, as far as he could learn, had proceeded from Her Majesty's Government against this attempt to seduce or force the provinces from their allegiance. Mr. Potter, he believed, was still Consul at Montreal. The Republican journals in the West had since taken up a similar tone, and even Mr. Derby, in his official report, circulated like our own blue books, said—

> "And if, as an inducement for this treaty, and in settlement of *Alabama* claims, we can obtain a cession of Vancouver's Island, or other terri-

tory, it will be a consummation most devoutly to be wished."

All that sort of language had arisen, he maintained, from the laxity and indifference which Her Majesty's Government had shown. [*A laugh.*] The right hon. Gentleman the Chancellor of the Exchequer seemed amused by the circumstances to which he had alluded, but he regarded them, he confessed, with extreme sadness. Twelve months ago a state of things existed between the people of the British provinces and the United States which was highly to be encouraged, containing as it did the elements of peace. But now, through the termination of these engagements, a state of things had grown up charged with the elements of war. He hoped the right hon. Gentleman would be able to re-assure the House, but when a fleet of iron-clads were sent to the fishing grounds the relations between the two countries could hardly be in a healthy state. If it were alleged that Her Majesty's Government were not responsible for what had occurred, he would ask who was responsible? If Her Majesty's Government felt that the negotiations were going past them and beyond their ability to control, the House, he felt convinced, would have stepped forward and interfered, as it had done before on memorable occasions with advantage; but that opportunity was not given to the House, for, not only had the Government done nothing themselves, but they refrained from laying before the House the information which would enable it to form a solid and useful opinion. Under these circumstances, what was to be done? He was told privately that some satisfactory proposal had been made to the Government in reference to the rights of fishery. But he wanted to know whether Her Majesty's Government were prepared to effect a settlement upon this one question which would be in every way to the advantage of the United States, without also securing the perpetuation of those Acts which enabled our goods to come from one portion of the country to the United States and *vice versâ*, and whether they would not also obtain the free navigation of Lake Michigan and the waters which flowed into it? There was another very important question unsettled—the boundary line on the Pacific coast. Had any proposal, he would ask, been made to extend or alter that boundary line? It was also essential to ascertain whether the Government had in their minds any scheme as to the international relations of these two great countries, and what they had done towards endeavouring to carry that scheme into practice. He believed that it was only by taking a frank and comprehensive view of the subject that the Government could hope to establish relations as good as those which had previously existed, and they must not shut their eyes to any changes which had taken place. Sitting on one of the Benches behind there was an hon. Member who had rendered eminent service at the time when the treaty was concluded by Lord Elgin. If the Government consulted that hon. Member, he could tell them, no doubt, many points connected with that negotiation which would be of the greatest service to the country. He could also remind them that since that treaty was adopted the wisdom and foresight of the right hon. Baronet the Member for Hertfordshire, then Colonial Minister, had laid the foundations of British Columbia and Vancouver's Island as separate dependencies, and that Vancouver's Island contained all the bituminous coal existing north of Panama, on the American coast. He must apologize to the House for the length of these observations. Having made his charge, if such it must be called, against Her Majesty's Government, he hoped that there would be no more statements about the impossibility of producing papers while negotiations were pending, for such statements he, as a plain man of business, should take simply as excuses. Instead of putting forward assertions of that vague character, the Government ought to deal frankly with the House, tell what had happened, and how at this moment stood the relations between this country and the United States. Above all, the House ought to be assured that somebody had his attention directed to these all-important questions, if they were to be brought to a termination by the Government without necessitating the interference of the House.

MR. LAYARD said, his hon. Friend seemed to be in some doubt, when he was on the point of sitting down, whether he had made a charge against Her Majesty's Government. He confessed, however, that he had never heard an indictment of greater severity brought against any Government. The hon. Member had accused Her Majesty's Ministers of all kinds of *laches.* According to his statement they had exhibited a great amount of negligence, they had shown themselves indifferent to the great interests of the country, and going a step further, he declared that their management of this important matter had been even culpable. Not satisfied with having attacked the Government generally, he singled out the noble Earl now at the head of the Government, and charged it upon his well-known coldness, angularity of temper, and bad management that this question of the Reciprocity Treaty had not been brought to a satisfactory conclusion. But with strange inconsistency he went on to say that a matter of the greatest difficulty and delicacy, the negotiation of a Slave Trade Treaty with the United States, a negotiation which required all those qualities in which, according to the hon. Member, Earl Russell was entirely deficient, had been carried on by Earl Russell with the most complete success. If it had been the object of the hon. Gentleman to make a speech rendering it difficult for this country to come to an understanding on this subject with the United States, he could not have delivered one of a more mischievous character, or one better calculated to arouse in the United States feelings of irritation against this country, which would preclude the possibility of any fresh Reciprocity Treaty being entered into. He could assure the hon. Gentleman that Her Majesty's Government were as much alive as the hon. Member could possibly be to the importance of the Reciprocity Treaty; they looked upon it as a most beneficent measure, and believed that it had been equally advantageous to both countries. In support of his argument his hon. Friend quoted some statistics, and in order to show the House the enormous advantages which had been gained by the two countries by the adoption of this treaty, he would also quote the following statistical returns:—

> "The Secretary of the Treasury of the United States reports that the total imports into the British provinces from the United States were in 1827, 445,118 dollars, and the exports from those provinces to the United States, 2,830,674 dollars; total trade, 3,275,792 dollars. It is stated by the Select Committee of the Chamber of Commerce of New York, that the whole value of exports and imports between the United States and the British North American Provinces was in 1849 6,000,000 dollars, and had grown slowly up to that amount. We find stated on the same authority—In 1854.—Imports into Canada, 15,583,098 dollars; exports from Canada to the United States, 8,649,002 dollars. In 1855.—Imports, 20,828,676 dollars; exports, 16,737,277 dollars. In 1863.—Imports, 23,109,362 dollars, exports, 22,534,074 dollars."

Those figures showed an increase of trade not to be exceeded, he believed, in the commercial relations between any two countries in the world in so short a period. At the meeting referred to by his hon. Friend—the one held in Detroit—Mr. Howe, a gentleman representing the interests of the British North American Colonies, and a great authority upon this subject, made a speech in which there was this statement—

> "Looking at the industrial results of the treaty any fair-minded and dispassionate man must admit that they have far surpassed, in utility and value, all that could have been hoped by the most sanguine advocate of the measure in 1854. The trade of the United States and of the provinces, feeble, restricted, slow of growth, and vexatious before, has been annually swelled by mutual exchanges and honourable competition, till it is represented by a grand total of 456,350,391 dollars in about nine years. This amount seems almost incredible, but who can hazard an estimate of the figures by which this trade will be expressed ten or twenty years hence, if this wise adjustment of our mutual interests be not disturbed? If there be any advantage in a balance of trade, the returns show that the citizens of the United States have had it to the extent of 55,951,145 dollars."

But great as had been the commercial advantages of the treaty to the two countries, its political advantages had not been less considerable. For a period of forty years questions of a most irritating nature had constantly arisen in reference to the right of fishing on the coasts of our colonies, and had it not been for the prudence and forbearance of the two Governments, and of the officers who were sent to preserve order on the fishing grounds, misunderstandings of a very grave nature might at any time have ensued. But by the treaty all matters of difference between this country and the United States, on this and other subjects of scarcely less importance, were at once brought to a termination, and during the eleven years in which it had been in operation, not a single irritating question nor cause of misunderstanding had arisen with reference to them. It was evident, therefore, that the strongest reasons existed to induce Her Majesty's Government to prolong the existence of the treaty. His hon. Friend had argued the case as if Her Majesty's Government had the power of negotiating with the United States, and had neglected to exercise it, and as if it depended upon them alone whether the treaty should continue in force or not; but, in truth, they had nothing to negotiate—the treaty was in existence, and Her Majesty's Government did not wish it to be brought to an end. On the contrary, all they desired was that it should be allowed to remain in force between the two countries. Of course, it was open to the United States to put an end to it if they thought proper to do so, and they did put an end to it, by giving the notice of its termination according to an article in the treaty. Moreover, his hon. Friend seemed to forget that there was no power of negotiation on the subject vested in the executive Government of the United States. Mr. Seward had no power to negotiate on the part of the United States with Her Majesty's Government; and, therefore, the whole of his hon. Friend's argument on that point came to nothing. The question of bringing the treaty to an end did not lie with the Executive of the United States Government, but with Congress. If his hon. Friend turned to the papers already presented to Parliament, he would find that the notice to abrogate the treaty was not given by Mr. Seward as Secretary of State but by Mr. Lincoln, the President, through Mr. Seward as the organ of Congress. The notice was in pursuance of this resolution—

> "Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled, that notice be given of the termination of the Reciprocity Treaty, according to the provision therein contained for the termination of the same; and the President of the United States is hereby charged with the communication of such notice to the Government of the United Kingdom of Great Britain and Ireland."

That being the state of the case, the question was not whether Her Majesty's Government could obtain a renewal of the treaty by negotiation with Mr. Seward, but whether Her Majesty's Government could have brought about such a change of opinion among the members of Congress as would have induced that body to alter their policy with respect to the Reciprocity Treaty. On that point he was entirely at issue with his hon. Friend. As to his argument that a resolution of the House of Commons in favour of continuing the treaty might have been obtained by the Government, and would have induced the Congress of the United States to change their policy, he would ask his hon. Friend to reverse the case, and to suppose that the House of Commons had resolved to put an end to the treaty. What would have been the effect of a resolution of Congress calling upon the House of Commons to renew a treaty which it had determined should cease. The only effect of the course which the hon. Gentleman suggested would have been to make Congress persist in its policy, and to render any attempt to renew the treaty utterly hopeless. His hon. Friend used one of the most extraordinary arguments he had ever heard. He said there were a strong party in the United States who were very anxious for the annexation of our North American colonies to that country, and that they looked upon the continuance of the Reciprocity Treaty as the most effectual obstacle to their designs, consequently, he went on to say we ought to have insisted on the renewal of the treaty. Did not he (Mr. Watkin) see that he could not have used a weightier argument against any attempt on the part of the House of Commons to influence Congress than he had done when he mentioned that fact? The hon. Gentleman had also pointed out that there were the rival interests of the East and West—the producing and the manufacturing States, which were affected by this treaty. There was a great difference of opinion upon the treaty between the Eastern States and the Western; and while it was true that large meetings in favour of the continuance of the treaty had been held in the United States, meetings of no less importance had been held there in favour of putting an end to it. The Chambers of Commerce at New York, Boston, Detroit, Chicago, Milwaukie, and St. Paul, had all agreed to resolutions in favour of the renewal of the Reciprocity Treaty; and at the Detroit Convention, when 500 delegates from the United States and fifty from the British colonies were present, resolutions to the same effect had been carried. Mr. Howe made a most able and eloquent speech at that meeting, in which the whole question was discussed; in fact, it was greatly owing to his speech that the resolution in favour of the treaty was carried. But, notwithstanding these expressions of opinion, coming from those weighty bodies, there was, on the other hand, so strong an expression of public feeling in favour of putting an end to the arrangement that Congress adhered to its resolution. All this shows that no Resolution of the House of Commons, or action of Her Majesty's Government, was likely to have influenced the United States Congress. Mr. Seward last year expressed to Mr. Burnley, our Chargé d'Affaires, his willingness to take into consideration the question of the renewal of the Reciprocity Treaty; and accordingly, when Sir Frederick Bruce went to Washington as our Minister in March last, he was instructed to say that Her Majesty's Government were prepared to treat on the subject with the Government of the United States. But on his arrival he found that, owing to the state of affairs which existed there, it would be most imprudent if it were even possible to open negotiations. Mr. Lincoln had recently been assassinated; Mr. Seward was himself in great danger from the wounds he had received; and there was great irritation in the United States against this country consequent on the proceedings of the *Alabama* and other vessels fitted out in England against their commerce. Under these circumstances, Sir Frederick Bruce communicated to Her Majesty's Government his opinion that it would be very unadvisable to attempt to open negotiations at that time; and Her Majesty's Government felt themselves bound to acquiesce in the views of their Minister. Sir Frederick Bruce had, however, placed himself in communication with the Governor of Canada, and had requested Mr. Galt, a distinguished gentleman, and one of the Ministers of the colony, to come to Washington to assist him in ascertaining how far it was practicable to influence public opinion in favour of the renewal of the treaty. Mr. Galt accordingly went to Wáshington, and after several interviews with Mr. Seward and other leading statesmen he arrived at the same conclusion as Sir Frederick Bruce, that it would be most unwise at that time to make any formal proposal for the prolongation or renewal the treaty. Not merely political, but other reasons were put forward by powerful parties in the United States against of the treaty. There were in the United States many who were opposed upon principle to all Reciprocity Treaties. Mr. M'Culloch, the Secretary of the Treasury, for instance, differing from the Chambers of Commerce, maintained that the commercial relations between Canada and the United States should not be the subject of a treaty, but should be regulated by mutual legislation—a course which the British Government themselves generally preferred to reciprocal treaties—and those who shared his opinion thought that it would be useless to negotiate, with a view to reciprocal legislation, with each colony separately, and that the commercial relations between the United States and the North American Colonies could not be placed upon a satisfactory footing until the projected confederation of those colonies had been accomplished. Moreover, as the hon. Gentleman was aware, a majority of two-thirds of the Senate was requisite to authorize the President to carry through a treaty of this nature, and, in the existing state of public opinion, it was hopeless to think of securing such a majority. It was then suggested by the Government of the United States that, though the public opinion of the country was so strongly opposed to the renewal of the treaty, it might be possible to obtain its prolongation for a year, and thereupon Sir Frederick Bruce was instructed to ask the American Government to endeavour to induce Congress to assent to that course. Congress, however, was not disposed to do so, and the attempt failed. Mr. Seward then suggested that, as the negotiation of treaties of this description, which had reference to matters of revenue, rested entirely with Congress, and not with the Executive, the best course would be for the British representative to put himself in communication with the Finance Committee of Congress, and endeavour to get that committee to report to the Senate in favour of the prolongation or renewal of the treaty. Sir Frederick Bruce accordingly communicated with the Governors of the North American Colonies, and Messrs. Galt, Small, Henry, and Powlam, were sent as delegates from Canada, Nova Scotia, and New Brunswick, to Washington in order to enter into communication with the Committee of Finance. His hon. Friend had described these gentlemen as amateur negotiators, who went to Washington to negotiate on their own account; but the fact was quite the reverse, for they were officially invited, officially sent, and placed in official communication with Sir Frederick Bruce and with the Finance Committee. Unfortunately, that Committee was presided over by Mr. Morrill, who, as was well known, was an advocate of protection, and was, consequently, opposed on that ground to any renewal of the treaty. Several interviews took place, and proposals and counter-proposals were made; but the demands put forward by the Committee on behalf of the United States were such as the delegates of the colonies found it impossible to accede to, and after much negotiation the attempt at an understanding fell through. All the attempts thus made to renew or prolong a treaty having proved futile, Sir Frederick Bruce, in accordance with his instructions, addressed on the 16th of February a note to Mr. Seward, which, with the reply, he would now read—

> "Sir Frederick Bruce to Mr. Seward.
>
> "Washington, Feb. 16, 1866.
>
> "Sir,—As the Reciprocity Treaty is about to expire, I am anxious to report in a formal shape the disposition of the Government of the United States with reference to the important question of its renewal, and I therefore submit for consideration the following proposals, which embody the views of Her Majesty's Government with respect to it. Her Majesty's Government have seen with much satisfaction the increase of the trading relations between the United States and the British Provinces which has grown up under the treaty, and the beneficial results of the stipulations it contains, by virtue of which each contracting party enjoys the uninterrupted use of the facilities of transport to the sea-board possessed by the other, and participates side by side in the fisheries without restriction or interference. Her Majesty's Government would be well content to renew the treaty in its present form. At the same time, they are ready to re-consider the treaty in conjunction with the Government of the United States, if such a course would be agreeable to them, and so to modify its terms as to render it, if possible, more beneficial to both countries than it has hitherto been. If the Government of the United States should feel disposed to adopt the latter course, an arrangement of a provisional character might be entered into, with a view to afford time for fresh negotiations, and I should take pleasure in submitting to the consideration of my Government any proposal to that effect which you might do me the honour to communicate to me.—I have, &c.,
>
> "FREDERICK W. A. BRUCE."

What was the reply to that note? He thought his hon. Friend would find it a complete answer to all the accusations which he had preferred against Her Majesty's Government. Mr. Seward replied thus—

> "Mr. Seward to Sir Frederick Bruce.
>
> "Department of State, Washington, Feb. 17, 1866.
>
> "Sir,—I have the honour to acknowledge the receipt of a note which you addressed to me on the 16th instant, concerning a proposed extension of the Reciprocity Treaty. Perhaps I could not reply in any other manner more satisfactorily than I shall now do by stating anew the verbal explanations which I have had heretofore occasion to make to you upon that subject. The character of the constitutional distribution of public affairs among the different departments of the Government is well known. It confides commerce and national finance expressly to the Legislature. The now expiring Reciprocity Treaty constitutes almost the only case in which the Executive Department has, by negotiation, assumed a supervision of any question of either commerce or finance. Even in that case, the Executive Department did little more than to make a treaty, the details of which had been virtually matured beforehand in the Congress of the United States, and sanction was given to the treaty afterwards by express legislation. The question of continuing that treaty involves mainly subjects of the special character which I have before described. Careful inquiry made during the recess of Congress induced the President to believe that there was then no such harmony of public sentiment in favour of the extension of the treaty as would encourage him in directing negotiations to be opened. Inquiries made since the reassembling of Congress confirmed the belief then adopted that Congress prefers to treat the subject directly, and not to approach it through the forms of diplomatic agreement. In accordance with this conviction, all communications, verbal and written, upon the subject have been submitted to the consideration of the proper Committees of Congress, and the question of extending a system of reciprocal trade with the British Provinces on our frontier awaits their decision. I have, &c.,
>
> "WILLIAM H. SEWARD."

Mr. Seward thus declined any diplomatic negotiations on the subject of the treaty as beyond the authority of the Secretary of State or of the President, and referred the British Government to Congress. All these attempts having thus failed, it remained for Her Majesty's Government to do their utmost to prevent any evil consequences which might arise from the abrogation of the treaty, and here he might remark that, although the interests of the colonies had, no doubt, suffered considerably, he did not think they had suffered more than those of the United States themselves. Happily, the friendly relations between the two countries had not been affected. There were two very important questions—namely, the navigation of the St. Lawrence and the fisheries—which might cause a misunderstanding. Now, as regarded the St. Lawrence and the canals connecting that river with the great lakes, the Government did not intend to return to the state of things existing prior to the treaty, and at any rate, for the present no interference would take place in their navigation by citizens of the United States; but as regarded the fisheries, the matter was on an entirely different footing. When the Reciprocity Treaty was entered into certain Acts of the British Parliament and of the Colonial Legislatures, imposing heavy penalties on American subjects who should fish or should cure their fish within three miles of the British shore were suspended; but the moment the treaty expired these enactments came again into full force, and the British Government and the Colonial Governors were bound to carry them out. It was therefore Lord Monck's duty to issue a proclamation warning United States fishermen against infringing the law, and of the penalties they incurred by doing so. This was obviously no hostile measure; it was, on the contrary, a friendly warning to those who violated the law that he would be bound to enforce the penalties, as he had no power to suspend the law. No doubt there was great danger of collisions on the coast, not only through disputes which might arise under ordinary circumstances between the fishermen, but from the presence of those conspirators, who, he believed, were as dangerous to the United States as to us—namely, the Fenians. The Fenians were ready and anxious, if possible, to embroil the two countries in a dispute, they did their very best to bring that result about, and these contested rights of fishery might furnish them with the opportunity of doing so. The Government were perfectly aware that considerable numbers of American citizens had invested a large amount of property in these fisheries, and that many persons were annually employed in them; and though it was no fault of ours that the treaty was abrogated, as we had expressed our readiness to adhere to it, and if any harm accrued to them, it was entirely due to the action of their own Government, yet Her Majesty's Government were most anxious to prevent any losses from falling upon these fishermen and those who had thus invested their property in a *bonâ fide* manner in the fisheries on these coasts. His hon. Friend had read a list of vessels of war which he called iron-clads, though he believed only one was of that description—[Mr. WATKIN: I said two were iron-clads]—and which, he said, had been sent by the American Government to the fishing grounds. He was not aware whether that list was authentic or not, for he had not seen it in any official paper, and he believed such statements were frequently made by New York journals through interested motives. It was possible, therefore, that the statement might be very much exaggerated; but, however that might be, it was no demonstration of a hostile character, and from what he knew of the official correspondence between the two Governments, he could state that the United States Government had shown the very best disposition to deal with this question in a friendly, fair, and conciliatory manner. To tell him, therefore, that the sending vessels of war to the fishery grounds was a source of danger was to tell him what he could not believe. If the fishermen were left to themselves it was not impossible that collisions might arise which might lead to misunderstandings; but the presence of vessels of war, commanded by officers who were gentlemen—men of honour—who felt the responsibility cast upon them, and who were anxious to prevent their country being involved in war, was the best security for the preservation of peace. The very fact, therefore, of the American Government having sent their fleet was, to his mind, the best possible proof that they were desirous to maintain peace, and to prevent collisions which would otherwise be likely to take place. Her Majesty's Government had received from the United States Government very friendly assurances of assistance in preventing any such collisions, and in bringing about a good understanding on the subject. Proposals having reference to the fishery question had been made on both sides, but for obvious reasons he could not, at present, lay them before the House, although he might say they were of a satisfactory nature. He hoped in a short time a result acceptable to both countries would be arrived at, and this was now likely to be the case, since nothing could be more friendly and conciliatory than the course pursued by the United States with regard to the fisheries. He agreed with his hon. Friend that the stoppage of the trade between the United States and our colonies would be a disaster to both countries. It was not, however, in the power of Her Majesty's Government to force a trade upon the United States, and they were therefore compelled to leave the matter to the action of public opinion in that country. He believed that the people of the United States would soon be brought to discover the vast benefits that they would derive from a free and unrestricted trade with our North American Colonies, and that they would of themselves remove those impediments to the commercial intercourse between the two countries which were so much to be deplored.

MR. OLIPHANT, having been Secretary to Lord Elgin when he negotiated the Reciprocity Treaty, asked permission to address the House very briefly. In the first place, he desired to bear his testimony to the difficulties which were experienced in the course of the negotiations, and to the diplomatic skill with which they were overcome by that nobleman. The success of that treaty afforded the best evidence of the loss which the nation had sustained by his Lordship's death. He had listened with some surprise to the speech of the hon. Member for Stockport, and could truly say that had the hon. Member been engaged in negotiating that Reciprocity Treaty, that speech would have been an impossibility. It showed the little acquaintance the hon. Member possessed with regard to the mode in which treaties in America were negotiated. The power of making commercial treaties did not rest with the Executive—and without the consent of Congress no such treaty was possible in the United States—hence in 1854, when Lord Elgin went to Washington, he was accompanied by a delegation from Canada who had interviews with Mr. Marcy and the Members of the then Finance Committee exactly in the same way that Mr. Galt and his Colleagues had consulted first with Sir Frederick Bruce, and had then communicated with Mr. Morrell and the existing Committee. In both cases reports were made to the diplomatic agent intrusted with the negotiation of the treaty by the Canadians who assisted him. But in the one case, that of Lord Elgin, the American Committee of finance was in favour of the treaty, and reported that there would be no difficulty in carrying it through Congress; in the other just the reverse was the case, and consequently, while in 1854 a treaty was concluded, in 1866 it was impossible to obtain its renewal. Now, a very interesting question arose, whether the renewal of the treaty was desirable or not. For himself, he did not agree either with the hon. Member for Stockport or the Under Secretary for Foreign Affairs, that the abrogation of the Reciprocity Treaty was a great misfortune. On the contrary, he was very doubtful how far Imperial treaties dealing exclusively with provincial interests were desirable, and he was sure that when they were terminable they were very undesirable, for there was always a period of uncertainty before the renewal of a new treaty, which was apt to give rise to diplomatic difficulty. It was of the utmost importance to keep the honour of the mother country as separate as possible from the material interests of its colonies, so that no treaty by linking them together more than was absolutely necessary should expose the mother country to attacks in a quarter in which she had no material interest at stake, or render the colony liable to be invaded for some quarrel in which it had no concern. In this opinion he was confirmed, though unintentionally, by the report of Mr. Derby, which had already been referred to. Mr. Derby desired the renewal of the treaty in order to prevent the confederation of the British provinces. We had lost the treaty, but we should probably obtain the confederation the earlier for that loss. Not only did he doubt the paramount importance of the treaty, but he did not think that the Canadians were now suffering from its cessation, and he was sure that in future they would suffer less and less every year. The principal articles of trade between Canada and the United States were lumber, wool, grain, coal from Nova Scotia, and fish, which would be sent by a different arrangement, and cattle. The lumber was essential to America; and whatever import duty they levied on it would only increase the cost of their houses. As regarded wool, the Canadian wool was peculiar, and possessed qualities which rendered it absolutely necessary in the States, and it would be imported whatever the duty. As to grain, it was a curious circumstance that all the whisky drunk in the United States was made from barley imported from Canada, while all the whisky drank in Canada was manufactured from Indian corn imported from the United States. Therefore if America placed a high import duty upon barley, and Canada, as she ought to do, abstained from imposing a similar duty upon Indian corn, the Americans would drink very dear whisky, while the Canadians would drink very cheap whisky. Where trade had attained to such an enormous development as that which had been shown by the Under Secretary of State, it was perfectly impossible to suppose that the Americans would deliberately deprive themselves of its advantages. The balance of it had been £10,000,000 sterling, and the tonnage was greater than that of any other branch of American commerce. It was impossible for America to do without that trade. The whole of the North Western Provinces of America were almost entirely dependent on Canada; Canada had the whole thing in her hands. She could, if she chose, pursue a retaliatory policy, and could impose any duty she liked, provided there was an intercolonial railway. The report of the Illinois Commissioners stated that so great was the importance to the corn-growing provinces of the north-west of having an outlet to the sea through Canada, that 1,000,000 of tons annually passed under the Reciprocity Treaty which otherwise would not have passed. With such an immense trade between the North West Provinces and Canada, and considering the relations subsisting between Canada and the United States, how was it possible for the American Government or the American people to gratify any temporary feeling of national prejudice or antipathy at such an enormous pecuniary sacrifice. He was therefore perfectly contented to trust to the good sense of the Anglo-Saxon race on the other side of the Atlantic for the settlement of this great question, which so deeply affected their material and commercial interests.

The O'CONOR DON said, the hon. Gentleman the Member for Stockport had censured Her Majesty's Government for not having done something which, in his opinion, they ought to have done. The hon. Member seemed to consider that this Government ought to have dealt directly with the American Government; but it seemed to him (The O'Conor Don) that the fallacy which ran through the whole of the hon. Member's speech was, that he supposed the American Executive Government had the whole management of this question in their own hands. The hon. Gentleman below him had shown that the course adopted by the Government on this occasion was almost precisely the same course that was taken when the first treaty was negotiated, the only difference being that in the first steps of the proceeding a different result was arrived at. He attributed the difficulties which had arisen as to renewing the treaty to the taxation which was imposed by the American Government, in consequence of the Civil War, upon commodities, many of which were included in the treaty. But although in the proposals that were made to the Finance Committee of Congress the provincial deputies proposed to alter their own financial arrangements in many respects in order to meet the views of the United States Government, the Finance Committee insisted upon the imposition in many cases of duties which from their excessive character were in reality little less than prohibitory. It was therefore evident, considering the reasonable nature of the proposals made on behalf of the North American Provinces, that there was no desire on the part of Congress to benefit by reciprocity. The party in America, indeed, who possessed the power to settle this matter wanted the will. He felt convinced that action by the British Government instead of by the provincial Governments, far from tending to success in the negotiations, would have been rather likely to lead to unmitigated failure.

Mr. KINNAIRD thought that the hon. Member for Stockport, so far from being open to sensure, had rendered a great public service by bringing the subject before the House, particularly when it was remembered that the fishery question was leading to the brink of war, and that some of the finest ships in the American navy had been sent to the coast to watch operations. The question had created a great amount of uneasiness in the public mind, both in this country and in Canada; and, therefore, the information which had been elicited from the Government to the effect that negotiations were going on favourably afforded ground for rejoicing. He should like to know, however, whether the Bonded Acts which were so valuable to our American Colonies were affected by the termination of the treaty, and whether their privileges had been secured to our colonies by any provisional arrangement?

Mr. WHITE said, that according to the showing of the hon. Member for Stockport, of the Under Secretary for Foreign Affairs, and of every other speaker upon this question, it was quite obvious that there was an ill-feeling in America with reference to England; and that public opinion was so strong with regard to the conduct of England that the President was obliged to give notice that the Reciprocity Treaty would not be renewed. He thought the hon. Member for Stockport deserved the thanks of the House for drawing its attention to our relations with America. The people of America were outraged by the conduct of our Foreign Minister, who would not consent to refer to arbitration what they considered their just claims by the depredations of the *Alabama*. When notice was taken in the House of the devastation committed by the *Alabama*, a large portion of the House cheered, and the intelligent and well-informed people of America became aware that sympathy was thus expressed for the rebel cause. They thought that the noble Lord at the head of the present Government to a certain extent represented that antagonistic spirit by refusing to refer the just claims of the American Government to arbitration, and hence this treaty had not been renewed.

Mr. CARDWELL thought it scarcely desirable to enter at the present time upon a discussion with respect to the *Alabama*; and, as his hon. Friend the Under Secretary for Foreign Affairs had stated how much the Government desired to get the Reciprocity Treaty renewed or amended, he would only address the House upon the question raised by the hon. Member for Perth (Mr. Kinnaird), when he asked whether any temporary arrangements had been made whereby the bonding privileges granted to the Canadians would still be extended to them, so that they might carry their goods through the United States during the winter to some American port for shipment. Those bonding privileges did not depend upon the Reciprocity Treaty, but upon the interests of the two countries; they were not disturbed by the termination of the Reciprocity Treaty, nor did he think it was the intention of the American Government to repeal the Acts conferring the privileges. With regard to the navigation of the St. Lawrence and the canals on the one hand, and Lake Michigan on the other, although that was stipulated for in the treaty, yet there was no intention of terminating it. With respect to the fishery question, he had great pleasure in confirming what had been said by his hon. Friend (Mr. Layard), and in stating that Her Majesty's Government were in most friendly communications with the Government of the United States upon the subject, and he also concurred with his hon. Friend when he said he regarded with satisfaction, and not alarm, the presence of a naval force of the United States upon the station. Distinguished naval commanders on both sides would tend to the prevention of differences which might otherwise arise between the fishermen of the two countries. With regard to what fell from the hon. Member for Stockport (Mr. Watkin) as to the very able and distinguished men whom he called amateur negotiators who went to aid Sir Frederick Bruce at Washington he desired to say very little, inasmuch as his observations had been so well answered by the hon. Member for the Stirling burghs. Those who had watched the proceedings of the British North American Provinces were cognizant of the distinguished ability which characterized the Ministers of those provinces; and he was sure that when Mr. Galt and his Colleagues assembled at Washington, Sir Frederick Bruce must have derived the greatest benefit from their official experience and knowledge of the subject.

NEW COURTS OF JUSTICE.

QUESTION.

Mr. BENTINCK, in rising to ask a Question with reference to New Courts of Justice, remarked upon the fact that in deference to the opinion of the House the number of architects who would be appointed to compete had been raised from six to twelve, and asserted that one of them was an architect who could under no circumstances be chosen, and that six of the remaining eleven men were pledged to Gothic architecture. He also thought that those architects who had distinguished themselves by designing the handsome buildings erected in the city had a right to complain that they had not been placed upon the list. He urged the still further increase of the number of competing architects to at least twenty-four; but he would much prefer unlimited competition. As the First Commissioner of Works had on a former occasion been understood to agree to the nomination of two architects to act as judges of the competing designs, he (Mr. Bentinck) desired to know their names, and whether they were to have equal voices with their colleagues; in the event of the Government returning an unsatisfactory reply, he should, immediately after the recess, move that three gentlemen of undoubted architectural knowledge and experience be added to the Committee appointed to select the design for the buildings in question. The hon. Member inquired, in conclusion, Whether the conditions of the competition were finally settled, and whether the First Commissioner of Works will present papers to the House describing those conditions, in company with a record of the names of the judges, the names of the competitors, and the time fixed for sending in the designs?

Sir GEORGE BOWYER also thought twelve architects too few to admit to competition, when it was remembered how many able architects England possessed; and he thought there would be great advantage in admitting unlimited competition, for it might be that the best man of all was one as yet unknown to fame, and that if the opportunity were afforded him his talent would be made known, so that the country might have the benefit of it. If the Government did not choose to adopt the plan of unlimited competition, he hoped they would at least take care that there was a sufficient number of competitors to give a fair chance of obtaining something superior in design. He did not see any principle in selecting twelve men; and among those who had been passed by in the selection, but who had a claim to be considered, he would mention Mr. Coe, an architect of eminence, who had gained a prize in a former competition. He (Sir George Bowyer) did not know what course had been pursued with reference to the proportions of Gothic and Italian architects who had been selected; but he hoped that this point would be fairly dealt with. With regard to those who would have to decide upon the plans, he thought it very important that some of the Judges and the Attorney General should be on the Committee who had to decide with regard to the fitness and convenience of the building for the administration of justice. That was the first consideration; but it was quite as easy to erect a beautiful building that should be fit for its purpose as an ugly building. It might be very well that the Judges and the Attorney General should decide on the convenience of the building; but they would themselves allow there were many others who were capable of deciding on the beauty of the building; and he advisedly distinguished between beauty and ornament, simplicity being the great beauty in architecture. The Committee who had to decide on the question were not, in his opinion, so well qualified as they might be. The Chief Justice and the great legal authorities were not the best judges of architecture. He therefore hoped his right hon. Friend would take care to have persons on the Committee who were qualified to judge of beauty of design, so that the building when erected should not provoke the too frequent exclamation, "What an ugly building; it is a disgrace to the town."

Mr. BERESFORD HOPE wished, before the question was answered, to throw out a suggestion, which, if adopted, would go far to remove the difficulty which was felt on this matter. He was sorry to say that the present condition of art politics made it excessively difficult to adopt the plan of unlimited competition, which, no doubt, was in itself the best. Besides, the Government must keep their contract with the competing architects; but why not have an extra unlimited competition of unpaid volunteers, not calling on them to send in so many designs as the *dii majorum gentium*, but only by comparison a few, and these less carefully finished; and, if any one or two came out of striking merit, thus inviting their authors, up to five or six or perhaps more, who really had done exceedingly well, to complete the whole set of designs like the twelve selected competitors, and be matched with them upon like terms. They might then have another set of judges competent to adjudicate between the twelve original designs and the five or six additional ones which would thus be pushed up to the general level of the original competitors. He would not have the Government break faith with the twelve, but a few hundred pounds additional would be a very cheap price to pay for the success of such a building which was to cost hundreds of thousands, and a few months' later delay, a very little time to transpire for the success of a pile which was to last for many generations. He hoped this suggestion would be taken up. Twelve was not a sufficient number; at the same time he must say, out of respect to the names selected, that if the list must be restricted to twelve, the number had been very well chosen. They were eminent men, and care had been taken in their choice. There were at the same time other architects, of whom he had a high opinion, that he should have been glad to see on the list; but he could not predicate unfairness of the selection. He hoped his right hon. Friend would avail himself of the suggestion which he had thrown out.

Mr. COWPER had no objection to lay on the table the instructions issued to the architects, which he believed would give all the information which the hon. and learned Gentleman desired. The hon. and learned Gentleman had again raised the question as to the comparative advantages of unlimited and limited competition; but he must say the opinion generally of those most competent to decide a question of this sort, and entitled to speak with authority, was in favour of the course adopted by the Government—of limited rather than unlimited competition. No doubt there were advantages in each course. The advantage of unlimited competition was that it gave an opportunity to young men of genius or remarkable fertility of talent who were as yet unknown to show what they were able to do. But in a limited competition they had the advantage of securing the works of the highest talent and standing in the profession. Thus in the unlimited competition for the Natural History Museum at Kensington Gore thirty-two designs were sent in, which were very well in their way—some very good; but none of the competitors were in the first rank of their profession. In unlimited competition they got men of leisure, not men of great practice. On the other hand, in limited competition they got the designs of men who by their practice had attained that position in public estimation which, on the whole, was the best guarantee of a man's qualifications to execute the work. In unlimited competition they were not bound to employ the architect who furnished the best design, while in limited competition they engaged to employ him. The case alluded to of Mr. Coe was a case in point. Mr. Coe sent in the best design for the Foreign Office, but the Government of Lord Derby thought him so unfit to execute the work that they would not allow him to construct the building. The fact was that that gentleman was passed over because he was not thought competent to erect the building, and the Select Committee took the same view. That was the ground why Mr. Coe was not selected for the present competition. By means of this limited competition the Government had got the men most eminent in their profession. ["No!"] He defied the hon. and learned Member for Whitehaven to name other men more eminent. With regard to the number selected for competition, he did not think that was a matter of any importance. He had at first thought that six would be sufficient, but he had enlarged the number to twelve. He must remind the House that, if the number were further increased, an increased expenditure must result; but he did not believe that by increasing the number they increased the chance of getting superior designs. In respect to the mode of adjudication, the course had been followed which was usually pursued by railway companies or other corporations when they proposed to erect large buildings. They generally adopted the principle of limited competition, and appointed some professional architect to make a report, which assisted the judges in deciding upon the designs. That was the course the committee of judges intended to pursue on this occasion. They proposed to select two professional men, with a practical knowledge of architecture, to make a report for the guidance of the committee on those points with respect to which special professional training gave full understanding and insight. He proposed to follow the course adopted in the competition for the Foreign Office and the War Office—and to appoint two assessors. That having been the course previously followed in regard to the erection of Government Offices, he thought it most likely to lead to a satisfactory conclusion.

Mr. AYRTON observed, that the right hon. Gentleman had not made any reply to the proposition of the hon. Member who had last spoken, which he thought deserved consideration; but he wished to call the attention of the Chancellor of the Exchequer to the position into which the House seemed to be drifting in this matter. They were about to spend an enormous sum of money, which was not to be voted in Supply in the first instance, but was to come out of funds otherwise specially appropriated, and any deficiency would have to be paid out of the National Exchequer. By way of an economical starting they were to pay each of the twelve architects invited to compete £800, or a sum of £9,600 in the whole. Thus £800 would be spent for the best design, and £8,800 for eleven other unsatisfactory and insufficient designs. That was not an economical mode of proceeding. He thought that that expenditure might have been avoided, if the Government had proceeded with a little more consideration in the matter. He believed the Government had now placed the matter in the hands of an irresponsible committee—namely, of gentlemen who did not hold any specific office in relation to the subject-matter. The right hon. Gentleman the First Commissioner of Works, who was the only responsible person, must be in a minority of one, so that practically this was an irresponsible proceeding, and, like all irresponsible proceedings, it did not seem to be carried out with any great forethought. One would have thought when persons were going to embark in a great undertaking like this, they would have asked in the first instance for general designs, giving an idea of the views and objects of the architects; but the committee had required in the first instance the most elaborate designs, for which, of course, the committee were obliged to offer payment. Having committed themselves to that point the committee then found it impracticable to meet the views of those hon. Gentlemen who desired unlimited competition; but in this dilemma the hon. Member for Stoke made a fair suggestion and had asked, in addition to the twelve, that an opportunity might be given for a freer competition. Why should they shut the door against the latent genius of the country in favour of those who were sufficiently paid for what they did? That proposition had been disregarded by the First Commissioner of Works, though he should have thought that the right hon. Gentleman would have been delighted at the opportunity of thus getting out of the difficulty. Now, he should like to know what objection there was to the course suggested by that hon. Member. The House would recollect that in the competition which took place for the erection of the Houses of Parliament the gentleman who succeeded was not at the time of such standing in his profession that he would have been selected as one of a chosen few to compete, though perhaps he was not spoken of as Mr. Coe, who it was said could make a design, but could not carry it out. Yet he asked any one who recollected the exhibition of the designs for the Houses of Parliament, whether Mr. Barry's was not so far superior to every other design, that there never existed two opinions on the point that he was entitled to the palm of honour. If that was the result of one of the greatest competitions in this country, were they justified in saying that free and open competition was a thing to be laughed at and treated as unworthy of consideration? He hoped that the House would receive from the Chancellor of the Exchequer some clear expression of his views and opinions more worthy of this great occasion. Next to the Houses of Parliament or the Palace of the Sovereign, the erection of a block of buildings for the whole administration of justice afforded the greatest opportunity for illustrating the state of art in the present time, and for drawing forth all the genius in the country which could be brought to bear upon the work. He held that the successful architects in the competition should be liberally remunerated, and that the number of minute drawings now required of competitors—he believed it was fifty—was too great a demand, entailing not only an immense amount of labour, but considerable expense. He did not think so many drawings were requisite to show the skill of the architect. He did not speak with technical knowledge; but having seen some of the designs sent in, his opinion was that half-a-dozen would be amply sufficient. He threw out the suggestion for the consideration of the Chancellor of the Exchequer, and trusted he would be able to give the House some words of consolation in respect to art, which appeared to be in a deplorable condition.

Mr. TITE did not think the number of drawings required of the architect was so great as to interfere with competition. The House and the country were placed in a difficulty, out of which he did not see the way. He believed it would have been better if the competition had been open to the country generally, and he would have been inclined to recommend that course, being fully persuaded that it would have been eminently successful. The expenditure of £800 to be given to each of the architects, he held, was totally unnecessary; any man in a position qualifying him to be one of the twelve would have been delighted to compete, receiving as his recompense the adoption of his designs. It would not now be wise to open up the competition to the whole country; in that event the twelve architects now decided upon would, in all probability, resign. To do so would not be just to those gentlemen who had been urged to join in the competition. With regard to the selection, he would not give any opinion; he would, however, observe that the gothic element seemed largely to prevail among them. There would be considerable competition among twelve, and he believed they had been honourably and honestly selected. As to the judges, the five appointed were men of the greatest eminence.

Sir JOHN HAY apologized for interrupting the course of the debate; but as the right hon. Gentleman the Chancellor of the Exchequer could only speak once, he thought it right to put a question to him about the dockyard voters. There had been a question of a similar character on the paper, but somehow it had dropped out. He wished to know, whether it was the intention of Her Majesty's Government to continue to press forward the clause in the Representation of the People Bill, which proposed to disfranchise the intelligent artizans employed in Her Majesty's dockyards?

The CHANCELLOR of the EXCHEQUER said, that the question of the hon. Baronet had been put to him on a previous occasion, when he replied that, on general grounds, it was quite impossible to deal with the subject until it came before the House in the ordinary course. The Government up to the present time had had no opportunity of explaining to the House the clause, or the grounds on which it had been proposed, and he did not think it would be respectful to the House, or just to those who proposed the clause, to enter upon its consideration, until it was brought fairly and fully before them. If clauses of any particular Bill were to be made the subject of discussion before the second reading, or the time appointed for such a purpose, there would be a deviation from the established order, and the result would be considerable inconvenience. When the House went into Committee this clause would be dealt with on its merits, and he hoped that this and every other detail might be allowed to stand over till that time. With regard to the discussion on the choice of architects for the Courts of Justice, his hon. Friend had not been very accurate in his statements. It had been the desire of the Government to secure to the House full control over every shilling of the expenditure; in that endeavour they had been successful, and whether it respected economy or extravagance in the arrangements, the House was perfectly free to act as it pleased. With reference to the suggestion that the residue of any expenditure beyond the contribution of the House must fall upon the public, he had to say that in the preliminary arrangement it was not the intention that the House should be called upon to contribute the residue. It had been arranged between that great officer of the Government who represented the legal profession, and the suitors, he might say in this case, and the other Departments of the Government, that if the plans included designs tending not only to convenience and expedition, but also to economy on the part of the suitors, the excess of expenditure over the estimates should be provided for in some measure by taxation in the form of stamps laid upon the suitors in those courts. This proposal was contained in documents in the hands of hon. Members, and it was thought to be a perfectly just one. His hon. Friend had suggested that the designs of volunteers should be accepted. He felt satisfied that all those volunteers would have to be paid exactly like the twelve. [An hon. Member: No, no! That's a prophecy.] That was a matter of opinion, and having some experience of money matters and public expenditure, it was as much within his province to prophesy as in that of any other Member. He knew the soft-heartedness of the House when what he might call posthumous claims of this kind were brought forward. It would be said that this was an attempt on the part of the Government to economize pence after spending thousands of pounds; they would be accused of acting in a niggardly spirit, and eventually a Motion for giving precisely the same amount of remuneration to these volunteers would be carried, with great cheering, by a majority comprising all the really warm-hearted men of the House. It would be most invidious to resist giving £800 to these men for their designs, when their competitors were receiving it. But the great difficulty still remained—instead of adopting either one course or the other and adhering to it, there seemed to be a tendency on the part of the House to take two courses which were incompatible and irreconcilable with each other. An independent body had been chosen for the consideration and settlement of the questions they were now discussing, and for the efficient and economical control of the work. But if the House intended to reserve to itself the power of interfering at every stage of the proceedings it had made a fundamental mistake in appointing that Commission. Either the building should have been allowed to go forward, like all other public buildings, under the control of the executive Government, subject to the revision of Parliament, or else, with all deference to the House he said it, hon. Members should abstain from interfering with the body to whose care the House itself had committed the charge. Questions were asked in the House why there were to be six or twelve architects, but neither the Chancellor of the Exchecellor nor the President of the Board of Trade had authority to represent the Commission in that House. He must confess that he looked with fear and apprehension to the perpetual alternation of conversations in the Committee-rooms and debates in the House, fearing that through the interference of the House the members of the Commission might feel themselves relieved from that responsibility which undoubtedly attached to them, assuming that the entire control was vested in their hands. The inconsistency of the present proceeding was further shown by the fact that upon the Notice paper for that evening was a Motion praying that a Commission might be issued with the object of making the management of public works more independent of that House.

Motion *agreed to.*

House at rising to adjourn till *Thursday* next.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

RECORDS OF GREAT BRITAIN AND IRELAND.—OBSERVATIONS.

General DUNNE said, he rose to call attention to the Treasury Minute presented a short time since respecting the Records of Great Britain and Ireland. It was a most interesting document, but while it showed how much had been done for England, it also showed how little attention had been given to Ireland. A Commission which sat in 1836 had recommended that the records, memorials, and papers connected with the laws and history of the country should be arranged and published, and the Master of the Rolls stated that there were masses of documents, perhaps unequalled in the civilized world, available as materials for the illustration of the national laws and history, but in their then state these were not available for purposes of reference. He accordingly recommended that they should be arranged and published; and as the clerks in the Record Office were otherwise employed even when qualified, and consequently unequal to such additional duties, he proposed that a certain number of literary men should be engaged to carry out this undertaking. With this object in view the services of some most distinguished men were secured, among others those of Messrs. Duffus Hardy, Bruce, Brewer, Palgrave, Green, and Turnbull, and an immense number of records and papers had since been edited by them. Calendars of the Records and historic papers of the reigns of Henry VIII., Queen Mary, Edward IV., Elizabeth, James, and Charles I. had been edited in England, and many of them had been published. We had many works of a similar nature in Scotland. But while so much had been done, and so judiciously done, for England, Ireland was almost totally neglected. It was well known there was a most interesting class of records known as the Carew Papers, which were deposited in the Library at Lambeth Palace, while another most valuable mass of papers which Carte had taken from the family of the Duke of Ormond, relating to the Rebellion of 1641 in Ireland, but equally interesting to illustrate the history of that time in England, were kept in the Bodleian library at Oxford. He need not remind the House that the Lord Deputy Carew had done much to destroy the nationality of Ireland, and had removed many records of the Irish history to England, which was probably the best means of preserving them. At this moment Government were employing two gentlemen to edit both the Carew and the Carte Papers, and he hoped they were competent to the task. But he had heard with regret that permission had been given to the editors of the Carte Papers to make selections from them. Now, editing that class of documents it would be, he thought, a most dangerous power to give to any editor to allow him to make such a selection as he might think fit, containing, as they did, most detailed accounts of the transactions to which they referred, and the secret negotiations of the Duke of Ormonde, Lord Antrim, Lord Preston, and all of the transactions between the Confederate Catholics and Ormonde himself with his adherents in Ireland. The smallest omission might destroy their use. The Government had received suggestions as to the several manuscripts and records connected with the early history of Ireland which were to be found in this country, and there was, he believed, an immense number of such papers which would be of interest not only to Irishmen, but which would possess great interest also for the English historian. All the early charters from the time of the invasion of Ireland were to be found in England, and they were of the utmost importance as well in a legal as in an historical point of view. There was at the present time a Bill before the House which he intended to oppose, and on which great light might be thrown by some of those ancient charters—he alluded to the Bill dealing with certain portions of the Curragh of Kildare, with which the Government had no right to meddle. He might mention that there were many patents and other documents connected with Irish grants to families, such as charters and patents, which were now in the English Rolls Office. These were written on skins of parchment. Some of the writings related solely to Ireland, while some writings on them related also to England. Where those skins were filled with matters wholly relating to Irish affairs they ought to be sent back to Ireland, but it might be unreasonable to ask for their return where English matters were mixed up with them, and he would then ask but for copies. He must impress on the Government the expediency of having all those papers properly edited, and, in those instances in which it was possible to do so, all merely Irish papers restored to the Rolls Office in Ireland. The expense of editing them would be very small, and he saw no good reason why such expense should be incurred for the advantage of England which did not equally apply to Ireland, or that the Irish manuscripts should be neglected. There were papers at Simancas, in Venice, and in Paris and other places on the Continent, which threw important light on some of the events of English history, and he believed the Government were engaged in endeavouring to obtain copies of several of those documents which related to England. But there were also papers to be found on the Continent, connected not only with Irish families and Irish history, at Rome, in Spain, in the Low Countries, at St. Gall, in Switzerland, and even in Denmark, which shed an equally interesting light on English history as well as on that of Ireland. The papers and records to be found in Rome were in the convent of St. Isidore; they had formerly been taken from Ireland and placed there by officers and persons who fled from Ireland after the wars which followed the outbreak of 1641, and could not fail to give valuable assistance to the historian of that period. After or rather during the French Revolution these papers were removed from Louvain to the convent at Rome, and there was no difficulty in obtaining copies of them as he himself had easily done so. In Spain, not only at Simancas there were also valuable documents relating to Ireland as well as England, and some would throw light on several of the transactions connected with the flight of the O'Donnells to that country in the reign of James I. It was, he thought, but right that the Government should have those papers copied also and placed in the Irish Record Office. He thought it would be admitted that the Irish Members were justified in asking of the Government that there should be some little activity with respect to the publication of Irish Records. Then, let us consider what had been done as to these historic documents, as he had stated it would be seen much had been done for England, while very little attention had been given to the historic documents of Ireland. The outlay on the collection and publication of such documents was to some extent repaid by the sale of the volumes; and it would be difficult to overrate their importance in a literary point of view. He believed it was true that a volume entitled *The Wars of the Danes in Ireland*, of which the text was Irish, was being edited, with an English translation, by his friend the Rev. Dr. Todd, than whom no one could be more competent for the editorship of such a work. The *Chronicon Scotorum*, also written in Irish, was being prepared by Mr. Hennessy, and the Treasury Minute stated that it had been a long time in his hands. This was not to by wondered at, seeing that Mr. Hennessy's other duties as clerk in the Lunacy Office in Ireland occupied very much of his attention. It would be well if the Government placed Mr. Hennessy, who he believed to be an accomplished Irish scholar, in a post that would be more suitable to and worthy of his talents. The editing of the Brehon Laws had been commenced under a very distinguished scholar, John O'Donovan, then whom no one was so well fitted to undertake the work; but he feared it was not now carried on under such favourable auspices, for he was informed that the gentleman to whom it was now committed, although, perhaps, skilled in the manipulation of statistics, did not even understand Irish. But, in fact, we were fast losing our Irish scholars, O'Donovan was gone, Petrie was gone, Currey was gone, and this was a strong reason why the Government should find young men who would turn their attention to this important but peculiar line of study, and this could only be done by holding out encouragement, giving such remuneration as would permit them to withdraw from other pursuits. A new Record Office had been built in Ireland at an expense of about £30,000. In a few weeks it might be finished, and he would impress upon the Treasury the importance of having it finished at once, so that the records might be placed there before the long days of the summer had passed by—and he was told the Government intended to form a department in Ireland similar to that in England—for the care of the records to be placed there, as well as for the calendaring and editing them. This department was to be formed on the model of the one in England, which, under Mr. Duffus Hardy, who had an able staff under him had published a large number of historical calendars and papers at a cost of £29,000. The department would remain as at present under the Master of the Rolls; but much of its utility would depend upon the selection of a Deputy Keeper; and the Treasury ought to lose no time in engaging an efficient staff from among the competent men now to be found in Ireland, and we possess such men as Greaves, Hardy, Gilbert, and others, all eminent in archæology and perfectly competent. Although few of the Irish Members were then present, he believed the feelings of them all were enlisted in common with his own in that matter. The outlay made in latter years upon the records of Ireland was very small in comparison with the corresponding expenditure for Scotland and England. He found that during the last few years there had been expended in reference to matters of this kind in England and Scotland, between £700,000 and £800,000, whilst £40,000 was about all that had been laid out in Ireland, and therefore he thought that they had a right to call upon the Government for a greater outlay in reference to Irish records. Before he sat down he was anxious to know from the Secretary to the Treasury why the Return (ordered last year, but not presented, and again ordered on the 9th of February, in the present Session) of all manuscripts, historical or legal, edited or prepared, or partially prepared, for publication by the Irish Record Commissioners or any other persons employed by the Government for that purpose to the 1st of January, 1866, specifying the nature and character of each manuscript, had not yet been presented. The documents he referred to were those which had been intrusted to the former Record Commissioners who had worked some years with singular abilities and published several volumes of Calendars Inquisitions, and other documents; we could see from their proceedings, which were to be found in the Library, that besides what was published some of the work intrusted to them was left unfinished, and only partially prepared, while it would also be seen that some important works were declared to be ready for publication, yet we see nothing of them. What had become of them? They should be informed of what papers existed, and if any of them had been lost, let it be stated what they were. So he, in conclusion, wished to ask what was the intention of Government as to the completion of Mr. Morrino's Calendars? It was said that certain proposed corrections to his Calendars of Patent and Close Rolls were to be published in a separate volume; and he might suggest to publish in it the Rolls which he proposed should (either the originals or copies) be transferred from this country to Ireland. These Rolls, whether close or open, contained grants, patents, and other valuable documents of the earliest period of the connections between Ireland and England. He believed that in the Irish Rolls Office there was no papers of earlier date than the time of Henry II., except one, and even it was doubted that it was genuine; but there was here in England a mass of records much more ancient. Many also of the patents and charters in the Irish Office were mere copies with the word Inspeximus written on them, and it would scarcely be believed that many of these were not correct copies. We should therefore have the originals, or at least corrected copies. So large was this mass of papers, that it would take five years to calendar and arrange them. There is a gentleman, Mr. Sweetman, a man well qualified to undertake the task. Why not at once employ him. Why should time be lost in commencing so valuable a work.

Mr. CHILDERS quite sympathized with the hon. and gallant Gentleman as to the very small attendance of hon. Members then in the House. He thought there was only one other Irish Member present besides the hon. and gallant Gentleman himself. He could not state that it was in the power of the Government at the present moment to give any detailed assurance as to what they would be able to do in future years with respect to the Irish Records; but the Minute to which the hon. and gallant General had alluded had answered in a general way this end. With regard to the Return for which the hon. and gallant Member had moved in the last Session, and also in the present one, he could now say that the last part of it was completed two or three days ago, and it would be laid on the table immediately. He was afraid, however, that it would not be very easy to say which of these papers had been lost, as he feared had been the case with some. But there would be no difficulty in giving a Return of those papers which were preserved. As to the general question of these Records, there was nothing which afforded more satisfaction to the Treasury than to see the desire that was entertained that the Government should expend a reasonable sum of money in collating, compiling, and publishing works of interest to historians and archæologists. The Government, however, must be cautious as to the extent to which it carried its liberality in that respect; because if they went beyond public documents and began to interfere in the publication of works of interest touching our early history which were private property, they might be entangled in very inconvenient obligations. Although there might be many domestic papers relating to England and Ireland, the publication of which ought to be encouraged, yet it was doubtful whether they ought to assent to the doctrine that the Government should publish them. They had, indeed, consented to publish some of these works, referring both to England and to Ireland; and the volumes mentioned at page 5 of the Treasury Minute, were open to the remark that they were not all strictly public papers. Taking the mass of interesting papers of that kind which had been published, he did not think Ireland had been ill-used as far as they had already gone. A mere arithmetical calculation or comparison of the amount of money expended in that way for different parts of the United Kingdom was not a correct mode of looking at the matter. But in considering this point it must be borne in mind that in Ireland the papers were almost wholly of a character relating to that country, and that Ireland had in a much less degree than England a Foreign history. If the Simancas and Venice papers are (so to speak) to be devoted to England, there is nothing corresponding which could be put to the charge of Ireland. As to the future, all he could say was that the Minute he had laid on the table was designed to make Parliament fully aware of what had been done and of what might be done; and if he remained in his present office when the Estimates were framed next year he would undertake that the Estimates should clearly show what the Government were prepared to do in regard to the collation, compilation, &c., of papers of historical interest with respect both to Great Britain and Ireland. He believed that no delay had taken place in the endeavour to bring into the new building the Irish records it was intended to place there, and in the attempt to put them upon a sound and satisfactory footing. They were now in communication with the Irish Government on that subject, and he trusted it would be acknowledged that they had not fallen short of their duty in that matter.

PUBLIC BOARDS AND METROPOLITAN IMPROVEMENTS.

MOTION FOR A ROYAL COMMISSION.

MR. BAILLIE COCHRANE said, he rose to move that an humble Address be presented to Her Majesty, praying that Her Majesty be graciously pleased to issue a Royal Commission to inquire into the constitution of the Metropolitan Board of Works, the Office of Public Works, and the Office of Woods and Forests, with the object of seeing whether some means may not be devised by which the improvements of the Metropolis may be carried out in a more comprehensive and economical manner, and with greater unity of purpose. He said, that if anything would show the necessity for a full discussion of this subject, it was the debate which had taken place that evening. He believed hon. Members were unanimous in admitting that the present system for the management of metropolitan improvements was extremely defective, whatever difference of opinion might prevail among them with respect to the best mode of remedying the evil. The subject had been brought before the House twice during the present Session; once by the hon. Member for the Tower Hamlets, and afterwards by the noble Lord the Member for Huntingdonshire. A Committee, which had recently inquired into the Metropolitan Local Management Act, after alluding to the imperfect operation of that measure, expressed their belief that the time had arrived when it was necessary to deal with the subject in a comprehensive and permanent manner. Every Session there were discussions in which every one concurred that nothing was more undesirable than the present state of things, and was it not essential that some remedy should be devised? If the Government would grant a Royal Commission he was prepared to suggest a plan which would, in his opinion, meet the great evil of which they all at present complained. He claimed upon that occasion the sympathy and support of the Chancellor of the Exchequer who was universally recognized as one of the highest authorities on all questions of taste, and who a few years since thus characterized the present mode of conducting our metropolitan improvements—

> "Vacillation, uncertainty, costliness, extravagance, meanness, and all the vices that can be enumerated are united in our present system. The money of the country is wasted; and I believe such are the evils of the system that nothing short of a revolutionary reform will ever bring them to an end."

The late Prime Minister, Lord Palmerston, on the same occasion, described the state of the metropolis to be inferior to that of the Continental cities. Such high authorities were unnecessary, for it was impossible for any one to walk about London and not be immediately struck with the deficiencies of this great metropolis. Up to 1832 there were different Boards, but no organized system. In that year the Board of Woods and Forests was established, but up to that time a ridiculous system prevailed, and but little money was expended in improvements. In 1851 the present arrangement was arrived at, by which the Woods and Forests was separated from the Board of Public Works, and even then the system did not work well; and in 1855 Lord Llanover (then Sir Benjamin Hall) brought in his admirable Act for the management of the metropolis, and established the present Metropolitan Board of Works, and he must say that that Board, with Sir John Thwaites at their head, had done their best towards improving the metropolis. The state of the metropolis at the time that Act was brought forward was incredible. Streets were divided by different parishes, and there were continual quarrels at the different Local Boards about paving whether with big or large stones or with wood, so that they never were paved; and whether streets should be watered in the morning or in the evening, and so they never were watered. There were at that time 250 Local Acts in existence with reference to the management of the metropolis, and 300 different bodies managing the metropolis with 10,500 paid functionaries, and for every £100 spent in improvements £150 were spent in salaries, dinners, &c. That Bill was introduced and carried, and even under its operation we unfortunately found that by one clause all the streets were to be swept, and the parishes were to undertake to keep the pavements clean; by another sweepers were to be appointed at crossings, and paid by the parishes; by another all the dirt was to be taken away before a certain period of the day; and by another clause, that if these things were not done the parties were to be subjected to a penalty; but, unfortunately, no mention was made by whom the fines were to be imposed. He believed the Metropolitan Board of Works had very little control over the vestries in these matters; but some central control was what was wanted, the division and sub-division of the metropolis into so many Boards being most unsatisfactory. And the result was obvious to every one, and rendered it absolutely necessary that there should be some different organization. He understood that a Committee was now sitting on the Metropolis Local Management Act, and he hoped they would ultimately be able to devise some mode of bringing these vestries under much greater control than at present existed in these small matters. It was in the interest of economy, health, and morality, that the present state of things should not be permitted to continue. Before entering into the main remedies that he should propose he would point out where the evil arose from the want of organization in the metropolis. The population of the metropolis doubled itself every forty years, and therefore they might in the next forty years expect that it would amount to between 5,000,000 and 6,000,000 of people, and therefore it was absolutely necessary that they should accept some system of centralization for the metropolis—

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter
after Nine o'clock, till
Thursday next.

HOUSE OF COMMONS,

Thursday, May 24, 1866.

MINUTES.] — New Members Sworn — Lord Eliot, *for* Devonport; Montagu Chambers, esquire, *for* Devonport; Lord Otho FitzGerald, *for* Kildare.

Select Committee—On Dean Forest (Walmore and the Bearce Commons) *nominated;* New Forest Poor Relief *nominated.*

Public Bills — *Second Reading*—Customs and Inland Revenue* [145]; Terminable Annuities [144]; Commons (Metropolis) [84]; Nuisances Removal* [164]; Railway Companies' Securities* [151]; Elections (Returning Officers) [161].

Referred to Select Committee—Commons (Metropolis) [84]; Pier and Harbour Orders Confirmation* [148]; Railway Debentures, &c., Registry* [109]; Railway Companies' Securities* [151].

Committee — Local Government Supplemental (No. 2)* [191]; Fishery Piers and Harbours (Ireland)* [93].

Report—Local Government Supplemental (No. 2)* [191]; Fishery Piers and Harbours (Ireland)* [93].

Considered as amended— Labouring Classes' Dwellings (Ireland)* [94]; Naval Savings Banks* [114].

Third Reading — Solicitor to the Treasury* [152]; Companies' Act (1862) Amendment* [139], and *passed.*

AUSTRALIA—"DEAD LOCK" IN VICTORIA.—QUESTION.

Lord ROBERT MONTAGU said, he would beg to ask the Secretary of State for the Colonies, Whether he has received further Papers from Victoria, relative to the "dead-lock" in that Colony, which he can lay upon the table, together with his Replies to them?

Mr. CARDWELL, in reply, said, he should be happy to lay on the table the papers with reference to this subject so far as they at present went. There was published in the newspapers yesterday a telegraphic statement that the difficulty had been brought to a solution, but no such intelligence had reached him. So far as he knew, the Legislative Council having rejected the Tariff Bill, the Ministry resigned, and negotiations had been entered into for forming a Ministry, but they had not been successful. He would lay all the papers he had on the subject on the table.

ARMY—THE ROYAL GUN FACTORY.

QUESTION.

Sir JOHN HAY said, he would beg to ask the Secretary of State for War, Whether he is aware that the "Balance Sheet" submitted by the Royal Gun Factory to a Committee of the late Parliament "on Ordnance" has since been found to be erroneous, and if he will lay upon the table of the House a corrected Balance Sheet of that date, to be appended to the Report of that Committee?

The Marquess of HARTINGTON said, in reply, that in answer to an almost precisely similar question, asked by another hon. Member, he had stated that it was true that an alteration had been made in the form in which the balance-sheets were now rendered to Parliament, and that the indirect expenditure of the Maufacturing Department was now charged in a different manner to that in which it was formerly charged. He could not, however, admit that the balance-sheet to which the hon. and gallant Member referred was an erroneous one, although it might be considered that the present system was a more accurate one. He was, however, perfectly willing to admit that if the system had been adopted in the balance-sheets to which the hon. and gallant Member referred, the apparent cost of each gun made in the manufactory would have been considerably enhanced. The preparation of two balance-sheets would involve a considerable expenditure of time and labour; he would not undertake, therefore, to lay them upon the table of the House.

COLONIAL BISHOPRICS' BILL.

QUESTION.

Mr. WALPOLE said, the Colonial Bishoprics' Bill which involved very important considerations was set down for Thursday next. He wished, therefore, to know from the right hon. Gentleman the Secretary of State for the Colonies, Whether he will give a longer time than Thursday next for the consideration of the measure; whether he will on Thursday next or at any other time fix a day when it can be considered and gone into; and whether he has any Papers in the Colonial Office relative to the appointment of Colonial Bishops, the production of which may be material to the proper discussion of the question?

Mr. CARDWELL said, that as his right hon. Friend had truly said, the subject was one which demanded very careful consideration. In order to procure for it that consideration he would undertake not to bring it forward on Thursday next and to state, if possible, on that evening when it should be brought on. Some papers which had been prepared would shortly be distributed to hon. Members, and if there were any others which his right hon. Friend thought would be of service he would be happy to supply them if it was in his power to do so.

BUSINESS OF THE HOUSE.

QUESTION.

Mr. LAING said, he wished to inquire of the hon. Gentleman the Member for Buckingham, who had a Motion relative to Fire and Marine Insurances, on the Motion for the Second Reading of the Customs and Inland Revenue Bill, and the hon. Member for Dudley, who had a similar Motion on the Second Reading of the Terminable Annuities Bill, Whether, as it would be inconvenient to have two discussions on the same subject, one discussion could not answer the purpose of both hon. Gentlemen?

Mr. HUBBARD said, in reply, that if he carried his Motion the subject would be disposed of, and there would then be no necessity for their discussing the Motion of the hon. Member for Dudley. If the surplus was appropriated in the manner he suggested there would be no necessity for their considering it in the way suggested by the Government.

Mr. H. B. SHERIDAN said, it was his intention of proceeding with his Amendment, as he believed the subject would more properly be considered in connection with the Terminable Annuities Bill.

THE PROPOSED CONGRESS.

QUESTION.

Mr. DISRAELI: I take this opportunity, Sir, of making an inquiry of Her Majesty's Government with reference to a subject of much importance. I should like to know whether they have any communication to make to the House with regard to this intended Conference at Paris? I wish to know if it is a fact that Her Majesty's Government have acceded to the invitation of one of the great Powers, and have consented to attend the Conference; and I wish also to know whether there is any truth in this announcement which I find in a foreign journal which is generally regarded as a semi-official organ —

> "The three Courts seek conditions of agreement in territorial compensations which would offer indemnities and satisfaction to the claims of Prussia, Austria, and Italy. The difficulty in the present state of affairs consists in finding compensations suitable in each case."

I wish, therefore, to ask, If there is any authority for such a statement, as far as Her Majesty's Government are concerned?

The CHANCELLOR of the EXCHEQUER: Sir, I should, perhaps, have been able to give a better answer to the right hon. Gentleman if I had been aware that he was about to ask the question he has put to me.

Mr. DISRAELI was understood to say that he had given the best notice in his power.

The CHANCELLOR of the EXCHEQUER: I am not complaining of the course pursued by the right hon. Gentleman, and simply refer to the want of notice as an apology for the imperfect nature of the answer which I am about to give. I have not had during the business hours of the day any communication from the Foreign Office upon this important subject; but I do not think, speaking of what was known up to this morning, that there is anything of consequence to add to the short statement made in another place by my noble Friend the Secretary of State for Foreign Affairs. Her Majesty's Government has earnestly entertained a desire to procure a Conference of the Representatives of the Powers of Europe, and though it cannot be said that the Government have very sanguine hopes of bringing affairs to a satisfactory issue, still it is thought the chances of arranging matters presented by such a course are such as should not be passed by, in view of the extreme calamities which it is sought to prevent, and which before the proposal of a Conference was made, appeared to be certainly impending over a great portion of Europe. Her Majesty's Government have, therefore, acceded to the proposal made to them as far as the questions it involves can be entertained by them; but the precise terms upon the basis of which the invitation was to be addressed to the Powers of Europe in general had not, I think, been finally adjusted, according to the latest information which I have received. At the same time, I do not think, as far as present information goes, that difficulty is likely to arise in connection with the adjustment of those terms. The purport of the passage the right hon. Gentleman has quoted, and upon which he asks a specific question, is that the three Courts seek conditions of agreement in territorial compensations which would offer indemnities and satisfaction to the claims of Prussia, Austria, and Italy; and he asks whether any foundation exists for the statement. I think that statement goes beyond the actual facts; but I cannot say precisely, and, indeed, it would be dangerous to describe in precise terms, what foundation there is for the statement, until we have before us the documents bearing upon the subject; and these, I hope, will be shortly in the possession of the House. I should not say, however, that seeking conditions of agreement in territorial compensations which has been given out as the basis of present proceedings, is an accurate description of that which has taken place.

TERMINABLE ANNUITIES BILL.

QUESTION.

MR. H. B. SHERIDAN said, he would beg to ask Mr. Chancellor of the Exchequer, If he will fix a night for the discussion on the Terminable Annuities Bill?

THE CHANCELLOR OF THE EXCHEQUER said, he proposed to go on with the Bill that night, and his impression was that the discussion to be raised by the Motion of the hon. Gentleman the Member for Dudley was more germane to the Terminable Annuities Bill than to the Customs and Inland Revenue Bill. He did not anticipate any lengthened discussion on the Motion of the hon. Gentleman the Member for Buckingham (Mr. Hubbard), and he agreed with the hon. Member for Wick (Mr. Laing) that he did not think that the discussion need be taken separately on the two Motions. When they passed the second reading of the Customs and Inland Revenue Bill, to which he apprehended there would be no objection, he would make a statement on the Terminable Annuities Bill, which he had so far only been able to imperfectly unfold. If the House negatived the Motion of the hon. Gentleman the Member for Buckingham, he thought the hon. Gentleman the Member for Dudley ought to have the opportunity of bringing forward his Motion before the House went into Committee on the Terminable Annuities Bill.

CUSTOMS AND INLAND REVENUE BILL.

(*Mr. Dodson, Mr. Chancellor of the Exchequer,* *Mr. Childers.*)

[BILL 145.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. HUBBARD said, he trusted the House and the right hon. Gentleman the Chancellor of the Exchequer would believe him when he said that he was always unwilling to take a course which was inconvenient to Her Majesty's Government and the House, and that he had taken the earliest opportunity of bringing the subject before them. The House would recollect that the Chancellor of the Exchequer in his Financial Statement had estimated the surplus of the year 1866-7 at £1,350,000, and that he proposed to appropriate £562,000 of it by reductions of taxation in favour of wine, wood, pepper, and locomotion. That left £778,000 of the surplus, and he desired to submit a Motion to the House with respect to the way in which a considerable portion of that balance should be dealt with. His right hon. Friend in his Budget speech made one proposition, and he (Mr. Hubbard) now ventured to make another, which he believed would be more in accordance with the feelings and wishes of the people than if the principle of the Government was adopted. No doubt the origin of the very startling proposition made by the Chancellor of the Exchequer could be traced distinctly to the highly interesting speech made by the hon. Member for Westminster, to whom he could not allude, especially as he was absent, without saying how cordially he welcomed him in that House. As the House was for the most part composed of practical men, it was advisable that philosophers should not be unrepresented, in order that each class might correct the other. But the basis of the hon. Member's speech, and the basis also of the "sensational" propositions of the Chancellor of the Exchequer, formed very debatable matter; and when he (Mr. Hubbard) heard the not problematical, but almost certain exhaustion of our coal affirmed, he could not help recalling to mind that, in 1860, the Government had, by the Treaty with France, abrogated their right for a period of ten years to alter their fiscal operations with regard to the export of coal, and that by their subsequent Treaty with the Zollverein the Government had extended the period within which that self-imposed restriction would operate until 1875. Without proposing for a moment that the Government should prohibit the export of coal, he dissented entirely from a policy which prevented the Government for a period of ten or twelve years from levying upon coal any export duty whatever; and, before dismissing the subject from consideration, he would remind the House that an export duty on coal of 1*s.* per ton would, with its accumulation of interest if invested in the funds, pay off the National Debt within sixty years, and that without decreasing the trade in coal to the slightest extent. If the future exhaustion of coal were to be the basis of the argument in favour of a reduction of the National Debt, how much was it to be regretted that the Government were debarred from seeking in a duty on coal the means of effecting that reduction! When compared with the debts of other countries there was no doubt that England's debt appeared to be very large; but when the charge upon the population and resources of England on account of her debt was compared with the charge made upon the inhabitants of other countries on account of their respective National Debts, England's appeared to be very small indeed. From statistics supplied by the Chancellor of the Exchequer, he gathered that the taxed incomes of the people of England amounted to £330,000,000, and the untaxed incomes to £200,000,000, making a total of £530,000,000 per annum. Taking this as the gross income of the English people, and dividing it by £26,000,000, the interest paid on the National Debt, it appeared that the burden of the debt was not greater than a twentieth part of the income of the country. That would certainly not be in the estimation of most persons a very heavy burden. Now, surely, gentlemen would not consider themselves labouring under an overwhelming burden of debt which only exposed them to the payment of one-twentieth part of their incomes. He ventured to assert that the country had made a considerable stride in the diminution of our debt. The Chancellor of the Exchequer, in mentioning the small amount of debt that had been paid off, had invited them to review the past five-and-twenty years, remarking that in 1842 a penny Income Tax produced £700,000 a year, while it now produced £1,400,000; and looking to that enormous increase in our wealth, the right hon. Gentleman observed what a miserable fraction of the National Debt we had discharged. That was true if they looked at the debt only; but as within twenty-five years the wealth of the country had doubled, while the debt remained the same, it followed as a matter of comparative pressure that the debt was but one-half what it would have been a generation since. Therefore if, instead of giving full swing and play to the energies of the country in the creation of more industrial pursuits, Parliament had applied itself during the period in question to a forcible reduction of the National Debt, the country would have been in a comparatively weaker state than it was at the present time. With regard to the debt itself, there was no doubt that it was a very important matter for consideration, but it ought not to be discussed with any exaggeration. The debt of the country was simply this:—It was a mortgage upon the products of the property and upon the earnings of the industry of the country. He included within this definition the earnings of industry, because he, for one, never would admit that that process of taxation could be right or just which dealt with property alone, omitting altogether the earnings of industry connected with a very large amount of floating, unfixed property. In considering the subject of reducing the National Debt, it was necessary to do so not merely with reference to its amount or annual burden upon the people, but having regard also to the use which could be made of the money required for the reduction. With this question every Gentleman in the House was perfectly capable of dealing; for, in truth, there was no difference between the right way of dealing with the finances of the country and the right way of dealing with the finances of individuals. He would, therefore, put the following questions to hon. Members:—Would a landowner who owed money on mortgage at 3½ per cent, which enabled him to make 7 or 7½ per cent by draining his land—would a merchant who borrowed money at 4 per cent and made 8 per cent out of it by extending his trade—would a manufacturer who borrowed money at 5 per cent and earned 10 per cent upon it, be taking a wise and prudent course in adopting the straitlaced recommendation to pay off the money they had borrowed, and abstain from making those improvements which would enable them to double the interest they had to pay? This, he contended, was the way in which the country ought to look at this great question. What use was being made of the money? If it was being used wisely for the enlargement of manufactures, for the extension of trade, and for the internal improvements of the country, then, instead of being an act of wisdom, it would be an act of folly to hurry into a premature closing of the account. Our true policy was to wait till existing circumstances of unexampled stringency had passed away, and we were enabled, without making an enormous sacrifice, to pay off a portion of the debt. The present time appeared to be a most extraordinary period in our history for inaugurating a forcible and unlimited reduction of the National Debt; for while 3½ per cent was being paid for it, the money was worth 6 and 8 and 10 per cent in the public market He agreed with his right hon. Friend as to the advantage of being out of debt, but he wanted the House to consider what was the proper time for setting about its reduction. He would not venture to plunge into the intricacies of the process which had been expounded to the House; he should, however, be very much astonished if hon. Members did not require a further elucidation of the subject. But it was utterly impossible that the yearly devotion of something like £500,000 annually could effect the discharge of £49,000,000, or even of £39,000,000 in thirty years. One lesson long experience in business had proved to him—namely, that nothing was more desirable, either in one's own finances or in those of the country, than to adopt the simplest system possible. There was no greater mistake in the management of the finances of an Empire than to plunge into intricacies; every statement and every account ought to be so plain that every Member of the House might be able to understand it. If the finances were not distinct and clear there was just cause for apprehension in regard to them. He wished, however, to impress upon the House that there was no means of paying off a pound of debt except with a pound; and therefore, whatever was the amount by which it was proposed to reduce the national obligations—whether £18,000,000, £24,000,000, or £60,000,000 — that amount would have to be drawn from the pockets of the taxpayers. Figures could not be so manipulated as to produce more than the logical result. With the magician's wand they might be displaced, distorted, and disguised; but in the end they would assert their supremacy, and prove that facts were stronger than fiction. But if the scheme propounded by the Government were ever so admirable and simple, he would still say that this was not a time to propound it to the House; because he ventured to believe that there were subjects before the House which had a prior and stronger claim to its consideration. The right hon. Gentleman the Chancellor of the Exchequer had proposed various remissions of duty, and he particularly noticed that affecting timber. There was a very large consumption of timber; it was exceedingly useful, indeed indispensable in the construction of dwellings; and it was held to be of great importance that this duty should be remitted, because it was believed that the working classes would be benefited in a better class of houses being erected for them. He heartily concurred in all that was said upon the subject, and he had felt very glad indeed that the timber duties were to be remitted. He would however ask what would be the extent and the magnitude of the proposed reduction of timber duties? Upon a house which cost £160, bringing in the annual rent of £8, the ordinary amount of timber used would be about six loads, and the duty upon it, supposing it to be sawn timber, was 12*s.*; and thus the difference in the rent of the house through the remission of the timber duties would be 7*d.* annually. He did not make this observation in order to create a laugh, or to ridicule the infinitesimal small amount of the remission on an artizan's house; on the contrary, he believed the remission, small as it was, was a step in the right direction, proceeding on a sound principle. He drew the attention of the House to the matter now because he should have occasion to refer to it again presently, in order to compare the duty now remitted with other duties which were not, but which he held should be, remitted. The Motion which he ventured to propose to the House was that the marine and fire insurance duties should be abolished as a source of revenue. Doubtless there were Members in the House connected with the shipping interest, and he now asked their attention to the duties on marine insurance. In 1844 the then existing marine insurance duties were reformed, and this was the scheme which had been accepted and been prevalent ever since. This was the scale of duties—on a premium not exceeding 10*s.* the duty was 3*d.* per £100; if the premium exceeded 10*s.* and not 20*s*., the duty was 6*d*. ; if the premium exceeded 20*s*. but not 30*s*., the duty was 1*s*. ; if the premium exceeded 30*s*. but not 40*s*., the duty was 2*s*. ; if the premium was 40*s*. and not 50*s*., the duty was 3*s*. ; and when the premium exceeded 50*s*., the duty was 4*s*. In this scale it would be seen that there was a graduated increase of duty, and he asked upon what principle of wise legislation was the duty on goods at sea increased because the premium on their safe delivery was obliged to be increased? The fact was that it gradually augmented in intensity and severity where it ought to become relaxed and indulgent. If 6*d*. was to be paid when the premium was 20*s*., only 1*s*. should be paid when the premium was 40*s*.; but under the existing system 2*s*. was exacted, which was double what ought to be paid, even upon the principle of the graduated scale. Nothing was more monstrous in a country which professed to uphold free trade and entertain a liberal commercial policy than the scale of duties he had just read to the House. By far the greater portion of our commerce was carried on between India and China and Australia, necessitating long voyages, upon which the premium was very high, and consequently all that important portion of our trade was taxed at the highest rate. This was a very serious grievance; and it was one which he knew had been brought under the notice of the Chancellor of the Exchequer by the shipowners, not only of London, but of Liverpool, and with how little success the Budget the right hon. Gentleman had recently presented to the House showed. This scale of duties was a grievance not simply to the trade of the country, but it was an obstacle in the way of those exceedingly useful institutions which undertook the important function of insuring goods at sea. By such means trade which ought to be undertaken in our own cities by our own capitalists was driven from these shores, and found its way into the hands of foreigners. Spain was not a country famous for financial ability, enterprize, or legislation; but in Spain there were no duties on fire insurance policies, and the consequence was that she, through the defects in our financial policy, carried on a thriving trade in that business. The Spanish insurance offices attracted customers by offering terms very profitable to themselves, but favourable in comparison to the combined premium and duty payable in this country. Was not this, therefore, a blot in our financial system which ought to attract the attention of the Chancellor of the Exchequer before he embarked in uncalled for schemes for violently reducing the National Debt? But to return to the question of timber. It was important to trace the duties on timber through their various stages. Sweden, Norway, and the White Sea sent us our best timber, and the spring cargoes from the North of Europe were insured at rates varying from 12*s*. to 20*s*., and were subject to a policy duty of only 6*d*. per cent. But as the season advanced, as the nights grew long and the seas stormy, the cargoes ran greater risks, and being compelled to pay a higher premium, were visited at the same time with a proportionate increase of duty by the Government. The marine insurance duties on timber, as on other commodities, were no doubt ultimately paid by the consumer; but this was not the only charge on timber. The timber merchants or builders in whose yards it remained one or two years to season could not run the risk of having it burnt, and accordingly insured it, so that Government, having taxed the timber at sea, taxed it again upon land. Even when cut up and built into a house timber was not exempted from taxation, for fire insurance duty continued to be levied, not, indeed, on the timber in its original shape, but on the structure of which it formed a portion. He had already stated that the remission of the duty upon timber amounted in the case of a house which cost £160 to 7*d*. a year; but the imposition of the fire insurance duty retained upon the same house amounted to 2*s*. 5*d*., or fourfold the amount remitted by the Chancellor of the Exchequer. There was an axiom, or there ought to be, that the same property ought not to be taxed twice over; but in this case property was taxed thrice; having been taxed first for local purposes, it was taxed afterwards for Imperial purposes, not by the income tax only, but by the house tax and fire insurance duty as well. The house tax came to 9*d*., the income tax to 4*d*., and the fire insurance to 3½*d*. He submitted that such legislation was a disgrace to the intelligence of the House and the country. It might be said that of these taxes some, and especially the income tax, were temporary imposts, being levied from year to year; he was greatly mistaken, however, if a proposition of a different character were not soon submitted to Parliament. Having described, he hoped to the satisfaction of the House, the objectionable character of these insurance duties, he proceeded to show what effect his proposition would have on the surplus balance in the Exchequer. In 1864 the fire insurance duty, then at 3*s*., produced £1,600,000. Half the rate, of course, gave half the amount, that was to say, £800,000; and allowing a possible increase of £100,000 consequent on the reduction of the duty, the amount for the present year would stand at £900,000. What he intended to propose in Committee, after the passing of the Resolution, was that 6*d*. of the 1*s*. 6*d*. now levied be struck off from the 25th of June next. The total loss on the year at this rate of reduction would be £300,000, but the actual amount absorbed from the surplus for the nine months over which the reduction extended would be £225,000. The marine duty now levied amounted to £400,000, and if this were not absolutely abolished, but reduced to a minimum rate of 3*d*., yielding on £400,000,000 the value of our imports and exports a sum of £37,500, the loss, limited in like manner to a period of nine months, would be £262,500. Adding the amount of this remission to the former remission of fire insurance duty, the total loss would be £487,500, leaving to the Chancellor of the Exchequer £14,500 more than he himself had reserved in his own financial operations. It was necessary, however, to look ahead still further, for his principle being that these various taxes ought not to be levied, he would not be satisfied until the fire insurance duty was reduced to 1*d*. Any higher rate would still have the effect of a prohibitory duty. He had been unable to support the Resolution of the hon. Member for Dudley, as that hon. Gentleman distinctly announced in his Resolution that his object was to reduce the duty to an amount at which it would be recuperative, and bring back all that had been previously remitted. But this he maintained to be a delusive view of the question, as what had been remitted could not be recovered. A fire insurance rate of 1*d*., on the contrary, would act simply as a registration fee, serving to indicate the wealth of the country. In the ensuing year—for he did not shrink from following out the consequences of his policy—a loss of £600,000 upon the fire insurance duties must be incurred; but from this £600,000 should be deducted £50,000 collected, as had been explained, under the rate of 1*d*., making the net sacrifice £550,000. But then against this there would expire a yearly payment of £585,000 in the dead weight of the Bank of England—and so the account would be squared. He had now gone through the whole of his little financial statement; he had not placed any difficulties whatever in the way of the Chancellor of the Exchequer, but had shown the House a way in which, consistently with the funds at their disposal, a change, long the object of desire in this country, might be accomplished without any inconvenience to the Government. He was quite aware that the Chancellor of the Exchequer had proposed another mode of appropriation, and naturally whatever proposition originated with the right hon. Gentleman was made by him and received by the House with a great deal of confidence. It happened, however, that not many months ago the Chancellor of the Exchequer expressed a deliberate opinion with regard to the very taxes now under discussion. During the Session of 1865 the right hon. Gentleman thus expressed himself—

> "I do not grudge the reduction which has taken place, because that tax applied to stock-in-trade was unquestionably a tax upon industry, and the benefit of the remission, and of any consequent increase of insurance, whether in itself small or great, is certain to find its way to the consumer of the commercial or industrial products which are the subject of the tax. . . . In resisting Motions for the repeal or reduction of the duty, I have not been used to defend the tax upon its merits. . . . However, I think that the definition of the tax as a tax on prudence may be amended; and that we might call it, as to the chief part of it, with greater accuracy a tax upon property, but with a double exception—the one being an exemption in favour of improvidence, and the other an exemption in favour of those large holders of property in the form of houses and buildings, who are able to take their chance and perform for themselves the function which is called self-insurance. I must say that no part of the argument ever used on the subject of fire insurance has appeared to me to tell so strongly against the present state of the law as this, because it is said and, as I think, said unanswerably, 'If you are to make insurance against fire the means of imposing a duty upon property it ought to be imposed equally, and there ought not to be a virtual exemption on behalf of large holders of property.' That, as it appears to me, is an argument to which there is no reply."—[3 *Hansard*, clxxviii. 1122.]

He agreed in thinking that there was no reply. He accepted the verdict of the Chancellor of the Exchequer; and he asked the House to agree to it also. He ventured to anticipate the right hon. Gentleman's decision on the question, and to ask the House to adopt the Resolution which he was about to propose in harmony with the right hon. Gentleman's own opinion. He had little more to say; but before sitting down he would request of the House to impartially consider the facts which he had taken the liberty of adducing. On the part of the Government a measure had been presented for their adoption as an act of patriotic virtue. Let not that measure be marred by an ungracious act of injustice and impolicy; let not the funds which were destined to the removal or the diminution of the National Debt be derived from taxes which pressed upon and obstructed the industry of the country, and which, as the Chancellor of the Exchequer himself had pointed out, pressed with the utmost force on prudence and poverty while it exempted improvidence and princely wealth. The hon. Gentleman concluded by moving, that it is inexpedient to retain, as part of the Inland Revenue for the service of the year, the present Duties on Fire and Marine Insurances, which are unjust in their incidence on property, and injurious to the national industry.

Mr. MARSH, in seconding the Amendment, said, that the hon. Member for Buckingham having gone into pretty nearly the whole of the questions raised by the Budget, he would likewise make a few remarks on some of these topics besides the one to which the Amendment more particularly referred. His hon. Friend had said a great deal about the timber duties, but he did not appear to approve the policy of doing away with them. [Mr. Hubbard: Yes!] There was much inconsistency in the way those duties were charged, and decidedly they were objectionable. Then as to the modification of the duty upon wine imported in bottles, he thought the alteration made by the Chancellor of the Exchequer was advisable, because anything which caused as much public inconvenience as that caused by the former system must be mischievous. He spoke with feeling on this point, because having imported wine some time ago, parties who sent it put it in a cask to avoid duty, and it was spoilt. He now came to the proposition to pay off the National Debt, which was indeed a very serious one. He was not prepared to express a decided opinion against the proposition to pay off part of the National Debt, but he hoped the House would pause before wholly accepting the views expressed by his right hon. Friend the Chancellor of the Exchequer. It was a dangerous thing to anticipate Budgets, for as disturbing causes might constantly arise we could not tell when our financial arrangements might be set at naught. At one time his right hon. Friend proposed to repeal the income tax within a certain number of years, but the Crimean War interposed, and he was unable to carry out that intention. He could not but think that his right hon. Friend's present proposition—namely, to tie up the House to the obligation of paying off a certain amount of the National Debt every year for eighteen-and-a-half years, was not an advisable one. It was very like the old proposition of a Sinking Fund which was so thoroughly exploded by Lord Grenville in the celebrated pamphlet which he published in the year 1828. In Lord Grenville's able and logical pamphlet there was this passage—

> "It can be neither consonant to the dignity nor to the wisdom of an enlightened Legislature to guard against its own presumed improvidence by an engagement directed only to distant and contingent benefits, and which under many supposable events may in the meantime be found to have been of very doubtful policy."

Lord Grenville also says that reference to similar transactions in private life is the best of all instruments for the discovery of truth in political economy. Now, what would be the case in private life? Would any merchant or manufacturer owing a debt which he was not bound to pay at any particular time within the next ten or twenty years bind himself to pay it in instalments at certain periods? Would he not rather take his own opportunity? Would he not choose for payment a time when he had a good deal of ready money or when his trade was flourishing? and that was the course which ought to be adopted in regard to the National Debt. It was not improbable that within the next eighteen-and-a-half years we should have to borrow money; in which case we should be paying with one hand and borrowing with the other. He believed that in modern times there never had elapsed so long a period as eighteen-and-a-half years without a Government loan having been contracted within the period. Then the House must remember that we might have to borrow at a very high rate of interest. There was a time when we had to pay as much as 8 per cent; the funds being at 50, and the guinea being worth 28*s*. He had not gone into details; but it would at once appear to any one that £1,000,000 for eighteen-and-a-half years, at 5 per cent compound interest, would amount to a great deal more than £24,000,000. It certainly appeared to him that there would be little or no advantage in trafficking with our own money in that way. Lord Grenville remarked—

> "They will admit perhaps without hesitation that a nation can no more profit by this trafficking with itself in its own securities by buying debt with debt, and money with money, than an individual can do by shifting his purse from one pocket to another."

To clear off a debt for which we were only paying 3 and a fraction per cent, when by leaving it in the pockets of the people they might be making 6 or 7 per cent, was certainly not good policy. Here he would take the liberty of quoting another extract from Lord Grenville—

> "Suppose, for instance, that instead of a whole community only one of its numerous merchants or manufacturers has borrowed money at interest which he can only repay by withdrawing a portion of his capital invested in trade, will he voluntarily resort to pay off this money? What will be its consequences? It will neither increase nor diminish the sum total of his wealth; he will owe less, but he will also have less; he will cease to pay interest on the debt which he discharges, but he will also cease to receive profit on the wealth which effects the discharge."

But we were in a stronger position than the merchant or manufacturer. The fact was, our National Debt was no debt at all. A debt was a sum which might be demanded either at one time or at several stated times; but our National Debt was nothing of the kind. It was simply the payment of an annuity. There was an old maxim which said, "Out of debt out of danger," and which applied to the ordinary case of a debt which the debtor might be called on to pay at an inconvenient time; but that was not our case. We could not be called on to pay the National Debt at all. It might be urged that all the money which the people saved from taxation was not invested—but that a portion of it at least was spent in enjoyment. Now, having regard to the habits of the people who paid income tax, he believed that when there was a remission of 2*d.* in that impost much of the saving was invested directly by the taxpayers; but, even if the money passed away from the taxpayers to tradesmen, sooner or later a great portion of it was invested. But, supposing it all went for enjoyment, would not a most desirable object be achieved by the Government? On this point he would again quote Lord Grenville—

> "Wisely, therefore, would the rulers of any community in the most prosperous condition of its finance apply themselves to the direct interest of those whose happiness is their primary and especial charge. Such a decision would be of no doubtful expediency, even if we could dismiss all present concern for the public welfare and look only to the ultimate increase of wealth. All possible advantage of these operations, in whatever form conducted, must at last resolve itself into a diminution, more or less remote, of the public burdens, and to postpone for so long a period so great a good, when already partially within our reach, is to presume far too much on the powers of human foresight and the stability of human institutions. An earlier, although more gradual, repeal of taxes would spread its benefits in a thousand fertilizing channels in the wide fields of social industry, and never could its absence be compensated by any forced direction given after a dreary vacancy to the produce of the same sources pent up till it bursts their artificial barriers."

One of the great arguments with regard to the paying off of a portion of the National Debt sprung from the apprehended exhaustion of our coal-fields. Now that, in his opinion, was a most fallacious argument. It was applying mathematical reasoning to the ordinary purposes of life, a proceeding which Aristotle said was as absurd as to apply ordinary reasoning to the exact sciences. The argument, in fact, was founded entirely on the argument of geometrical progression. It had been shown by a curious calculation that if the Wandering Jew, at the time of the Crucifixion, had invested 1*d.* at compound interest, the sum would by this time have increased to about 200,000,000 of solid lumps of gold, each as large as the East. But reasoning of this kind did not apply to the common purposes of life. Supposing, for instance, we should want at the end of the century twenty-four times as much coal as we did now, we should have, as a natural consequence, twenty-four times as much smoke and twenty-four times as much fog, so that we need not consider the interests of our posterity, as all the poor children would be choked. Then, again, we should have twenty-four times as many smuts on our noses. And as the population and wealth of the country would have greatly increased there would be an inadequate supply of water. He knew of no instance of coal becoming scarce; but cases had come under his notice where manufacturers had been unable to extend their trade operations in consequence of want of sufficient water. But the argument of geometrical progression told both ways. It appeared, for example, that an income tax of 4*d.* in the pound brought in nearly £7,000,000 a year, which sum was doubling itself every twenty-five years. Well, it followed that at the end of the century it would have produced no less than £106,000,000, so that the people might snap their fingers at the Consols. His right hon. Friend had said that all our prosperity and wealth might be summed up in one word—coal. But he maintained that our prosperity was not owing solely to coal, but was in reality produced by our industry and enterprize. In Bohemia and France there were large coal mines, but not the same amount of industry that existed in England. If coal were to fail in this country, some method of supplying its place—such as burning water—would be discovered, and we and our children after us should always keep the lead. For his part, he had very great faith in the fortune of this country and in the industry, which he hoped would be transmitted to our great grandchildren, and he felt confident, therefore, that if there should be a failure of coal, our posterity would rise superior to the difficulty.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to retain, as part of the Inland Revenue for the service of the year, the present Duties on Fire and Marine Insurances, which are unjust in their incidence on property, and injurious to the national industry,"—(*Mr. Hubbard,*)

—instead thereof.

Mr. H. B. SHERIDAN said, that he would adopt the suggestion of the right hon. Gentleman the Chancellor of the Exchequer, and would defer the proposal of the Amendment of which he had given notice upon the second reading of the Terminable Annuities Bill until the House was asked to go into Committee upon that measure. Although he concurred in many of the remarks which had been made by the hon. Member for Buckingham, he was afraid that the adoption of the Resolution which the hon. Gentleman had proposed might embarrass the financial arrangements of the Government, and therefore he hoped the hon. Gentleman would not press the Motion to a division.

Sir STAFFORD NORTHCOTE said, he had intended to make some remarks on the speeches which had been delivered, but what the hon. Member for Dudley had said had rather changed the position of affairs. In his judgment it would be far more convenient to discuss this matter as between terminable annuities and the proposal of the hon. Member for Dudley, and he should, therefore, defer any observations which he had to make until that Resolution was before the House. In the meantime he expressed a hope that the Chancellor of the Exchequer would favour the House with some more complete explanation of his plan for the reduction of the National Debt than they had yet received.

Sir FITZROY KELLY agreed that it was desirable to shorten this discussion, but he did not understand what was the present position of the House, nor what position it would be placed in if it accepted the proposal of the right hon. Gentleman the Chancellor of the Exchequer. He would ask his right hon. Friend at once to open to the House the whole question to which he proposed to call attention, as it involved the taxation of the people for a very great number of years to come. There were other points on which he hoped the House would receive information; but if the nation paid between £3,000,000 and £4,000,000 a year until the year 1905, subject only to the diminution from time to time of interest or dividends, he would ask the right hon. Gentleman whether the immense sum was to be raised by new and additional taxes, or whether his right hon. Friend calculated that there would be year by year an increasing surplus, sufficient, even if there were no remission of taxes, to allow for so large a sum being applied exclusively to the reduction of the National Debt.

The CHANCELLOR of the EXCHEQUER said, his right hon. Friend had materially misapprehended the extent of the obligation in which the public would be involved in the event of the adoption of the plan now before the House, and upon which he hoped to offer explanations shortly. He could not dissemble his regret that the hon. Member for Buckingham (Mr. Hubbard) had occasioned inconvenience to the public service by causing the postponement of the necessary measure now before the House through endeavouring to attach to it a discussion of propositions which were quite irrelevant to the subject of the Bill. This was the first time in his recollection that a proposal had been made in that House to set aside the second reading of a Bill when the author and seconder of the proposal both desired that the Bill should pass, and that every proposition therein should be maintained. This Bill had been delayed for some weeks in order that his hon. Friend might raise a discussion upon matters which were totally and absolutely irrelevant to it. It was quite clear that the proposal of his hon. Friend related to the Bill which stood as the next Order of the day. His hon. Friend did not propose to substitute fire and marine insurance duties for the proposals respecting timber and wine duties; but he did propose to substitute them for that disposition of public money as prescribed in the other Bill. Under these circumstances, he would refer only to the observations made on the Bill before the House by the hon. Member for Buckingham and the hon. Member for Salisbury—observations the tendency of which, he thought, was to recommend the proposals contained in the Bill. With respect to the fire insurance duty and the marine insurance duty, his hon. Friend had put his own proposals (which under present circumstances he could not accept) in the most disadvantageous possible position, for he had made them upon an occasion when it was, he thought, the universal sense of the House that they must either be withdrawn or negatived. With respect to the matter of the Motion it was not his intention to say anything in vindication of the duties which had been attacked by his hon. Friend, but he might say that the fire insurance duty was a duty upon property for the most part. It might be wise in the House to consider the propriety of dealing with it on the first suitable opportunity; but when dealt with it ought to be dealt with extensively. At the same time, there were serious and broad considerations connected with that matter which could not be kept out of view. They must consider the relation of taxes upon property to taxes upon labour, and the immense relief recently given to property, not only by various remissions, but by a large reduction of the income tax; and his own feeling was that, although they might be quite right in dealing further with the fire insurance duties, something ought to be recovered from property in a better and less exceptional shape. With regard to the marine insurance duty he admitted that it had a very fair claim for consideration, but he did not consider it one of the most urgent cases, looking at the many points of taxation a remission of which might be fairly and justy urged. Undoubtedly the scale was very defective, although it had been reformed in modern times. That duty was not felt to be very oppressive, so far as might be judged from the augmentation of the duty itself. We were not entitled to say that the growth of the fire insurance duty had been more rapid—possibly it might have been somewhat less rapid—than the growth of insurable property. With regard to marine insurance, however, this was the state of the case—in the five years 1855-9 it produced £1,568,000, or about £316,000 a year; and in the years 1860-64 it produced about £1,833,000, or £366,000 a year, the quinquennial increase of the revenue therefore being 16 per cent, while that of shipping was 10 per cent; which showed that the duty was not felt to be one of those oppressive duties with regard to which it was necessary to make exceptional claims. With regard to the Motion, the House was not called upon to give a vote upon its merits; it had rather to affirm by the second reading of the Bill that there was nothing in the Motion that ought to delay the Bill. There was one matter connected with the Bill on which he desired to make an observation, more especially as it related to a matter which had been brought under his consideration by the right hon. Gentleman the Member for Oxfordshire (Mr. Henley). The right hon. Gentleman had represented to him that there should be some provision in the Income Tax Act to allow abatements from assessments under schedule A in respect of abatements of rent allowed by landlords on account of the cattle plague, or in respect of rates paid by the landlord or the tenant on account of the cattle plague. But according to the system of administration under the income tax there was a rule applicable to all such cases, and therefore there was no necessity for legislation on the subject. In 1863 authority was given to afford relief with respect to the assessment on cotton mills during the cotton famine, and that power had been exercised from time to time, as it would be in the present case in respect of abatements of rates made on account of the cattle plague. Indeed, it was almost involved in the nature of the income tax, because it would be a mere fiction and subtlety to tax what a man did not and could not get owing to such events as the cattle plague and the cotton famine. It should, therefore, be clearly understood that the power of allowing these abatements did exist and would be exercised. So far as regarded the losses sustained by farmers from the direct operation of the cattle plague, they had the remedy in their own hands, because Schedule B allowed them the option to be taxed according to certain proportions of the rent of the farm ; or if the farmer choose to show that his net receipts were less than that proportion, he was at liberty to do so, and would, of course, make allowance for losses by the cattle plague. He hoped that the House would now allow the Bill to be read a second time.

Mr. WHITE inferred that the House did not wish to protract the discussion, but he would observe that the hon. Member for Buckingham was not responsible for the inconvenience which might have resulted to the public service, because the Chancellor of the Exchequer requested the House not to discuss the Budget on the night it was brought forward. But the right hon. Gentleman had never given the House an opportunity of discussing the Budget, and then he reproached the hon. Member for Buckingham for the great inconvenience which had resulted to the public service from the postponement of the second reading of this Bill in consequence of the Amendment of which the hon. Member had given notice. He did not think therefore that the House had been treated fairly by the right hon. Gentleman. The hon. Gentleman the Member for Buckingham, on the other hand, deserved great credit for the course he had pursued, and he begged to tender him his personal thanks for what he had done.

The CHANCELLOR of the EXCHEQUER begged to be allowed to say in explanation that he had not attempted to limit the discussion as to the Budget. His observations were directed to the specific Motion of the hon. Member for Buckingham.

Mr. HENLEY was very glad to hear the right hon. Gentleman speak as he had done with respect to the remissions of duty in consequence of the cattle plague. He might, however, remind the right hon. Gentleman that ordinarily these remissions would come after the assessment, and therefore the tenant would not have the power of availing himself of the alternative to which the Chancellor of the Exchequer had referred. What the tenant wanted was that he should get protection under the clause. That was a question which the right hon. Gentleman would do well to take into consideration, so that the Commissioners might be able to remit the duty where it would be right to do so.

Question, "That the words proposed to be left out stand part of the Question," put, and *agreed to.*

The Chancellor of the Exchequer

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

TERMINABLE ANNUITIES BILL.

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Childers.*)

[BILL 144.] SECOND READING.

Order for Second Reading read.

The CHANCELLOR of the EXCHEQUER: Sir, I rise now to submit to the House a statement with respect to this Bill, and I must begin with a confession on my own part, and at the same time with a plea in mitigation of any blame that may be due to me. I must confess that I ought, according to general rules, to have given in the Financial Statement of the year a fuller explanation of this measure, and especially a more complete statement of the grounds for adopting it, in order to convey a perfectly clear idea of it to the House. But, at the same time, the House will understand that the Financial Statement annually made involves such a mass of varied matter that the Minister who delivers it may well be unwilling to add an hour to a speech which must of necessity be a long one, for the purpose of entering into all the details which I fully admit to be requisite in order to enable the House to understand the nature of the proposals which I now recommend to its notice.

I will advert, in the first instance, very shortly to a particular point, my object being merely to obviate a misapprehension which has arisen out of certain words of mine incautiously used. It is quite true that in the Financial Statement I dwelt, particularly in connection with this subject, upon certain opinions which I think, although of necessity they are indeterminate in their form, yet are more and more coming into vogue with respect to our supply of coal. Now my intention was not to make those opinions the basis, properly so called, of a proposition which, as I will presently proceed to show, did not in the least degree stand in need of them — that is to say, which I think quite capable of being supported without the least reference to those opinions. On the contrary, the proposals which I have to make depend upon those ordinary considerations which I may safely take for granted as belonging to the fixed policy of the country—considerations which, in my opinion, are amply sufficient to justify the proposition which is now made to the

House. On the evening when the Financial Statement was made the right hon. Gentleman the Member for Oxfordshire, with his usual acute discernment, observed that the proposal was a somewhat small one when it was measured by a reference to the prefatory reasons by which it had been introduced. Undoubtedly, I think that observation is a just one, for those prefatory reasons, which might well have been dispensed with if the proposals now before the House were to be put each of them on its own merits as an isolated proposal, were, in truth, intended by me to bring to the mind of the House considerations somewhat wider than those which are involved in the measure now before us—considerations connected with the policy of adopting a more decisive course, not only for the present but for future years, in regard to our action upon the public debt. I can assure the House—I need hardly assure those who heard me—that I did not mean to convey that the greatness of England was exclusively dependent upon coal, and that we were to look upon the exhaustion of coal as fatal to her greatness. I treated coal as a special, peculiar element in connection with the greatness of England, as an element which largely contributed not only to that greatness in general, but in particular to the commercial precedence of England over other countries; and that is the point which it is essential to keep in view. That England without her coal would keep an equal place in the race of nations I am little disposed to doubt. But it is her precedence in the race, it is the start she has already obtained, it is the constant gaining ground, if I may so speak, upon herself, and exhibiting increased accelerations of development as she appears to exhibit them, if not from year to year, yet from one term of year to another—it is these things which, as I think, constitute that specialty in our position which results not only from the possession of coal generally, but from the almost exclusive possession for the purpose of bringing to market of unlimited quantities of the cheapest coal.

These, then, were the considerations which I presented to the House, not by any means in the form of strictly determinate and rigid propositions, but as considerations of great weight, and so far determinate that they ought to influence our policy, while, at the same time, they ought to be presented only in a general form; because if presented specifically they would be likely to lose a great part of their title to practical attention. The state of our knowledge is such as to call for attention, but not yet such as to warrant very precise conclusions. I adhere, then, to the general scope of those observations, but with the qualification that they are, as I have stated, necessarily indeterminate.

But returning to the principal points involved in the present Bill, I have two propositions, in the first place, to state to the House. First of all, a portion of the argument which I have heard to night from my hon. Friend the Member for Salisbury (Mr. Marsh), and portions of arguments which I have heard in various forms on the subject of this Bill, are, I think, to be met by this observation—that the policy of paying off our debt in fixed sums from year to year in the shape of Terminable Annuities has never been fully argued by me because I have assumed it as a datum. I have assumed it as an elementary proposition fixed and embodied for a long time past in our financial policy. If any one should say that the whole scheme of financial policy ought to be recast and re-considered from its first principles, they are entitled to do so; and if they think that this is a fit occasion for considering the matter somewhat at large, well and good. But I excuse myself for not entering into that subject on the occasion of the Financial Statement because I always thought that that which had been embodied from time to time in so many Acts of Parliament, including, indeed, one of the present year, and which had taken as the basis of such great transactions as is the system of Terminable Annuities, might be held to be a matter upon which, until it was questioned, argument would not be necessary.

Now that being so, and the policy of our Terminable Annuities in their social forms being a fixed portion of our financial system, the simplest and most natural justification of the proposition I will make is undoubtedly to be found in this—that it is not, as my hon. and learned Friend the Member for Suffolk seems to suppose, a great extension of that which we have uniformly done; it does not at all amount to a marked step in advance, as compared with our traditional and ordinary scale of proceedings; it amounts to only this—an attempt to recur to something like the scale of operations for the reduction of our debt by means of Terminable Annuities, which scale had been uniformly maintained for a considerable period until about five years ago.

At the close of the Great War, putting together the life annuities and annuities for terms of years, we were paying away in this form an annual sum of £1,900,000. It was evident, however, the fixed policy of Parliament to work that amount upwards and to secure the payment of a larger and larger portion of money from year to year with regularity in the shape of Terminable Annuities, including, of course, a proportionate liquidation of the capital of the Public Debt. Consequently, when we reached the year 1840, that annual amount, which had been only £1,900,000 in 1815, had been brought up to about £4,300,000 in round numbers. From the year 1835 to 1859, a period of a quarter of a century, our annual charge in respect of Terminable Annuities, a large portion of which represented the interest of the debt, but a large portion of which, likewise, represented the re-payment of the capital of the debt, was on the average about £4,000,000. In 1860 by the lapse of the long annuities that charge fell to £2,094,000, so that there was at that moment—in consequence of the lapse of the long annuities and of our inability at the time to adopt any extensive measure for the purpose of re-filling the gap—a considerable retrogression in our operations so far as regards the liquidation of the Debt.

It may be said—and I am probably open to the comment and to the criticism—that I was myself the person who proposed to Parliament a different disposal of our funds at that day; and if that were now a matter to be discussed, I am prepared to defend the course I then took, in common with my colleagues, on account of the exceedingly important and beneficial nature of the objects which were contemplated by the financial measures of that year. But that justification applies only to the particular juncture; but we neither expressed nor favoured an opinion that this kind of operation should be permanently reduced; on the contrary, we have made various efforts since for a partial extension of it, and we now propose a larger one.

I think with my hon. Friend the Member for Salisbury and my hon. Friend the Member for Westminster, that there were certain operations aiming at the removal of the most objectionable taxes which it was of the first importance to effect, and that it was a wiser course to reduce those taxes than to pay off the debt. But, when you have advanced a certain point in the reformation of your fiscal system, the balance of consideration begins to change, and a greater urgency begins to come into view for the re-payment of debt, with a diminished urgency for the remission of taxes or for maintaining an equal dispatch in that remission. Since that time we have not been entirely neglectful of the question, because we have done something, although not much. We have since 1860 or 1861 increased by the sum of £300,000 or £400,000, the annual charge for Terminable Annuities, which stood in 1865 at about £2,400,000, and an Act passed duing the present year will make a further not inconsiderable addition. But still, if I take the payment as it stood in 1865, the House will see that the character of the measure now proposed is simply one to make a further contribution from annual revenue towards the liquidation of the public debt in a recognized and established form; and that it is not, properly considered, an extension of our system, such as it prevailed up to 1860, but a partial attempt to approximate to the scale on which we had then begun and for a rather long time continued to act. We are at present about £1,600,000 annually within what we paid on the average for the quarter of a century before 1860, and the law passed during the present year would bring that £1,600,000 down to between £1,200,000 and £1,300,000. But the Bill I am asking the House to pass would scarcely do more than replace us in the position in which we stood, I may almost say, as a matter of course before 1860, when we were all accustomed to look on this payment of large sums in the shape of Terminable Annuities as being a fixed and beneficial part of our financial policy.

Now, Sir, let me offer a few words on the interesting question, whether we ought to contemplate in prudence and in wisdom a system of increased effort for the reduction of the Public Debt. Is it wise for a nation burdened with debt to make it an object of policy to reduce the debt? There are certain cases in which I, for one, should admit that this can hardly be considered an object of policy. The argument, indeed, commonly used against the reduction of Public Debt — and it is a very fallacious argument in the only case in which we are practically concerned—is this, that the debt is held by the public at an interest which may be represented at 3 or $3\frac{1}{2}$ per cent; so that if we pay off the debt the saving for every £100 paid off cannot be taken for a larger sum than £3 or £3 10*s*., but that the money thus obtained and used in repayment is taken from the mass of an industrious community, who are so employing it in commerce and in enterprize that they are making 5, 6, 8, 10, or even it may be 20 per cent, at any rate a much higher rate of profit, out of it. In my opinion that argument is entirely fallacious, because it seems to assume that the operation of paying off a debt which only costs £3 10*s*. is a final operation, and that when the money has been paid back to the public creditor it ceases to exist for any practical purpose. But that is utterly and totally untrue. The money employed in paying off debt goes straight into the money-market of London, and becomes at once available in the most direct and effective manner for cheapening capital, and thereby stimulating production. And, as far as I know, the only qualification which ought to be attached to that is noticed by Mr. Mill in his *Political Economy*, where he discusses the subject of the liquidation of National Debts, as in the case of a country whose industry is active and whose public burdens are serious, but where the debt chances to be held not by natives but chiefly in foreign countries. I grant that in such a case a very important element is introduced into the discussion, the exact value of which it is not material now to attempt to fix. That is not our case, for our debt is held in an enormous proportion at home, and when £100 is raised by taxes to liquidate the debt it is just as available for the purpose of stimulating enterprize and industry, and producing 5, 10, or 20 per cent of profit, as it would have been if the debt had not been paid off. I might, perhaps, strengthen this statement by observing what I think Mr. M'Culloch and other economists have remarked, that although taxes are grievous evils, yet they are not unmixed evils, inasmuch as they have a great tendency to check waste and produce economy. It would be possible on this ground to argue plausibly, and something more than plausibly, that money raised by taxes to pay off debt would become more largely available for the purposes of production than if the debt were not paid off.

It is again stated, and with perfect truth, by those who are adverse to efforts for the diminution of the debt, that we cannot estimate the reduction of our debt down to this time simply by the dry and bare figures as they stand before us. We must not consider, they say, merely the naked proposition that we have brought our debt in half a century from £900,000,000 to £800,000,000, but we must also consider the relative power and wealth of the country. And it is a very fair and plausible doctrine to hold that owing £800,000,000 of debt, we are at this moment fitter, so far as wealth is concerned, to enter upon a great, sanguinary, and protracted struggle —though may God forbid it should be necessary—than were our forefathers at the time of Mr. Pitt to enter into a revolutionary war, and when our debt, perhaps, did not much exceed £50,000,000. But that, however true, is not a sufficient and satisfactory answer. I should be very sorry, indeed, apart from the horrors and mischief of war itself, to see the mere financial process of the revolutionary war repeated. I doubt very much whether we have sufficiently realized the enormous political mischiefs that were attendant upon the revolutionary war—the change of tone which was produced in the spirit of our domestic Government; the unhappy alteration which it brought about in the relations of classes; the tendency to stringent and I will say arbitrary legislation; the re-creation or extension which we owed to the Revolutionary war, of that huge system of protection, which Mr. Pitt, if he had been blessed with fair opportunity by the continuance of peace, would, it is almost permitted us to hope, have utterly destroyed. In point of fact, it would not be too much to say that, as regards those indirect consequences, we are only now beginning to extricate ourselves from the results of the Revolutionary war. But there is another most important consideration to be borne in mind as against those who tell us that the nation which went into war in 1793, and which increased the debt from £250,000,000, or little more, to £800,000,000, can much better go into war in—what shall I say?—not 1866, as we trust, but any given future year—that such a nation can much more safely carry its debt of £800,000,000 into war hereafter, and come out of it with greatly increased obligations than the same nation when it had a much smaller debt could afford to wage the war with France and add, as it did add, £600,000,000 sterling to its debt. This, at any rate, should be recollected. There was in the case of the Revolutionary war one most remarkable and peculiar compensation which this country derived from its mastery of the seas. That mastery of the seas became a monopoly of the seas, slightly qualified by American competition, and rigidly defended by a code all our own. But the American marine and the vast power of the American nation were then only beginning to exist. In the main, what between the infancy of America and the command of the seas that we enjoyed, as compared with other European Powers, we became, it may almost be said, the only masters and almost exclusive possessors of the maritime trade of the world. And the stringent code of maritime law, or what we contended was maritime law, made that possession an effective reality. We cannot expect again to see—it would be impossible for us again to see—our trade during a war of an analogous character placed in an analogous position. Those days have absolutely gone by. In the case, then, of the Revolutionary war it must be observed that, while the war brought with it immense burdens, it opened up new sources of wealth for us through the exclusive possession of the ocean trade. Those new sources of wealth cannot be opened up again; and consequently the argument founded upon the supposed parallel between the cases is to that extent, and it is to a considerable extent, fallacious. Do not, therefore, let us hastily conclude, from a retrospect of the Revolutionary war, that we can with safety apply the parallel derived from that period to a policy which, again involving us in a war with £800,000,000 of debt on our shoulders, should be destined to end in adding some three, four, or five, or six hundred millions more to that debt.

Having stated these general considerations, I would now remind the House of the exact character of the proposition before it. The proposition is twofold. First of all, by that which, for the sake of convenience, I call operation A, we propose to convert a book-debt of £24,000,000 into an annuity of £1,725,000 for eighteen-and-a-half years, ending in 1885. That statement, so far, is complete when I add to it the remark that of this £1,725,000, £720,000 represents the present annual charge. But when the dividends for this annuity of £1,725,000 are paid from time to time from the Exchequer, what, under the actual provisions of the law, will become of them? They pass into the hands of the Commissioners for the Reduction of the National Debt, and the Commissioners for the Reduction of the National Debt hold those dividends, as they hold all their other assets, liable to the claims of the trustees of savings banks; I mean now of those useful institutions what we call the old savings banks. The claims of those trustees might absorb the whole of this annuity, or they might absorb any given portion of it. No man can tell how much of it they will draw, because that depends upon causes which it is absolutely impossible to forecast with any precision, inasmuch as the withdrawal of the deposits of the old savings banks is a matter very considerably connected with the general state of the money-market; and the general state of the money-market in the coming year is a subject as to which opinions may vary, and of which there is no certain and fixed criterion. In general, however, we may anticipate that the rise now established in the general value of money, and likely to last for some time, will be found to offer such inducements to the depositors in these banks as to give rise to very considerable withdrawals. In the regular course of things, supposing we terminated with operation A, what would happen would be nearly as follows. The duty of the Commissioners for the Reduction of the National Debt would be to see what is the state of their balances from time to time, and to invest either in public securities properly so called, or in securities guaranteed by Parliament, which are virtually, though not nominally, public securities, as much as could be spared from those balances—that is, as much as could not be deemed requisite for meeting the probably incoming demands of the trustees of the savings banks. Observe, that these powers already exist by law, and do not depend upon the Bill before the House. Therefore, what would happen would be, as I have said, that out of this £1,725,000 the available and spare balance would be invested from time to time as might be most expedient according to the circumstances of the period. That might be invested in Exchequer-bills, in Exchequer bonds, or in any of the stocks of the country; or, again, it might be invested in those guaranteed securities according as circumstances might appear to render it prudent. So far there is no proposal to make any change—there is no proposal that the investments under this Bill shall be absolutely limited to public securities or to the funds. It will continue to be the duty of the Commissioners to make their investments within the limits allowed by law, on the principle on which as bankers they ought to make them. But, still, assuming that a proportion — and, probably, in the ordinary course of things, a considerable proportion—of them would go into the funds, then whatever stocks were in that way acquired would become subject to operation B. And here, and to this extent, comes in the influence and effect of the present Bill. The spare balances, as I have said, would be invested in securities. A portion, at any rate, of those securities would be in the various Three per Cent Stocks; powers are taken by the Bill to convert such stock as might thus have been acquired from year to year into another set of annuities, commencing from the date of the conversion, and ending in the year 1905. That is the character so far of operation B. Now let us look at the result in point of figures. What the immediate result would be for the year I have already pointed out in the Financial Statement. During the present financial year only half of the additional burden of a million becomes payable, because the conversion will only take place in time for two of the quarterly dividends of the annuities to be paid within the financial year. In the next year it is true that the whole of the million would come to charge; but then the remaining moiety of it would be more than met by what is called the Bank annuity or dead-weight of £585,000, which falls in in 1866-7, or, to speak with great precision, partly in the financial year 1866-7, and partly in the following financial year. It is not necessary, however, now to look at the precise relation between the financial effects of this measure and the figures of this, or of the next, or the following financial year. The provision made for these years appears to leave little ground for dispute. It is better, as this is a measure which will operate for a series of years, that we should look at its general effect, and especially that we should look at the maximum effect which it might or would have. Now, I am going to represent the maximum effect of the two operations; and first of operation A, which is comparatively a very simple matter. The annuity to be created is £1,725,000 a year; £720,000 of that is the present charge as interest at 3 per cent on the £24,000,000 of book debt which is to be cancelled; £585,000 more is also present charge, or the sum now payable on account of the dead-weight to which I have just referred. These two sums together make £1,305,000; and deducting that £1,305,000 from the £1,725,000, which will become payable annually, we have an increase of charge —a certain, positive, invariable increase— of £420,000 upon operation A, as compared with what we now pay, and after allowing for the fact that by the operation of law the dead-weight annuity will expire. £420,000, therefore, is all the charge that will come upon the public from the combined influence of these causes.

But, then, I come to operation B; and now I am about to represent to the House a case which, as respects the burden to be entailed, is, I must say, almost imaginary. That is to say, the case as I shall first put it is founded on the supposition that the whole of this annuity of £1,725,000 per annum would from year to year be free for re-investment, and would always be re-invested in stocks. Now, that is a hypothesis so improbable that I merely state it for the sake of information; because, in the first place, it is almost morally certain that the whole of it could not be invested, on account of the demands of the trustees of the savings banks. It is again open to the observation of my hon. Friend the Member for Salisbury that it is almost morally certain some of these years will be years either of loans, or, at any rate, of deficiency, which means years when money must be borrowed in some form or other to meet public charges, and when I may add if borrowed at all from the Commissioners it would almost certainly be taken in the form of some instrument not convertible into the proposed annuities. But still on this assumption, which is hardly a practical assumption, I believe the case may be said to stand thus. In 1885, which would be the last year before the Government again came to Parliament on the subject, there would be, as I have shown, a public charge from operation A of £420,000. Now, from operation B, if the whole of the annuity down to that time had been regularly invested in Three per Cent Stock, the amount of the annuity created by 1885 to be terminable in 1905 would be £3,170,000. But then the stock that had been cancelled would have borne an interest amounting to £1,875,000; so that the additional charge would have reached a maximum, on account of operation B, of £1,295,000, which, added to the charge of £420,000 from operation A, would make a total of £1,715,000. That, therefore, estimated upon suppositions entirely extravagant, would be the maximum amount of the increased charge. That is, I say, the maximum abstractedly, but not practically possible. Then in 1885 the annuity of £1,725,000 would lapse, and there would then also lapse £680,000 a year of annuities belonging to the class of those originally created by Sir George Lewis. Therefore, in 1885 there would be a relief of £1,725,000, plus that £680,000, making together £2,405,000 to be set against the increase of charge which I have stated at £1,715,000; or rather, I ought to say, the relief which would accrue in 1886, supposing the maximum charge in 1885 to be £1,715,000, would be £2,405,000, showing a decrease of charge, as compared with the starting point on the year 1866, of £690,000. [Sir STAFFORD NORTHCOTE was understood to ask whether the Fortification Annuities were included in these calculations?] The case stands thus:—The Fortification Annuities already raised are included. As respects those not yet created, I cannot name the precise figures, but the amount of money which remains to be raised in order to fill up the plan as adopted by the House in 1860 is small. I apprehend that much the larger portion of that money has been raised already, and the case would not be materially disturbed by taking these annuities into view. I am also taking into account the annuities which will very shortly be created by the Act passed this year in relation to the old savings banks. But that which I want now to point out is the precise effect of our present proposal, everything else either being in the power of the House as being prospective, or else being dependent on the operation of proposals which the House has already adopted, and to which it has given the force of law. Hon. Members will now have seen, therefore, that, so far as regards the mere financial extent of this plan, it does not involve any figures which are of an alarming character for those who may be disposed to look upon it with alarm, or which would entitle it to be regarded as a gigantic measure by those who may be inclined to look upon it with favour. [An hon. MEMBER: What will be the amount of Consols cancelled?] The amount of Consols to be cancelled is, I think, shown in the printed paper which has been laid on the table, and will reach by the single operation in 1885, £62,500,000; but then a considerable portion of the price of this cancelling of stock would, of course, then still remain to be paid in the dividends on the annuities that would have to be formed from 1885 on to 1905. I may, however, add that the amount of this operation, so far as the charge on the public is concerned, is confined within moderate bounds.

There are other questions I, at the same time, admit, which may very fairly be deemed worthy of special consideration. From observations which have been made in this House, and which have reached me in various forms, it appears to be thought that a portion, at any rate, of this plan involves the revival of the principle of a sinking fund. My hon. Friend the Member for Salisbury gave expression to this view, and read extracts, copious — but not too copious—from the admirable pamphlet of Lord Grenville. The pamphlet of Lord Grenville, although I have not referred to it recently, I might almost say I fully adopt; it may almost be termed the classical publication on this subject; but I would further observe that no portion of the principle of the sinking fund of Mr. Pitt is involved in the proposal which we now make. This is a statement the truth of which, at any rate its truth in every case except an extreme and very improbable case, I will now proceed to demonstrate. I have been on all occasions opposed to the creation of a sinking fund. I joined many Gentlemen in all quarters of this House, and among others the right hon. Gentleman the Member for Bucks, in objecting to the sinking fund which was created by Sir George Lewis in 1856; and although we did not then succeed in preventing the creation of that sinking fund on paper, yet in the very first year, I think, in which it became practically operative, it was, with my most perfect goodwill, destroyed. I may also take credit with my hon. Friend the Member for Salisbury for this, of which he is not, perhaps, aware, that I have during the present Session obtained power from the House for the abolition of two sinking funds, purely and properly involving every element of such a fund, which have existed without criticism, comment, or I might almost say even the knowledge of any portion of this House, up to 1866; in connection, the one with what are termed donations and bequests, the other with the audit rolls. If, therefore, the proposal before the House be one for the re-institution of a sinking fund, it can scarcely be thought that it assumes that character through any wilful action on my part. But, to proceed with the explanations which I have to make on the main proposal involved in this discussion, let us consider for a moment what are the real objections to a sinking fund. I take them to be as follows :—In the first place, it is said, and said truly, that in having recourse to it you do not pay off, but only pretend to pay off, a debt. That proposition appears to me to be elementary, and Mr. Pitt knew as well as we do how the matter stands in this respect. I do not believe he would have been influenced for a moment by those fanciful calculations about the wonderful effects to be produced by pennies put out at compound interest. He was a practical man, and his main object was, in my opinion, to produce a practical result, and that was to make persons more willing to lend him their money for the purposes of the war. Viewing it as a purely subjective operation, I am by no means sure that he did not produce that effect by his sinking fund ; but we do not wish to produce that effect. We have no occasion at present to borrow, we have had none for a good while, and it may, I hope, be long before we find ourselves in that position. The first objection to a sinking fund, then, is that it is a fiction when it is not really intended to make it the means of paying off debt. The next objection is that the sum you pay under its operation is sure to be less than the sum you borrow in order to pay with, just as if you undertake to pour water over a porous bed from one part of the surface of the earth to another, you must not forget that there will be considerable loss occasioned by evaporation and absorption on the way. So with regard to the sinking fund—you borrow, in order to pay off a given amount, a sum greater than that amount. When you go into the market to ask for a loan the contractor must have his profit on that loan ; and, again, when you go to redeem the stock the jobber must have his profit also ; while all the charges for establishment and for brokerage are regularly going on. Considered on the score of economy, therefore, such a scheme is one which cannot be said to be capable of enduring criticizm for one moment. Such are the financial objections to a sinking fund, and I apprehend they must be looked upon as conclusive. I will, at all events, assume them to be so without any qualification, and I will ask how far are those objections applicable to Terminable Annuities ; because upon the answer to that question would depend, *primâ facie* at least, the merits of the proposal which we now make so far as operation A is concerned, that operation terminating with the creation of Terminable Annuities.

Terminable Annuities have, I think, evidently great political advantages. They place the payment of the public debt to a certain amount beyond the competition with the repeal of this or that particular tax, beyond the caprice and vicissitudes of the finance of a particular year. Some persons may say that this is right, while others may be disposed to look upon it as wrong. It is sometimes said that it is disparaging to the dignity of Parliament and the nation thus to tie up their own hands by entering into a contract which extends over a considerable time. I must, however, confess, for my own part, that I am disposed to side with that long succession of authorities who have established our system of Terminable Annuities, those who have founded the system of life annuities, and those who have made it their object on all occasions to induce Parliament to consent to the payment of debt in this particular form ; because I think that by means of it we are enabled to raise and enlarge somewhat the scale of our liquidation of debt, besides causing it to be more certain. We are enabled to extend the scale, not to any extravagant or perhaps even adequate amount ; but, still a little further than we could carry it if we were to depend exclusively on the application to the purpose of what is known as surplus revenue. There is then this undoubted advantage in Terminable Annuities; but how far, let me ask, are they open, on the other hand, to the charge that they entail the disadvantages of a sinking fund ? There is in a year of surplus no objection to Terminable Annuities, because then you not only have a surplus available for the payment of debt, but if your Terminable Annuities did not exist, and if at the same time all other things were the same, so much of your surplus would be laid by, and you would simply have a payment made under one form which would otherwise be made under another. There is, therefore, no objection to Terminable Annuities in a year of surplus. But how do they operate in a year in which a deficit occurs ? In a year of deficit, we will say that £1,000,000 represents that portion of capital which might by law be appointed to be liquidated through the medium of Terminable Annuities. In such a year, no doubt, at first sight we must allow that nothing is gained.

You are not, indeed, under the disadvantages you would have been under, according to Mr. Pitt's plan, of going into the market to purchase and redeem stock; but still this is the fact, that while you are borrowing in the market you are likewise paying off debt. That, *primâ facie*, is a disadvantage; but I will presently show that that disadvantage—for I admit it to be really such—has no application whatever to the scheme now before the House. This is a matter in dealing with which it must be the object of all of us to arrive at a perfectly clear and dispassionate view of the whole case. I shall, therefore, put it that we have a certain system of Terminable Annuities, under which £1,000,000 goes in liquidation of capital, besides what is due in the shape of interest. Suppose, in a given year, we are borrowing £5,000,000 in the market, it is clear that if we were not paying debt in the shape of Terminable Annuities we need only borrow £4,000,000 instead of £5,000,000. It may be said, in passing, in mitigation of any prejudices against Terminable Annuities, that years of deficit are likely to be, as we hope they may be, exceptional years, while it must also be admitted that the annuities give a scale of operation in liquidating debt which it is unlikely we could otherwise command. There is another objection, however, to Terminable Annuities, which it is only fair to take into account, and that is, that they are only saleable on the bidder's terms in the open market. They do not suit the views and objects of the bulk of those men who have money to employ. They are likewise open to an unfavourable influence, as has been often observed by the hon. Member for Buckingham (Mr. Hubbard), in consequence of the fluctuating and at the same time burdensome operation of the income tax upon them; and for both these reasons they form, especially at present, a costly mode of borrowing in the open market. I am by no means prepared to admit that it might not be good policy to make use of Terminable Annuities, even if you made use of them in the open market, as was done by Sir George Lewis, that is to say by way of supplement to a Three per Cent loan. I think that in the year 1855, he invited biddings for Three per Cent perpetual annuities, and the question put to the lenders was this, for how much terminable annuity, ending in 1885, added to their pounds of perpetual annuity, will you give the sum of an hundred pounds? There is also an objection to deal with Terminable Annuities on the ground that they cannot be disposed of on terms so favourable to the public as to the borrowers, but one minute will suffice to show that that objection is inapplicable to the present Bill, for under this Bill not one of the annuities will be saleable in the open market.

I have stated thus far, Sir, and as fairly as I could, the case with respect to Terminable Annuities, not as considered in relation to this plan, but on general grounds. Now, let us take the principles which I have endeavoured to establish and apply them to the plan before the House. And here I must request that a consideration may be taken into view, which, though vital and fundamental, is a matter less familiar to the great bulk of the Members of this House than to myself and others engaged in the actual administration of the finances of the country. That fundamental consideration is this, that we, the public, are not only to be regarded as borrowers, but as bankers; and further, that whereas we are only occasionally borrowers, we are always bankers. As borrowers we conduct losing operations, but as bankers we are supposed to conduct, and if not improvident, we do conduct, though on a very humble scale as regards the margin of profit, profitable operations. Let the House bear in mind that quite independently of our Exchequer account—that is to say, our account of revenue and expenditure—we have a banking account which runs continually on, and which depends upon deposits received from various sources. I put the funds of the Post Office savings banks out of view for the present purpose; but still, though I put them out of view in the general argument, they have a most important bearing on this question, because it is mainly due to them that, even under circumstances of the greatest pressure, and even in years when the Exchequer account shows deficiency so that we must borrow, we are still likely to have a surplus on our banking account. The answer to any objection to the present Bill turns very much on that most important consideration. We shall in all probability have a surplus on our banking account, even in years when we have a deficiency on our Exchequer account. The surplus of the Post Office savings banks account shows a balance of some £7,000,000, received since their establishment, over our payments out. As bankers, we have need rather than otherwise of the means of investment, and the tendency is not absolutely, but on the whole, to accumulation. On the account of the old savings banks the tendency is at present very decidedly to depletion, but the operation of the Post Office savings banks does more than counterbalance the tendency to reduction on the part of the old savings banks. Therefore, for the present I will assume this surplus to be certain. We have recently had to create Terminable Annuities—the fortification annuities, for instance, but we sell them only to our own banking establishment. We do not admit any other customer, and under the operation of the present Bill we shall do exactly the same. We admit one only customer; and one conversion into Terminable Annuity is at a price regulated by the price of stock; but, in point of fact, whether the price at which the conversion takes place is advantageous or not is of no importance, for if the price is very advantageous to the purchaser of the annuity, the meaning of that is simply this: we merely do so much to enrich and fatten our own banking account, the profit of which goes in the last resort to the public.

Now, Sir, there has been a great deficiency on the savings banks account, which I propose to take the present opportunity of supplying. The effect of this Bill will be to bring up the assets of the Commissioners in respect of savings banks to something like the amount of the claims upon them.

In considering the effect of the first operation, A, I will take certain descriptions of years, dividing them, as I believe will be most convenient, in a threefold manner. I will take years of surplus, years of casual and unanticipated deficiency, and years of regular and foreseen deficiency, that is to say, years of war, when we know beforehand that we must resort to extraordinary resources. With regard to years of surplus, I need not take up the time of the House in making any observations, because in respect to Terminable Annuities like these they would give rise to no possible objection. For in three years that repayment of capital, which takes place in the form of Terminable Annuity, would, if the Terminable Annuity did not exist, be effected in the shape of surplus revenue. But suppose a time when there is a casual deficiency in the Exchequer account, amounting, I will suppose, to £1,000,000. What happens? The Chancellor of the Exchequer, as Finance Minister, goes with his deficiency of £1,000,000 to the Chancellor of the Exchequer in his capacity of National Debt Commissioner, whose receipts have been such as to enable him to spare £1,000,000 from his balance. This it is his business as a banker to invest. Accordingly he makes over to the Chancellor of the Exchequer, as Minister of Finance, this sum of £1,000,000, and probably receives for it Exchequer bills or bonds. It will be seen, therefore, that there is no waste whatever in the transaction, and no economical objection attaches to the proceeding. Then in a year of a loan, no operation could be simpler. With a surplus upon our banking account of £1,000,000, we, the National Debt Commissioners, shall simply lend the sum on the same terms as any other person would give his money in the open market. That is a perfectly simple operation, and, as far as I can perceive, there is no economical objection to it. The only other contingency which requires to be taken into view is the case of a deficit at once in our Exchequer and in our banking account—that is to say, the case wherein a year of deficient revenue, it might also happen the dividends received on the stock and other securities held by the National Debt Commissioners, together with the deposits, should be less than the claims made on them, and where, consequently, the banking account, instead of being able to help the Exchequer account, is itself in need. Now I might, perhaps, contend that the operation of this measure will be beneficial in some respects even in that case. If we had a surplus on the Exchequer account it would be enormously beneficial. The very worst case would be where there was a deficit on the Exchequer account along with a deficit on the banking account. What would happen then? Certainly you would be obliged to borrow money in some shape or other in the open market; but what would you do? Say you borrowed £1,000,000 in that way, and that £1,000,000 went to feed your banking account, what would be the effect of the operation then? It would simply prevent your selling so much stock. Would it be desirable for you to sell so much stock? Most certainly not. Because nothing has so injurious an effect as that at periods which, by the very terms of the supposition, are periods of general pressure, the public should appear as sellers of stock in the general market. It is always very much better that any given sum, say £1,000,000, wanted should be raised by some special arrangement, on Exchequer bills or bonds, than that the National Debt Commissioners should go into the market as sellers of stock in times of falling markets. Suppose the State wanted £15,000,000, of which £1,000,000 was due, under this Act, to the National Debt Office, and suppose the State Banking Account was at the same time short by £1,000,000, then undoubtedly £1,000,000 more would be borrowed by the State, but the necessity for realizing £1,000,000 of Stock in the open market would be obviated. I grant this is not a case in which I could pretend that any great benefit would attend the operation, because it is by the supposition a year of the most unfavourable position in which we could possibly find ourselves. It would be an extraordinary year, but even in that extraordinary year I do not think any real mischief would accrue; and in every other description of year I do not hesitate to say the operation would be one of the greatest convenience as regards the class of circumstances it is most difficult and dangerous to deal with, I mean in years of casual deficit; because it is in such years, when Parliament has not been able to make due provision for the wants of the State, and consequently when the Chancellor of the Exchequer would be in difficulties, from being dependent on the favour of the bank or the money-market in some shape or other, that the operation of the measure would prove eminently convenient.

Well, I have discussed the case thus far only with regard to operation A: but with regard to operation B, the case is precisely the same; because the House will remember that the money we are going to pay—namely, £1,725,000, is trust money, and, being trust money, we must deal with it according to the conditions of the trust. It is not to be dealt with simply for the purposes of the Exchequer, it is held liable to the claims of the savings bank trustees. It is perfectly true that we should be able, under the Bill, to invest the surplus of that money in the public stocks, but so we do under the present law. Under the present law whatever surplus money is received is invested in stocks or in securities guaranteed by authority of Parliament. I do not propose to alter the present conditions as to investment. It would be the duty of the Commissioners to make those investments which, within the limits of their legal powers, might appear most convenient and expedient; but investments must be had, for these monies are trust monies. These investments, however, if made in stocks, might, if this Bill should pass, be reconverted into Terminable Annuities, and the proceeds of these annuities would be subject exactly to the same set of considerations which I have mentioned as applicable to operation A, and which, therefore, it is not necessary to recapitulate as applicable to operation B. The sum and substance of the measure, therefore, will be as I shall now state it. But first I will venture to put out of view, on account of its improbability, the only case in which it could happen that we should be, both for the Exchequer and for the National Debt Office, borrowers and payers of debt in the same year; because, on all these questions, you must look not at what may happen exceptionally, but at what will happen ordinarily. I grant there would be no great substantive advantage attending this operation, considered on its own merits, in a year when an Exchequer deficit happened to be combined with a deficit on the banking account; but, even in that event, I do not admit that a balance of inconvenience would be produced by this measure; because the evil that would be avoided by saving the Commissioners from appearing as sellers of stock in the public market is, I think, a greater evil than that which would be incurred by the necessity of the Chancellor of the Exchequer going into the City for the purpose of raising money. It might be better for him to borrow than for the National Debt Office to realize; and that seems to be, in the very worst case, nearly the whole question. In a case of casual deficit, the Minister of Finance might indeed be able to make the necessary provision by drawing on the public balances; but even if it be thought that for the case of a double deficit my proposition does not hold good, still, and in any case it is a safe proposition to maintain that in all ordinary years—if we take into view the immensely important consideration connected with the system of banking account—no inconvenience whatever can arise out of the operation of a measure like this.

All, however depends, I must admit, on a thorough and clear comprehension by the House of our position as bankers. The dealings of the State under this measure would not be with the public at all, but only with its own banking accounts—with accounts the losses of which it must bear under all circumstances, and the profits of which it would, under all circumstances, receive. Through the Commissioners for the reduction of the National Debt it receives the monies of the savings bank trustees. It is accountable to them for the principal, together with the interest at a certain rate. The principal and the interest, appointed at a certain legal rate, constitute the liabibities of the State considered as bankers. The State invests the monies which it receives from the trustees of the savings banks and from friendly societies, and from the Post Office savings banks. The securities which it holds, and the dividends which it receives on the securities it holds, together with its cash balances, form the assets of the State considered as a banker. I wish, Sir, to point out that this measure has no bearing whatever in any conceivable form on the liabilities of the State, but only on its assets—on that fund which as a banker it holds, and on the relations to the Exchequer which, under the system here proposed, will be relations of extreme convenience. To a certain extent, therefore, we should contemplate, and we hope the House may be disposed to adopt the view, in part now, and in part, perhaps, on future occasions. If the opinion of future Governments and of this or other Parliaments be conformable to the views which I now venture to recommend—we wish to adhere to the policy of paying off debt through Terminable Annuities; but there were certain inconveniences attending that policy, partly, and indeed mainly, dependent on the fact that the State has heretofore repeatedly been compelled to carry them into the open market. What we now propose is to adhere to that system of paying off public debt through the medium of Terminable Annuities, with the intention, perhaps, of developing and extending it from time to time, as the resources of the State and the balance of considerations of public convenience may seem to recommend; but we propose to adhere to that system, freeing it from its serious inconveniences and possible losses, which undoubtedly rendered it liable to part of the objections that are applicable to the sinking fund properly so called; and we free it from that inconvenience and loss by combining the operation of it with the banking functions of the State—by limiting the conversion simply to stocks which form part of the assets held by the State itself as a banker, by paying the dividends to the banking account, and by adjusting through that banking account the wants of the State in years of surplus or years of deficit. With this method of procedure, I think, I have shown that through the operation of such a measure as this, so long as we act simply on deposits in the hands of the public, we completely avoid the objection, even in the most unfavourable circumstances, which must be admitted to apply generally to our becoming borrowers and payers of debt in the same year.

I admit, Sir, that there is a limit to the operations of this kind which can be submitted to Parliament. It is so favourite an idea with many persons that debt should be paid off wholesale by Terminable Annuities, that those who are connected with the management of the finances of the country are continually receiving plans of that nature from volunteers; plans for carrying them into the market for the purpose of liquidating great masses of the National Debt. I am not prepared, directly or indirectly, as at present advised, and with the exception of cases such as 1855, when peculiar circumstances came into view, to recommend to the House the adoption of measures which would have for their result our going into the market to sell Terminable Annuities. I look to our extensive system of public deposits as probably supplying the natural and legitimate limit for the operations we have in view. By this measure we propose to carry the system as far as it can be carried with reference to the present state and amount of the deposits; but it is perfectly possible that the deposits in the hands of the State may in future years be greatly enlarged. It is probable we shall, though, perhaps, not at a very early date, see a lower range of prices for money in this country. I have no doubt that such a contingency, if it arises, will of itself greatly enlarge the deposits in the hands of the State. There is even now in one important branch a progressive enlargement going on. I will not undertake to predict the exact number of years that may pass without a cheapening of money; but I may say this, that if the deposits in the Post Office savings banks continue to increase till the close of this century at the same rate as they have done thus far, we should between this time and that receive a sum approaching £50,000,000, the whole of which, if Parliament thought fit, would be capable of being dealt with in the manner that is proposed by the present Bill. Then there are other modes in which it is quite possible the public deposits might be enlarged. I confess my own belief is that there are various funds in this country, the custody, the natural custody, of which ought to be with the State, upon the simple ground that if a defalcation were to occur this House would be looked to in order to make good the loss ; and whenever that is the case it appears to me to be a necessary corollary that this House ought to have the custody, though I do not say the control or management, of those funds, of course through the medium of the executive Government. These, however, are matters upon which I do not now express anything beyond a general opinion, or do more than point out that, while this measure would carry us to the limit of our present means as far as regards the use of public deposits for the purpose of creating Terminable Annuities, and while we are not, as at present advised, prepared to go beyond those deposits as the basis of such an operation, it is quite possible that the body of assets of which we propose to make use may be considerably enlarged from time to time, either by the action of causes already in operation, or through the adoption of measures by this House which would have a tendency to draw into the hands of the State monies which are at present otherwise held.

Sir, I have now, I think, gone over the whole of this subject, dealing very shortly with that portion of it which embraces the actual figures, because bearing in mind that Gentlemen have in their hands a statement, moved for by my hon. Friend near me, the Secretary for the Treasury, which will show with precision what upon any given supposition would be the exact financial effect of the plan proposed by the Government. Any further explanation it will be very satisfactory to me to afford, and I shall listen with great interest to the sentiments that may be expressed by any Members of the House, making the free admission—indeed, setting out with it as a first principle—that we do not desire to be parties to the re-establishment of a sinking fund, in the earlier and exceptionable sense of the phrase, but that, taking advantage of the large sums which the State receives in its capacity as banker, we now at length possess a means by which we can avail ourselves of the undoubted benefits of a system of liquidating portions of the Public Debt through Terminable Annuities, while at the same time avoiding the great inconveniences which in former times were incident to that process.

Most anxious, however, am I not to seek to claim for that proposal the credit of attempting or effecting a great operation. The scale of the measure, though not inconsiderable, is moderate. It is perfectly possible that any action that takes place under operation B may be rather insignificant. Indeed, it would not at all surprise me to find the demands made on the savings bank debt so large that the funds available on this account would be very small indeed. I am bound to point out that contingency, but the House must remember that the Post Office savings banks supply a growing fund under which we have already obtained powers to make conversions of this kind of permanent stocks into Terminable Annuities, and, of course, as long as we believe it to be consonant with the views of Parliament expressed in our actual legislation or otherwise, it would be our duty to continue this operation.

I have only one observation to add to what, I fear, the House must have regarded as a very protracted explanation. I have not argued in detail the policy of making this application of the money, rather than of applying it to the remission of any particular tax, and I think I should only be abusing the patience of the House if I were to enter at this time upon a comparison of the merits of this plan with the merits of the plan of the hon. Member for Dudley, who proposes to divert the fund dealt with by the Bill, or of any other plan of disposing of this portion of the surplus of the year. My wish has been that, on the occasion of the second reading of the Bill, the financial character of the operation proposed should be thoroughly understood by the House, so that it may be able to form a mature and deliberate judgment upon the very important question whether, while we are endeavouring to pursue a public object of the utmost importance, we are or are not liable—I myself think we are not liable—to the imputation of reintroducing principles which, however plausible they may have seemed on their first promulgation, have been proved by experience to be unsatisfactory, and principles which, after such experience, and after such condemnation as they have received both in writing and in practice, it would undoubtedly, I think, be a great mistake on the part of any Government to endeavour again to place in a practical form upon the statute book of the country. I now beg, Sir, to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Chancellor of the Exchequer.*)

MR. HUBBARD said, he did not intend to raise an argument upon the policy of applying the surplus of revenue in the way proposed, but he wished to remark upon some points which the right hon. gentleman had not, he thought, made perfectly clear. The first remark he had to make was, that this Bill proposed what was equivalent to an addition to the existing taxation. He submitted that when the country was in a state to pay off debt they were in a position to exonerate the country from so much taxation. This was the first point which should be distinctly understood. The Chancellor of the Exchequer had treated the cessation of the dead weight of £585,000, expiring in 1867, as an additional source of revenue; but the fact was, that whatever payment was made in liquidation of that loan was really raised by taxation. It must not be said that because we ceased to pay £600,000 to the Bank therefore that we had got the £600,000. This was the first fallacy which he detected. Again, in the Return placed on the table, a case was assumed in which the whole of the savings banks deposits would be released from other claims to be applied to the creation of Terminable Annuities, while the argument of the Chancellor supposed as possible the opposite extreme, that the entire annuity should be absorbed in payment of re-called deposits; but this was surely a monstrous supposition, for the Post Office savings banks, instead of showing a decline in the deposits, presented every year a steady increase. This was a matter of great satisfaction, and he felt no apprehension of the increase not continuing. Nor could he see any reason for the distinction which the Chancellor of the Exchequer appeared to draw between the operations of the old savings banks and those of the Post Office savings banks. A million and a half were last year withdrawn from the former, but that amount had not gone back into the pockets of the depositors, but had been transferred to the Post Office banks, and this process was likely to continue. [The CHANCELLOR of the EXCHEQUER: Oh, no.] The right hon. Gentleman had himself quoted the figures. He (Mr. Hubbard) admitted that Terminable Annuities were, under certain circumstances, a means of paying off the National Debt. When Sir George Cornewall Lewis' annuities were proposed, he (Mr. Hubbard) protested against them on the ground that they would never be a marketable commodity; and though this opinion was strongly combated, the result had proved its correctness, for not a single pound's worth had ever reached the public market, or ever would do so while the income tax continued in its present shape. If Terminable Annuities were placed with the public, he admitted that this would be paying off the National Debt; but the mere creation of the Terminable Annuities now proposed would not pay off a farthing of the debt, although it would be an immediate means of taxing the people. The process was this: by calling Terminable Annuities a charge upon the Consolidated Fund, they were making a pretext for raising a million more money annually by taxation. Only three years ago the Chancellor of the Exchequer propounded a scheme for annihilating twenty-four millions of stock, which he said it was inconvenient to keep as an investment for the deposits of savings banks, and substituting a book debt of an equal amount, which would be invariable in value, and would not fluctuate with the funds. The House admitted that that was a wise arrangement; but the right hon. Gentleman was now going to reverse that policy, and cancel the book debt. £725,000 a year was to be devoted to the payment of the interest due to depositors, and a million was to be invested in Consols and other funds. Now, this would place the savings banks exactly in the same position that they were in three years ago, and what constituted the reduction of the debt was not the payment of this £1,725,000 per annum, but the operation of buying these Consols in the market and cancelling them. The Chancellor of the Exchequer might go through the same operation without creating the Terminable Annuities whenever there was a surplus of a million on the Budget; and the fact was, that these annuities were not a necessary means of paying off the National Debt, but were a pretence for making the people pay a million more taxes a year in order to redeem the debt. Whether this measure were to be accepted or rejected by the House, it was surely much better to call things by their right names. It would be in the power of the Chancellor of the Exchequer in the year 1888, of his own arbitrary volition, to add the sum of £2,000,000 per annum to the taxation of the country, because he would have the power to convert the £17,000,000 he had then accumulated into annuities terminable not in thirty but in six years. [The CHANCELLOR of the EXCHEQUER dissented.] The right hon. Gentleman would find on looking at the Bill that by Clause 2 the Commissioners for the Reduction of the National Debt for Savings Banks might apply from time to time any part of the Terminable Annuities created under the authority of this Act which should not be required to pay the demands of the trustees of savings banks in the purchase of capital stocks of perpetual annuities, and might hold them, it did not state for what purpose. By Clause 3 the capital stocks of perpetual annuities held by the Commissioners under the authority of this Act might from time to time be cancelled by warrants of the Commissioners of Her Majesty's Treasury, and such warrants should create equivalent Terminable Annuities in lieu thereof, not extending in any case beyond the 5th of April, 1905. It would be seen that the clause only limited the length, but not the shortness, of the duration of the annuities. This was the only clause bearing upon the question, and there was nothing in it to prevent the Chancellor of the Exchequer from operating with regard to these annuities in such a manner as would throw an additional burden of £2,000,000 per annum upon the country. He thought that the matters he had referred to should be made clear before the Bill went into Committee.

MR. LAING said, that from the course proceedings had taken, the House was discussing the important principle involved in this Bill under great disadvantages. In the first place, the discussion had been cut in two by the Amendment of the hon. Member for Buckingham, and, owing to the Bill being taken at an hour in the evening when it was scarcely possible to keep a House together even where the subject was far more attractive than that before them, hon. Gentlemen found some difficulty in arguing the question. A second and still more serious disadvantage, however, arose from the totally different ground upon which the Bill was now laid before the House from that taken by the Chancellor of the Exchequer in his Budget speech, when it was alluded to as a measure involving principles of the greatest importance. [The CHANCELLOR of the EXCHEQUER dissented.] Early in the Session they had had a most remarkable speech from the hon. Member for Westminster, in which they were informed that a new light had dawned upon him, which had revealed to him the fact that they were behaving unjustly to their posterity in not making adequate provision for the payment of the National Debt, and he added force to that proposition by the argument he drew from the prospective exhaustion of the coal-fields. The proposition so advanced by the hon. Member he certainly understood the Chancellor of the Exchequer to adopt to a great extent. The right hon. Gentleman had given them a full and elaborate view of the position of the country with regard to the National Debt since the conclusion of the Great War, and compared the debt of this country with those of other nations. In telling them that the National Debt had been reduced during the current year by about £5,000,000, and by an average of £3,600,000 during the last ten years, the right hon. Gentleman stated emphatically that this was not a satisfactory rate of reduction. He repeated the argument of the hon. Member for Westminster, derived from the alleged exhaustion of the coal-fields, re-inforcing it by reference to other authorities, and the result was to leave upon the minds of many persons the impression that the introduction of the Bill before them was to be the inauguration of a new era with regard to the financial position of this country, and an admission of the necessity for making greater efforts in future than had been made in the past for the reduction of the National Debt. Another disadvantage under which they laboured in discussing this Bill was that the broad general principles put forward in the speech of the Chancellor of the Exchequer in introducing the Budget were lost in the extreme complexity of the details of this measure. It was always an ungrateful task to have to answer speeches made on a former occasion; still he felt that, where certain principles were advocated with eloquence and authority, those who differed from those principles should have an opportunity of placing before the public their answer to the argument put forward in their support. In the first instance, he would refer to the broad distinction drawn by the Chancellor of the Exchequer between the principle of dealing with the National Debt by means of Terminable Annuities and that of dealing with it by means of a sinking fund. He did not agree with the right hon. Gentleman that any such distinction existed between those principles. If the facts and the arguments of the hon. Member for Westminster were correct, he believed the legitimate conclusion would be that they should make a great effort, by means of extra taxation, to establish a *bonâ fide* sinking fund, and thus to make a considerable impression on the National Debt. Now what was the principle of a sinking fund? The Chancellor of the Exchequer seemed to assume that its very essence was borrowing with one hand in order to pay with the other. That, however, could not be the case where the sinking fund was established out of surplus funds raised by taxation. The weak point of Mr. Pitt's sinking fund was that he forgot that while they accumulated at compound interest the money they were paying off, the money they were borrowing was accumulating at the same time at a greater compound interest, but that did not apply to a sinking fund where there was a *bonâ fide* surplus. The real difference between a sinking fund and Terminable Annuities was, that by a sinking fund they avoided the difficulty of buying in a limited market, and therefore at a disadvantage. A sinking fund in years in which there was no surplus was merely an expensive delusion. It appeared to him that the real difference between extinguishing the debt by means of a sinking fund and paying it off by means of Terminable Annuities was this, that in the first case the surplus of prosperous years only could be devoted to that purpose, whereas in the latter case they would bind themselves to the creditor to pay him whatever the disasters of the year might be. By the measure before them they were to bind themselves to pay a certain sum for so many years, but supposing in the course of those years there should be a deficiency, or that they were at war and were compelled to borrow in order to pay the sum due upon the annuities, would not they have to pay a far higher rate of interest for the money they were borrowing in order to meet the demand than they would have had to pay in case the Bill had not been passed? The whole advantage to be found in the adoption of the principle of Terminable Annuities consisted merely in the fact that it provided securities against ourselves, and enabled us to dispense with the necessity of trusting to our own virtue. If the House of Commons could but trust its own resolution to keep up an adequate surplus in times of peace, the best way to pay off the National Debt would be to purchase it in the open market, or by keeping up a sinking fund, and so accumulating the surpluses. These plans were undoubtedly easier and cheaper than that of Terminable Annuities; but by accepting the latter the virtue of Parliament would certainly be less exposed to temptation. It might possibly be advantageous to adopt some such principle with the large dead weight which would fall in in the ensuing year; but, even in that case, next year, and not the present, would be the proper time to make a proposal upon the subject. The objection which he had to the measure referred mainly to its prospective character. He objected to the hands of Parliament being tied in its dealings with reference to the revenue and expenditure of future years, and on that principle such a proposal as that now made should be made next year instead of this, when it was proposed to deal with money which as yet was not in our possession. But had a new era arrived, as the principles now advocated would seem to imply? Had a new light really dawned upon us? Had we been neglecting our duty to posterity, and was it incumbent upon us to do something very different from what we had been doing in the past? The past financial history of this country had tended to establish two principles more clearly than any others, and they were the condemnation of the principle of Mr. Pitt's sinking fund and the condemnation of any prospective financial legislation. It was a sound principle that the Budget should deal as far as possible with the affairs of the year, and take as little prospective action as possible. Parliament ought to be able to deal with the financial situation as it arose, and to exercise its own judgment upon it. He did not presume to maintain that those principles were sound simply because he held them. They had been accepted and announced by several of the most distinguished statesmen of this country. In a debate in 1858 Sir George Lewis, certainly one of the wisest statesmen of modern times, had stated his opinion in the House, that Parliament ought not to enter into prospective engagements with respect to the taxation of future years. The arguments employed by the hon. Member for Westminster tended to preclude the discussion of the question on the ground of expediency, and to substitute instead its discussion on the moral ground of duty. He could not, however, avoid thinking that the analogy drawn by the hon. Member from the case of a private debtor was a mistaken one. The debt incurred by a private person was almost always an engagement by which the debtor bound himself to pay it off at some not very remote period. If he, therefore, neglected to make provision for its payment the chances were that at the expiration of the prescribed term he would not be able to meet the demands of his creditors. But in the case of the country the contract was an entirely different one. It was quite a mistake to talk of £800,000,000 of National Debt. Our obligation was in reality the annual payment of £26,000,000, mainly perpetual, but partly, also, terminable. As long as we continued to maintain the ratio between the resources of the country and the amount of the annuity as high as formerly we satisfied our obligations to our creditors ; if we either increased our resources or diminished the annuity we did more than we were bound to do ; but we were meeting them as effectually by the former as by the latter process. In point of fact, there had been a great deal of misapprehension which might have been corrected by a reference to the facts. Let the House consider how this country stood at the conclusion of the Great War. At the end of the year 1815 the National Debt amounted to an annual payment of £32,000,000. During the fifty years, therefore, that had elapsed since that period we had reduced the debt by £6,000,000 a year of annuity, or, in other words, had reduced the amount of our National Debt by one-fifth, or 20 per cent. In the same period the commerce of the country had increased more than five-fold. That had been the result of working on the principle he had named ; and it was simply a question whether in the words of Mr. Poulett Thomson, afterwards Lord Sydenham, they should permit the money to fructify in the pockets of the people, or whether they should have a sinking fund, which he might describe as real, in contradistinction to an illusory sinking fund, which amounted to no more than a proposal to borrow money with one hand in order to pay it away with the other. Now, when it was remembered that this country had in the course of the past fifty years increased its power of paying its creditors certainly three or four-fold, while it had reduced its National Debt 20 per cent, we could not be fairly accused of having failed in our duty. Those instances of the debts of foreign countries alluded to by the Chancellor of the Exchequer strengthened this argument, because they showed that during the last ten or fifteen years England alone had considerably reduced her debt, while she had enormously increased her power of fulfilling her obligations. Then the question of coal had been imported into the discussion, though he really did not think it had much practical bearing upon it. The remoteness of the contingencies anticipated robbed them of all practical weight. Possibly, the investigations of a Royal Commission might give something like definiteness to the theories advanced ; but at present, without pretending to say how many millions of tons of coal may remain workable at a given date, he thought the matter was well put by the hon. Member for Salisbury when he said it was a sort of mathematical puzzle, to which the key might be found in the shape of an elaborate calculation by geometrical progression. The whole argument was based upon the assumption that the consumption of coal would increase according to geometrical progression. It was perfectly certain, however, that nothing of the sort would happen. When coal became scarce certain branches of industry in which coal was very largely consumed would have to be given up to a great extent, and other branches of industry in which coal was less extensively used would be carried on instead. England would, doubtless, fail to preserve her ascendancy over other nations in the production of pig iron if coal were dearer to her ; but it was equally without doubt that she would increase her manufacture of articles in which the cost of coal was of small moment and preserve their superior quality at the same time. For instance, the cost of spinning coarse cottons was much greater on account of the coal used than in spinning the finer numbers. The whole tendency of modern manufactures was to bring about not only a subdivision of labour, but what might be called an international subdivision of labour ; and thus certain countries, owing to their climate or geographical situation, would excel in particular classes of workmanship which they would naturally cultivate. Then, why should not England, if coal became scarce, be able by virtue of its valuable geographical position and its facilities for communication, to supersede other countries in the spinning of fine yarns, as other countries might, in consequence of the same anticipated event, excel England in the spinning of coarse yarns; and why should not England excel in the manufacture of iron wares as other countries would, in the case supposed, excel in the production of pig iron? The whole thing was entirely speculative, and it was impossible to say what would happen in so remote a period. But, pursuing his argument, he would admit even the most extreme case, the entire exhaustion of our coal supply. Instead of using that as an argument to pay off the debt, he would rather picture to himself this island as having then an enormous accumulation of capital—of becoming, like Holland, the bondholder and fundholder of Europe. He could imagine that the old country would still possess attractions enough to draw thither men who had made their fortunes in the colonies; and altogether he saw no reason why they should not be able to pay their £26,000,000 for the interest of the debt then as easily as they did now. Indeed, if it were assumed that the coal supply would be exhausted within 100 years, was it not quite an open question whether it would not be better to meet the position by accumulating wealth while the coal lasted rather than to impede the springs of industry by retaining taxes to pay off the National Debt? If the rule of geometrical progression were to be applied to the coal supply, it should also be applied to the growth of the national wealth. Applying the rule, then, what would be the result? If a penny income tax produced £1,400,000 now, and if the incomes of the people were in the future to double themselves every twenty years, as they had done in the past, the result would be that an income tax of ⅜*d.* in the pound would produce £26,000,000, or the whole amount of the interest paid on the National Debt. He did not, of course, propose that as a serious prophecy, but he did offer it as an argument that, for all practical purposes, the coal question might be left out of account; because he maintained that precisely the same reasoning as that adopted with respect to the coal question would lead to the other conclusion, that if incomes continue to increase in the future as they had in the past, the result would be that an income tax of between a farthing and a half-penny in the pound would produce sufficient to pay the whole of the interest of the National Debt. Returning from the region of speculation to sober detail, he expressed the opinion that the question was simply one of practical expediency. It was for Parliament to consider what was the fair balance of the argument between the claims of reduction of taxation or increase of expenditure, and the reduction of the National Debt. Putting the matter upon simple and rational grounds, he was very far from saying that in times of peace England should not do something towards the diminution of the National Debt: and he said that not because of those remote contingencies which had been suggested, but because experience led them to believe that the advent of bad years was not improbable as a result of foreign entanglements, famine, and other causes; and these would tend to increase our National Debt. One bad year was sufficient to swallow up the savings of five-and-twenty good ones, and therefore it was advisable to do as England had done in the past—namely, not to look forward to spending to the last farthing the whole of her estimated revenue, but to leave a moderate surplus. The question was what amount of surplus ought to be retained for this purpose? He did not object to the way in which the Chancellor of the Exchequer proposed to deal with the surplus of the present year as regarded taxation. He did not think the surplus should be reduced further than was proposed, when he looked at the year in the light of European politics and the menace of a general war. Looking also at the state of the money-market, he felt that there was considerable risk that the next year would not be so prosperous as the past. His objection, therefore, was not to the surplus that had been left over for the present year, but to the proposal to go beyond it, and to say that we ought to pledge ourselves for the next eighteen or nineteen years to come to raise an extra £1,000,000 of the taxation of the country for the reduction of the National Debt, and that the option should not be open to future Parliament which was open to us—to weigh and balance of the various considerations for reducing taxation or the debt. The only argument offered in support of the proposals made was that we had now got rid of all bad taxes, and that in the future a sort of financial millennium was about to commence in which no taxes save good ones would remain. To a great extent he coincided with the principle contained in that argument. He had had occasion to uphold it against his hon. Friend the Member for Brighton, at the commencement of the Session, and he was glad that he had such a powerful auxiliary in the hon. Member for Westminster to support him by his assertion that they had now few bad taxes left. He could not, however, go quite so far as the hon. Member for Westminster; for to specify what taxes were good and what were bad required a somewhat comprehensive view of our financial position. By dividing the national revenue, however, into two or three classes the matter would be simplified. With regard to spirits and other stimulants, which produced about £26,500,000, in round numbers, those were articles which ought to be taxed, and rather than reduce the duty upon them in the event of a surplus he would retain it to pay off the National Debt. On the class of what might be called harmless stimulants such as tea, coffee, sugar, dried fruit, and various miscellaneous articles which contributed to the revenue, in round numbers, about £10,000,000, taxation had of late been considerably reduced, and could no longer be called oppressive. As long as it was necessary to raise revenue, those were proper articles for taxation, although he contended that, if the nation could afford it, the duty upon them should still further be diminished. The rate of taxation on the chief of them varied according to the quality from 35 to 55 or 60 per cent, giving an average of 40 or 45 per cent. This was not excessive when the taxation imposed in former years was considered; but, nevertheless, it was pretty high. If it were possible to reduce the duty on sugar and other articles to an average of 20 or 25 per cent, such a reduction would, no doubt, be attended with beneficial results. The consumption of those articles, he believed, would be augmented, and in that way a great part of the deficiency of the revenue would be made good, while the labouring classes would be materially benefited, and the commerce of the country enlarged. He could not, however, say that the duties he was referring to should be classed among the bad taxes, although a further reduction of them was desirable. Here he might advert to the duty on malt, to which the attention of the House had been specially directed by the hon. and learned Member opposite. He thought that as long as it was necessary to derive a large portion of the revenue from alcohol in the shape of spirits malt or beer should not be exempted. At the same time, it appeared to him that the discussion on the malt duty brought the House to this point—namely, that the imposition of the tax on the article at the last stage, beer, instead of on the article at its earlier stage, was simply one of practical difficulty, which he had no doubt would some day be overcome. There need not be any change in the amount of the tax, but still it might require a considerable surplus in the first instance to carry that change into effect; and he would ask the hon. and learned Member, and those who supported his views, whether they would like to see the House pledged to a course of procedure with respect to the reduction of the National Debt, which would preclude them from dealing with any such important proposition as that relating to the malt duty that might hereafter be submitted to its consideration. He next came to assessed taxes, stamps, licences, and similar imposts, which altogether produced about £22,000,000. He included in this calculation the insurance duties, about which the House had heard so much that evening, and which everybody must feel were a simple question of finance. No one could doubt that it was desirable to get rid of a part if not of the whole of the present insurance duties if we could afford it. But even a stronger case had been made out for the remission of the duties on locomotion. Indeed, no one could have listened to the discussion on the question of taxing locomotion when the Chancellor of the Exchequer introduced the Budget without being convinced that an exceedingly strong case was presented for a much larger remission than that the right hon. Gentleman proposed. The hon. Member for the Tower Hamlets had in that discussion mentioned some of the glaring absurdities of the present law. The tax also caused large numbers of poor women, the wives and daughters of the working classes, of whose welfare the House was so tender, to walk home through the dirt and rain to the great detriment of their clothes and temper because cheap omnibuses did not run from the railway station. These were subjects demanding the fair consideration of the House in future years, whenever there should be a surplus of revenue. He did not urge that such taxes as those on insurance and locomotion should be remitted this year, because, as he had stated, moderation and prudence were desirable in dealing with financial matters. Considerable reductions had already been made, and he could not see very clearly what would be the surplus next year; he would reserve the question of further diminishing the duties he had enumerated, or reducing the National Debt, for the decision of future Sessions of Parliament. He would add, also, that the reduction of the National Debt, important as the question might be, was not the only subject fairly claiming the attention of the House of Commons in the event of there being a surplus revenue in future years. The House had heard much of the claims of posterity, and he did not wish to deny them; but he contended that there was a generation that had far greater claims—and that was the present. He believed, with regard to much of the taxation which had been remitted, that it was better to get rid of it than to devote the money so raised to the execution of other reforms bearing upon the physical and intellectual condition of the working classes. We had now, however, arrived at a point when the taxes which oppressed the commerce of the country had been largely removed, and when Parliament might be very properly called upon to devote some portion of the surplus of future years to effect various internal improvements. The House ought to do something more than it was doing for the elevation and improvement of the present generation as the best means of improving the condition of the future. There was the important question of education. Would it be wise to tie the hands of future Parliaments, and thus prevent, should a national plan of education requiring the expenditure of a million a year be agreed upon, any portion of that money being applied to increasing the means of educating the people? Would the House be acting in a judicious manner by binding itself to apply the whole of the million of money to the reduction of the National Debt for the benefit of posterity, allowing nothing to be devoted to increasing the number of schools throughout the country? Apart from that consideration, there were many things to which a great and wealthy nation ought to attend besides the reduction of its debt. There were the interests of art and science, and he would ask the House, whether the National Gallery was worthy of a great nation such as ours? The treasures of art and of science were being stowed away out of sight because there was no national building in which they could be properly exhibited as at the British Museum, where the choicest works of antiquity were stored away in cellars, while out of mere economy Government now made the proposition which this House had declined to sanction, of separating the collections. If the national prosperity should continue and we should annually find ourselves in possession of a surplus, it would be a fair question for Parliament to consider whether some provision should not be made for objects in which the present generation had so deep an interest, and tending so directly to elevate the character of the people. To maintain a high moral and intellectual standard in the present day, and to act up to it, was, he believed, of more importance to the future of the country than the question whether the National Debt, as it descended to posterity, should be £750,000,000, instead of £800,000,000. But if the country were really in earnest—if we believed it to be a real duty to make an impression upon the National Debt, the right way to proceed would be to bring before Parliament, as a distinct proposal, this question—Is it worth while, for the purpose of reducing the National Debt, to levy an extra 1*d.* or 2*d.* of income tax? The income tax already stood at a lower rate than most persons had expected to see; and if on the occasion of the last reduction, it had been proposed to keep it up a 1*d.* higher for the purpose of helping to pay off the National Debt, and the country had shown itself ready to adopt that proposal, it would have been a clear proof that men of practical common sense recognized the obligation now put before the House. But the matter ought to be put forward clearly, and as a duty. In case of war the House never hesitated to impose income tax to the extent even of 1*s.* in the pound; and in like manner, if it were once convinced of the importance of reducing the National Debt, it would not hesitate to maintain the income tax at 5*d.*, 6*d.*, or any other other sum that might be necessary. The House, therefore, should not be asked to commit itself indirectly to this course, or to sanction—he would not call them juggles, but the puzzles by which it was sought to bind the House to enter on this system of Terminable Annuities. The Government, if such was their conviction, ought to come down and say, "We think that more ought to be done in the way of paying off the National Debt, and we propose, in addition to the ordinary surplus that may be expected to accrue from the Estimates, after providing for the ordinary expenditure, to establish a distinct fund of £1,000,000 or £2,000,000 a year, by means of an additional 1*d.* or 2*d.* of income tax." And that surplus the Government ought to apply, not prospectively, but by going into the market, making their purchases, and cancelling so much of the National Debt. That would be a clear and straightforward proposition. And when such a proposition was made, he should be happy to give it the most attentive consideration. He offered no pledge now as to the vote which he might give on such a proposition; but it certainly was one which he should greatly prefer to the scheme by which the House was asked at present indirectly, and somewhat invidiously, to pledge itself to the extent of a million a year for the next twenty years to come.

SIR FITZROY KELLY entirely agreed with the Chancellor of the Exchequer that it was not desirable to enter into a discussion that night as to the expendiency of applying the £500,000, or something more, left at the right hon. Gentleman's disposal, to the further remission of the duty on fire insurance. He rather regretted that the question of the duty on fire insurance had been brought forward at all, until it was raised by the Motion of the hon. Member for Dudley. After the able and luminous speech of the hon. Member for Wick (Mr. Laing), it was not his intention to go into the general principles of the Bill now under discussion. He agreed with that hon. Gentleman that if there were no other objection to the Bill an insuperable one was to be found in the fact that for forty years to come it would tie up the hands of every Financial Minister of this country in respect of any further remission of taxation no matter how heavy the pressure of taxation, or how strong the claim to mitigation. On the other hand, this measure would compel the Minister to ask of Parliament a power to tax the country to a considerable amount in order to enable him to pay off certain portions of the National Debt. Anticipating those consequences to follow the enactment of this measure he should certainly require to hear much stronger arguments uttered in its favour than those relied on by the Chancellor of the Exchequer, before he would assent to its passing into a law. It appeared to him that so long as any duties remained on such articles as tea, sugar, and coffee, or malt, it was dangerous in the extreme to tie up the hands of the Finance Minister in the manner that this Bill would do, in order to pay money for forty years to come in reduction of the National Debt. For example there was the malt duty, two or perhaps three-fifths of which was paid by the working classes. It was generally admitted to be in accordance with the true principles of taxation to tax the manufactured article rather than the raw material. But if once this measure were passed into a law, the Chancellor of the Exchequer would be precluded from dealing with this tax upon malt by either altering its amount or substituting for it a tax upon beer, however strong were the claims for its remission. At an early period of the evening he had asked the Chancellor of the Exchequer whether to obtain so large an amount as £2,000,000 a year he proposed to increase the taxation of the country, or did he trust to the continuance of a surplus in all future years. The right hon. Gentleman by his reply seemed to think that he (Sir FitzRoy Kelly) had misunderstood the contents of the paper just circulated by the Government. He, however, contended that the effects of the scheme might be considered in two ways. In the first place, what would be the effect of it, supposing the amount in the hands of the Government, as deposited by the ordinary savings banks and the savings banks in connection with the Post Office, should be increased, as was likely to be the case, or should even remain as they were? Secondly, what would be the effect of it if, contrary to general expectation, those deposits should be considerably diminished? He believed there was now about £40,000,000 in the hands of the Government as the debt due to the ordinary savings banks. Upon that sum an interest at the rate of 3¼ per cent was at present paid. Then there was a further debt of about £7,000,000 with respect to Post Office savings banks, upon which the Government paid an interest at the rate of 2½ per cent. Now, suppose that the deposits in saving banks of all descriptions should rather increase than diminish in future years, what would be the effect of this scheme? A certain sum of money must be levied by taxing the people to pay these annuities every half year. By this measure a contract was entered into by Parliament and the country to pay until 1905—that was nearly forty years to come—a certain annual sum in the shape of annuities without reference to any changes that might from time to time take place in the value of money or the financial state of the country. What, then, would be the specific sum to be provided by the Finance Minister in the year 1884-5, in order to be applied to the extinction of a certain portion of the National Debt? It would amount in that year to £4,731,030. The taxation of the people under this scheme would at that period, after all deductions, reach the sum of £4,000,000 a year. The right hon. Gentleman the Chancellor of the Exchequer had questioned the accuracy of that statement, and he would therefore mention the sums which must be raised from year to year and applied in the manner required by the Bill, always supposing that the amount due from Government to the trustees of savings banks and Post Office savings banks would continue the same. On the 10th of October, 1866, this measure would so far come into operation that the first payment must be made, amounting to £863,554. That would be applied to the extinction of £980,186 of Three per Cent Stock. He would now state in simple figures what amount would be payable supposing this scheme were never adopted. The whole sum would be £1,745,054. But, besides that, there was the difference between what would have to be provided and the amount saved by the extinction of the first portion of the National Debt, so that the balance would be £1,010,651. The sum of £1,010,651, then, would be the actual amount levied in the shape of taxes on the people of this country over and above what would be levied supposing this scheme were never adopted; and this sum would go on largely increasing until the year 1884-5, at which time it would reach an enormous amount. In that year the sum to be applied under the scheme to the extinction of a portion of the National Debt would be £4,731,035. From that, however, deductions must be made, first, of the £720,000 which he had already mentioned, and which would be payable, supposing this Act never passed; and secondly, of about £500,000, which would be saved in the year 1884-5 in consequence of the previous extinction of the debt. Therefore, after making those deductions, upward of £2,000,000 must in the year 1884-5 alone be applied to the extinction of the National Debt. In the year 1884-5 the sum to be provided would be upwards of £2,000,000, and the result of the whole operation, up to and including the last year, would be that a total of £55,013,160 would have been applied to the extinction of the National Debt. From that had to be deducted the aggregate of £720,000 a year, which reduced the £55,013,160 to £49,693,160. From that again must be deducted the aggregate savings of the half yearly dividends of stock, and they amounted, for the whole period, to £5,248,836, which, deducted from the £49,693,160, left £44,444,524, and he would be glad if the right hon. Gentleman would show them that his scheme would take a single pound less from the taxes. True, at the expiration of the term stated, a large sum would have been redeemed; it was set down at £62,542,849; but assuming his figures to be correct, it was clear that considerably above £40,000,000 must be raised in taxes, beginning with £1,500,000 in the first year, and increasing every successive half year. What would be the effect of such a series of operations as these upon the financial condition of the country. He invited the Chancellor of the Exchequer to state whether he anticipated that the large sums required would be provided out of an annual surplus, and whether he depended upon a sufficient surplus for nearly twenty years to come, beginning with one above £1,000,000 and ending with one over £2,000,000. But if it were so, was the Chancellor of the Exchequer prepared to tell the House and the country that, however much any particular tax might press upon property and prudence, however burdensome and vexatious it might be, it was to remain unremitted and undiminished in order to provide a surplus for this scheme? Notwithstanding the success of the financial policy of the Chancellor of the Exchequer, there had been years in which he had had a deficiency; and suppose he should again find himself without a surplus, would he resort to the Commissioners of the National Debt, or would he accept a loan? If there were no surplus, the money for these large annual payments must be provided by taxation; and therefore he hoped that the next Member of the Government who addressed the House would state distinctly whether in the event of there being no surplus the people were to be taxed to the extent of the deficiency. If it were found inconvenient to provide the money or expedient to apply it to better use, the scheme would be puerile. He would not enter into the question whether such vacillating weakness characterized the House of Commons that it could not be trusted to do justice to the people, and must be pledged to support a Minister in what might be impossible, and that therefore this Act of Parliament was necessary; but it was enough for him that this Bill, if passed, would effectually disable the Finance Minister of the day from remitting objectionable taxation, and bound him to provide an immense sum of money annually by taxation, in addition to what we might be otherwise subjected to. To call upon the people to continue to pay, in addition to the £425,000 a year, the £580,000 that would otherwise cease to be payable on the expiration of the annuities was simply taxing them to that amount. In introducing the subject, why did not the Chancellor of the Exchequer plainly and simply state, "We propose to tax the people £1,500,000 the first year, a larger sum the second year, and an increased sum every succeeding year up to the year 1885, when we propose to tax them to the amount of £2,000,000?" That simply was the scheme; it had no more to do with savings banks than with any other institution; and all the money levied under the Bill would be applied to the extinction of the National Debt. Whether this Bill passed or not, whatever the sum the Government in 1885 might hold in its hands, the relation of the Government to the savings banks, the amount of money in deposit, the investment of that money, the amount of issues payable, the sums due, the increase made—the whole of the transactions from this moment not merely to 1885, but to 1905, whether the people were taxed to the amount of £4,000,000 or £2,000,000 a year, would be precisely the same; and he ventured to say, looking to its effect upon the people, the result with regard to the savings banks would be exactly the same. In fact, he really did not see why the savings banks had been introduced into the question, except for the purpose of complicating it, and rendering it more difficult to be understood. Supposing, contrary to the expectations of the Chancellor of the Exchequer, some change were to take place in the state of the country, and the amount of savings banks deposits in the hands of the Government were diminished by half a million, what would be the result in any given year—1879, for instance, when £3,000,000 would be invested in the purchase of Three per Cent Stock? That would reduce the sum to be invested in the extinction of stock to £2,500,000. How would that affect the taxpaying people? The Government would have £2,500,000 instead of £3,000,000 for the public creditor; but then £500,000 more would be required for the trustees of the savings banks. He ventured, therefore, to submit that this was a scheme for levying in the shape of taxation—whatever our financial position might be, whether there should be a large surplus or a small surplus, or no surplus, but a diminishing revenue—a sum of £3,000,000 and upwards down to 1885, and a much larger sum afterwards, to be applied to the extinction of the National Debt. We must pay the interest on the £47,000,000 of savings banks deposits whatever should become of this Bill, whatever the amount levied from year to year, and in whatever way the money was invested, saving only that in any year when there was only £2,000,000 to be disposed of, £1,000,000 would be applied to the purchase of Three per Cent Stock, and the other million would go to the savings banks trustees. In this way a million of the funded debt would be paid off, and a million of the unfunded debt, and the account between the Government and the savings banks would be the same. With regard to the latter portion of the scheme, we should arrive at nearly the same conclusion. From 1885 to 1905 the account between the Government and the savings banks would be the same as if the scheme had never been introduced. But then this was to be observed, that we were binding ourselves by this Act of Parliament whether there should be a surplus or not whatever might be the condition of the country, its trade or finances, for a period of nearly forty years to an annual payment of a very considerable amount. What he would venture to say was this—that it was unwise, impolitic, and dangerous in the extreme to tie up the hands of a Minister against any remission of taxation whatever for a period of nearly forty years. In conclusion, he would only observe that if they did not receive some more satisfactory explanation from the Chancellor of the Exchequer or from some hon. Gentleman on the Treasury Bench as to how those large sums, very considerably exceeding £3,000,000, were to be provided —sums which the people would not have to pay but for this scheme—it would require some stronger reasons than had been urged by the Government to induce a Committee of that House to accept the proposal.

MR. FAWCETT said, he had always been such a sincere admirer of the financial policy of the Chancellor of the Exchequer, that it was with extreme regret that he felt himself bound to express some doubt as to the wisdom of the present plan for reducing the National Debt. In the first place he considered that the scheme was a bad scheme, and that it was uncertain in its operation; and in the next place, if one-half the importance ought to be attributed to the reduction of the National Debt, which was attributed to it by the Chancellor of the Exchequer in his Budget speech, he (Mr. Fawcett) maintained that the House ought not to be content with the insignificant scheme now before them. First, as to the scheme itself. Having listened attentively to the speech of the Chancellor of the Exchequer that evening, he arrived at the conclusion that, although everything was certain connected with operation A, yet everything was uncertain connected with operation B, and it was impossible for the Chancellor of the Exchequer, or any other person, to tell what would be the amount which would annually have to be paid in consequence of the fiscal operations classed under category B. He considered that this was a very serious defect. But there were other kinds of objections connected with all plans for paying off debt by means of Terminable Annuities. He would not enter into the vexed question whether the present plan involved the vices of the old sinking fund or not; but, without deciding that point, he would say that he thought it was an unfortunate financial policy to provide for a future reduction of debt by promising to increase the annual charge, and by throwing upon their posterity a greater annual charge than they themselves were prepared to bear at the present time. The scheme would of course become nugatory if it should be found necessary to borrow. But to that it might be replied that they should not have to borrow, as non-intervention, it might be said, had become the watchword of their foreign policy, and that although the Continent might be convulsed, yet they should remain placid and peaceable. But if that argument be advanced from the Treasury Bench, he should then be entitled to ask why had they their present gigantic armaments. But there was another objection. Suppose that next year they had a bad harvest—and the present uncongenial weather rendered such a contingency not altogether improbable — suppose they had financial difficulties—suppose in consequence of the dearness of money great public works had to be stopped, and thousands of men were thrown out of employment—suppose any of those contingencies were to occur, the Chancellor of the Exchequer when he introduced his Budget next year might have to tell a different tale. During the last few years everything had gone in their favour, and each year they had had a larger revenue than the estimate; but next year the revenue might be less than the estimate. If that occurred they would have to impose fresh taxation; and, although he did not say that they would have to borrow, yet, in consequence of their having promised to pay so much in Terminable Annuities, they must impose so much more additional taxation. If they increased the income tax they pressed heavily upon industry, and if the cost of commodities was increased the poor man had to incur greater expenses in living. And if they increased the cost of living, they ought to remember that they were giving effect to the most dangerous tendency which at the present time threatened their commercial greatness — they stimulated the poor man to leave these shores and settle in countries where taxes were less heavy; and by doing this they struck a most mischievous blow at the future of the country. But it might be asked, was he not anxious to see the National Debt reduced? He thought the House ought to come to a definite decision on this point. If they did consider that the National Debt ought to be reduced let them face the question in a manly, earnest, and honest way. There was only one real practical way to reduce the National Debt. It could not be by elaborate financiering. They could not make money go further than it would. The only practical way to reduce it was each year to get a good surplus — and how was that surplus to be maintained? Why, the only way in which it could be maintained would be for a mutual confidence to be created between the House of Commons and the Government, after the House had been convinced of the paramount importance of reducing the debt. Let the Government, on the one hand, say, "We have a great and serious question to face, and it is of absolute importance that the National Debt should be reduced." The House of Commons would then exert its influence to maintain the revenue, and the Government might exert its power to reduce the expenditure. In this way, year by year they might have a good surplus, and having got that surplus, there was no difficulty or uncertainty about reducing the debt, because each year they would apply this surplus to the reduction in the old-fashioned, straightforward, and, he believed, best way, by cancelling so much stock. But if the House were so enamoured of the principle of Terminable Annuities, and they had a surplus, there was one way of creating them which had none of the objections connected with the present scheme of the Government. Suppose the Chancellor of the Exchequer had this year a surplus of £1,000,000, the difference in the present value of a permanent annuity of £3 at 3½ per cent and an annuity of the same amount to be continued for forty years, was about £20; therefore, they could spend that £1,000,000 in paying premiums to induce people to take annuities for forty years instead of the permanent annuities which they now held. He had been told by high commercial authorities that if such premiums were offered, annuities of that character would be accepted; and instead of permanent annuities they would have temporary ones, without increasing the annual charge to the extent of one single farthing. Much had been said with regard to the general question. He had very carefully read Mr. Jevons' book, and it seemed to him that the conclusions of that gentleman had really given rise to this scheme. But those views were very one-sided. Most of Mr. Jevons' calculations were based on the principle of a geometrical progression. The Chancellor of the Exchequer, in his speech on the Budget, said, supposing the rate of the consumption of coal continues to increase as at present, the result would be that in 1970 they would consume about 50 per cent more coal than was supposed to exist within 4,000 feet of the surface. It was very easy to make these calculations, and a person might come to the conclusion that if the population of the metropolis continued to increase at the present ratio, in thirty years there would not be standing room for them, and they would have to live on each other's backs. Therefore a calculation of that kind proved nothing. In his belief there was no immediate danger of England's industrial supremacy being affected. He placed confidence in the discoveries of science, and the moment the price of coal advanced various means would be discovered for greatly economizing the use of fuel, and the time of our falling short of coal would be very indefinite. If it was thought desirable to provide for the financial future by paying off the National Debt, there was one thing which had struck his mind. In the Budget speech of the right hon. Gentleman there was one remark which, to his mind, was far more ominous, and caused in him far more alarm than the possible and problematical exhaustion of coal. The Chancellor of the Exchequer said, in a congratulatory and triumphant tone, that the commerce of this country was greater than the commerce of France and the United States put together. That was a singular and gratifying fact no doubt, but when it was brought forward there was a melancholy aspect connected with it. Great and marvellous as was the commerce of this country, he believed that the people who produced this great wealth, those who laboured, were infinitely worse off than those were who lived in the United States. This seemed to him to be the great danger, which England had to guard against. No doubt England's great wealth had been produced by cheap labour, and the labourers were beginning to find this out, and other countries were also discovering it, and it was no exaggeration to say that at the present time nearly the whole civilized world was competing with English labour. It was therefore of the highest importance that they should make the future lot of the labourer of this country more endurable and happy, and thus prevent him from emigrating to other lands; for if labour left this shore in too great amount, whatever might be our supply of coal, it was impossible for our wealth to be produced at the same rate. Just at a time when it was of peculiar importance to diminish the cost of the labourer's living here, the Chancellor of the Exchequer brought forward a scheme to increase the burden of taxation which was thrown upon the people of this country. It was of particular importance that those burdens should be reduced, and he therefore entreated the Government not to favour a scheme which would tend to augment taxation. If they would only meet the wishes of a large section of this House, and reduce the expenditure, he, for one, representing a very large borough, would do what little lay in his power to devote the fruits of the profuse expenditure to the reduction of the National Debt.

Mr. CHILDERS said, he had listened with great attention to the hon. and learned Gentleman opposite (Sir FitzRoy Kelly), who had begun by saying that the proposal of the Government would create a charge for a certain number of years of £4,000,000 annually, in addition to existing charges, and that it would tie up the hands of the Government for some forty years. It was true that before he concluded the hon. and learned Gentleman discovered that according to his own figures the £4,000,000 was reduced to £2,000,000, and that the charge to be imposed for the latter half of the forty years would only be £1,000,000; the fact, however, being that at the outside it would amount to only £500,000 a year. It was desirable to state to the House in a few words what the exact financial effect of the scheme would be, because the hon. and learned Gentleman had evidently rather confused himself by figures, and some other hon. Members also appeared to have somewhat misapprehended the matter. The hon. and learned Gentleman had stated that because £580,000 of Terminable Annuities would fall in next year, it would be the absolute duty of Parliament then to take off an equivalent amount of taxation. Now, he should say that the duty of Parliament, if there was any duty in the matter, lay rather in the very opposite direction, and that Parliament should apply the £580,000 falling in next year and the sums falling in in future years to a diminution of the permanent burdens of the country, instead of to a reduction to existing taxation. Coming then to the figures, the proposal before the House substituted an annuity of £1,725,000 for eighteen-and-a-half years for a permanent annuity of £720,000. During those years, therefore, the interest of the National Debt would be increased by £1,005,000. But this operation was to be effected at a time when advantage could be taken of the lapsing of £580,000 existing annuities, and thus by an increased charge of only £480,000, we should succeed in extinguishing £24,000,000 of the permanent debt in a series of eighteen-and-a-half years. That was the first operation. With regard to the second operation, it was true that at the outside the Terminable Annuity which might be created under operation B would be an annuity of £3,170,000 a year; but it was also true that against that annuity they would have to set off the interest on Consols extinguished, or £1,875,000; so that there could, under no possible circumstances, be an increase of charge to a greater extent than £15,29,000. But in 1885 the second saving on the present charge, that is, the £720,000 annuity, will have been made, and moreover the war and fortification annuities amounting to £680,000 a year will fall in; so that in 1866 the actual charge for the interest of the National Debt would be some £500,000 or £600,000 less per annum than it was at the present moment, and no less than £86,000,000 of debt will have been cancelled. The hon. Member for Wick (Mr. Laing) spoke of the operation as one that would tie the hands of the Government for a long succession of years; but, considering the moderate amount by which it would increase the charge for the debt during eighteen-and-a-half years, and the great extent to which the debt would be diminished at the end of that period, the proposal was not fairly open to that objection. He had listened with much attention to that hon. Gentleman's speech, because from his financial reputation he had felt sure that he would suggest some distinct and determinate plan of dealing with the present surplus, and point out what should be done with such moderate sums as they might expect to have at their disposal in the next few years. That hon. Gentleman said they ought greatly to increase the Education Vote, to build a larger National Gallery, and also get rid of the disgrace attaching to the present condition of the British Museum. That was to say, he deliberately proposed to the House, as a proper financial operation for the future, not to economize their expenditure, but to increase it, and he thought that to spend more money than was asked for by the Government for education, the National Gallery, the British Museum, and objects of art would be a better prospective arrangement than the reduction of the permanent Public Debt by what might possibly amount to £86,000,000, as now recommended.

Mr. LAING explained that he had said the reduction of taxation or the reduction of the debt was one of the questions which should be left open to a future Parliament.

Mr. CHILDERS said, that no doubt his hon. Friend had said so; but, at the same time, he had distinctly intimated that an increase of expenditure such as he had just described would be better than that prospective scheme of finance. Now, all he could state was that the Government were making provision for each of the objects mentioned by the hon. Gentleman. They were proposing a scheme for the National Gallery, which he hoped was not extravagant, and also a liberal and complete scheme for the British Museum; and as to the Votes for Education, looking to the increase which had taken place in them of late years, he did not think the House had shown any inclination to be niggardly in respect to that branch of expenditure. On that ground the speculation of his hon. Friend was, he thought, hardly one which ought to be substituted for the plan of the Government. His hon. Friend, however, used very hard words in reference to that plan. He called it a juggle and a puzzle, and spoke of it as being an insidious proposal. He, however, could scarcely conceive any scheme which was less open to be so designated, inasmuch as the House had had placed before it exact information as to the greatest possible charge for each year, and the utmost extent to which the National Debt could be reduced by its operation. The hon. Gentleman who had just sat down spoke of the plan as uncertain and insignificant, but a proposal the ultimate effect of which might be to bring about a reduction of £86,000,000, while in no year could it actually fail to secure its object to some extent, was he thought hardly liable to those changes. It was also said that by the operation of the plan we should be throwing more on posterity than on ourselves, but an arrangement which was to continue for eighteen-and-a-half years and which would then put the Chancellor of the Exchequer in a better position to the extent of half a million a year could not very well be regarded as one throwing a charge on posterity. It was in bad years that the great merit of the scheme would be most conclusively established. When the hon. Gentleman the Member for Brighton had warned the House that the present was not a time for reducing the National Debt, but rather for the reduction of taxation, because the working man whom he was so anxious to keep in this country would be induced to stay more by the latter than by the former mode of proceeding, he must remind him that in America, the country to which those very working men were going, the Government instead of following his plan, proceeded on the principle of levying taxes to reduce or extinguish its debt as speedily as possible.

Sir FITZROY KELLY, in explanation, said, that in stating the amount of the charges referred to by the hon. Gentleman at £4,000,000, he meant to add that it was after the deduction of the sum of £720,000 a year, and that it was left subject to the aggregate of the dividends saved. The amount of that aggregate he had not ascertained when he spoke.

Mr. HENLEY said, the last thing he expected to hear was the assertion by the hon. Gentleman (Mr. Childers) that this was a simple measure. Very simple, indeed, considering the various opinions expressed on it, and the figures quoted, as to which no two Members seemed to entertain the same opinion. When the measure was first introduced he ventured to say that it was a very little one, when the threatening speech in which it was ushered in, having reference to the destruction of our supply of coal, was taken into account. He could not help thinking the conclusion a very impotent one based upon such premises. That evening, also, he felt bound to confess that he remained totally unconvinced by the speech of the Chancellor of the Exchequer, for the plan, disguise it as he would, amounted to neither more nor less than a sinking fund. He, at all events, was unable to see it in any other light, for all the clothing thrown round it by means of the savings banks operated only to make it more of a mystery. The savings assets, so far as the £24,000,000 were concerned, were gone. The Chancellor of the Exchequer had given hon. Members, with great clearness, an explanation of which, considering the times in which we lived, they scarcely stood in need. He said that banks had very often no assets, but then he added that they had plenty of liabilities. He went on to observe, "Sometimes the banking till of the Government may be empty and the Exchequer may be full, and *vice versâ*, and it might be that they both happened to be empty together." But be that as it might, there was always, according to the right hon. Gentleman's statement, abundance of liability, and the nation was no doubt liable to the unfortunate depositors in the savings banks for the assets that ought to be there, because the Three per Cents having been cancelled and a book debt created, that book debt constituted a liability which was going to be dealt with again by another sort of shifting of the pea. It was about to be converted from a book debt into a Terminable Annuity. Now, let him suppose that there was a war, and that we were driven to borrow every year, how would matters stand? The scheme would be embodied in an Act of Parliament; but the Chancellor of the Exchequer of the day would come down to the House and say that it was a foolish arrangement; that the best course to adopt would be to place the book debt back again where it was before, and to do away with the Terminable Annuities, for that there could be no use in taxing people to pay £1,000,000 a year. The Chancellor of the Exchequer, among other curious things, had stated, that when the Bank was empty and the Exchequer was empty, it would be a terrible calamity to be obliged to sell Exchequer bills or bonds, which must be sold or represented by something else in place of money. Times had been, however, when nobody would have that sort of thing, and if such were to be again the case he did not know where the assets were to come from. Twist the proposal anyhow, if it was anything, it was a sinking fund in disguise. Indeed, the way in which the right hon. Gentleman mingled one, thing up with another put him in mind of the throwing a piece of mud into a pool to muddle the water, in order the better to tickle the trout. If the country was prosperous, it would be as well to pay the money as not; but if it were not prosperous, and we became involved in war, it would not be paid. He was old enough to recollect the sinking fund having been done away with. It went on very smoothly while the payments were made with borrowed money, but the moment taxes were raised for the purpose it went to smash, and so it would be with the present scheme under similar circumstances. Every Government ought to have the moral courage to provide a proper surplus, for the real way to reduce the debt was by the application of that surplus according to law. He was satisfied that this would necessarily be the result if the present were set on foot. People would be apt to say, "Oh, you have established a sinking fund, and it is not necessary to do anything more." The Chancellor of the Exchequer, a great financier, had thought it necessary to alarm all the old women in the country by representing that coal was coming to an end, and that they would have to burn wood; and he has gone against this terrible evil, and set up this vast financial scheme, to remove all imputation of *laches* from this generation. He (Mr. Henley) did not think that the scheme would have any prejudicial effect beyond this, that whenever there should happen to be a pressure upon the country the scheme would be done away with as easily as it had been created. But he thought it unfortunate that the Chancellor of the Exchequer had mixed it up with the savings banks; for, though everybody who had knowledge of the matter knew that the whole country was pledged for the amount of the savings bank money deposited, yet in uneasy times this might not be generally understood, and they might, by shuffling backwards and forwards these funds, and by having no assets but only liabilities, easily create an alarm which, when it once set in, might be an unfortunate item for any Chancellor of the Exchequer to meet. For these reasons, he believed that they would all of them require that they should not consider themselves pledged to this measure that night —and, indeed, the measure did not at present seem to have many friends in the House—but that they should be at liberty on any future occasion to take such steps as they might think desirable.

Mr. SAMUELSON hoped the House would have some more definite explanation than they had had from the Government on the question of the coal supply of the country as bearing on the measure before the House. For his own part, he did not agree in the doleful anticipations which had been held forth—and he would briefly tell them why. This question was first raised some three or four years ago at the Newcastle meeting of the British Association, by that eminent man—Sir William Armstrong—who said that in some 300 years the coal supply of England would be so much diminished as to seriously impede the manufacturing industry of the country. This led to an investigation, which was made by Mr. Hull of the Geological Survey, a most valuable public servant, who published a book on the subject, in which he stated that there was a probability of 80,000,000,000 tons of coal being obtained from the coal-fields of England. In a return made by Mr. Hunt, keeper of mining records, it was stated that the annual consumption of coal was

80,000,000 tons. Hence it followed that if no great increase in the consumption of coal were to occur the coal-fields would yield a supply sufficient for 1,000 years. In Mr. Jevons' work on the coal question the result of the geometrical ratio of the increase in consumption was shown to be that, if the consumption continued in the same ratio, the coal-fields would be exhausted in 100 years. The hon. Member for Westminster was understood in some quarters to have said that the coal-fields would be so exhausted, but he (Mr. Samuelson) did not believe the hon. Gentleman said anything of the kind. The Chancellor of the Exchequer, in his Budget speech, stated that, although he was no believer in an approximate exhaustion of the coal-fields, yet he believed the increase in the price of coal would be so great as to endanger the manufacturing enterprizes of the country. This evening the right hon. Gentleman had somewhat modified that statement. He said the country might take an equal course with other nations, although she might lose the precedence she had possessed. Under all the circumstances, the House must believe that the right hon. Gentleman felt what he said on this question was a strong and important argument in favour of the reduction of the National Debt. He (Mr. Samuelson) thought, however, that it was incumbent on the Government to show the House that the increase in the price of coal was so imminent as to be likely to endanger the supremacy of the country. For his own part, he did not believe it was anything of the kind, and he would tell the House why he thought not so. In comparing the resources of this country with those of other nations, he would leave out all European countries, because it was admitted that the coal-fields of England were more extensive and less liable to exhaustion than those of any other European nation. The only comparison which could be made was with the United States of America, and it would be found by statistical returns that the area of the coal-fields in the United States was thirty-seven times as great as that of the coal-fields of Great Britain. That was true, but it was equally true that those coal-fields could not be worked to advantage until there was a proportionate population to work them. Now, the waste lands in the United States were thirty-two times larger than those in the United Kingdom. This was not only true in theory but in practice. At present the coal trade and the trade in iron smelted by coal, in the United States, was very fluctuating; and the United States could not at present compete with England in the production of these articles. While other trades in the United States had steadily increased from 1860 to 1864, the coal trade was stationary, and since 1864 had decreased. The production of iron by anthracite and bituminous coal had fallen off, while there had been an increase in the quantity of iron made with charcoal. And yet the iron trade absorbed one-third of the entire coal produce of England. What would be the consequence of coal becoming very much dearer in England and somewhat cheaper in the United States? Simply that the export of iron from this country to many places would cease, and the United States would beat England in neutral markets. The effect of that would be that the price of coal would somewhat fall and the consumption be very much diminished. What would be the effect on trade? The entire value of exports of pig iron, bars, and sheets, in 1865, was under £9,000,000, and yet the exports of haberdashery, millinery, and wearing apparel amounted to upwards of £8,000,000. The consumption of coals in all the textile manufactures of this kingdom was only 3,000,000 tons a year, which was little more than one-tenth part of the consumption of it in the iron trade, or than one-half of the domestic consumption of London. It might be said that the price of coal might rise so that we should be unable to ballast our ships; but as the Chancellor of the Exchequer truly said, one of the great sources of the wealth of this country consisted in the proximity of our coal to our seaports, and therefore we might be able to compete in coal with America in the markets of the world in spite of a considerable rise in price. He considered that the question of our coal supplies having been raised by such high authorities ought now to be fully investigated.

Mr. LIDDELL hoped the House would not allow itself to be diverted from the consideration of the very important proposition of the Chancellor of the Exchequer by the introduction into the debate of the question of the coal supply. The two subjects were totally and entirely distinct. The Chancellor of the Exchequer was partly responsible for the discussion as to the coal supply, as he had added his testimony in support of the views which had been expressed on it by the hon. Member for Westminster and others. The proposition of the right hon. Gentleman had not, he thought, received that attention from the House which it deserved. He quite admitted that the scheme was a fair weather scheme; but if they were not in the time of prosperity to grapple with the great question of the National Debt, the period would never arise when they could do so. He believed he spoke the feeling of the great commercial community when he said it was the duty of the country to assist a Minister who was determined to grapple with the great difficulties of this question. Whether the details of the scheme were precisely those which would meet the different views in that House, he was not prepared to say; but fair weather scheme as it was, they ought, while in the enjoyment of fair weather, to carry it out. In times of difficulty, if a commercial crisis should occur, and a run was made on the savings banks deposits, the scheme would probably be entirely in abeyance. That was the great objection to the plan, and it was precisely at such a time that the pressure upon the National Debt Commissioners would be the greatest, inasmuch as they would have to realize when stocks were low, and a considerable loss to the Exchequer would ensue. With respect to the question of the coal supply which had been introduced incidentally into this debate, and in which his own constituents naturally felt the deepest interest, he thought the Chancellor of the Exchequer having added very materially to the apprehension which existed, it was the duty of the Government to grant such an inquiry as would either remove the grounds of apprehension, or show that it was well founded, and that it had become absolutely necessary that some steps should be taken to economize the use of coal. He must remind the House that gigantic interests were involved in the question, and he therefore hoped the Government were not unprepared to grant a Commission or institute a general inquiry into the whole subject. Apart from any personal considerations, the most important national interests were at stake, and he hoped the matter would receive fair and full consideration when the Motion of which notice had been given was brought forward by the hon. Member opposite.

Mr. HUSSEY VIVIAN said, that as he intended to submit a Motion on Tuesday, the 12th of June, on the question of the supply of coal, he hoped the House would not on this occasion discuss that question. He thought there was no immediate danger of our coal failing. With respect to the measure before the House, he cordially supported it, and he hailed with the greatest pleasure any attempt which was made to reduce our gigantic National Debt. He approved of the language used by the Chancellor of the Exchequer in proposing the measure more than he did, perhaps, of the scheme itself. He regretted the scheme was not a larger one, though it was very possible that a larger scheme could not now be introduced. Without re-introducing the old sinking fund, there might be a fund created out of the surplus revenue to which an addition would only be made when the country had a real surplus. The surplus had been hitherto wisely expended in the reduction of taxation, and the time had arrived when a portion of the surplus might be applied towards the reduction of the debt. According to a calculation that had been made, £1,000,000 a year in 90 years, at 4 per cent, would form a fund that would extinguish the National Debt. £1,000,000 a year at 3 per cent, would produce the same result in 109 years. £2,000.000 per annum at 4 per cent, would, in 72 years, create a fund that would wipe off the whole of the debt. The surplus revenue of the country for the last few years would be sufficient for the creation of a fund to wipe off the debt of the country in a comparatively short period. Owing to the elasticity of their revenue a sum might be applied to the reduction of debt, leaving a sum still available to the reduction of taxes.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday* 7th June.

COMMONS (METROPOLIS) BILL.

(*Mr. Cowper, Mr. Childers.*)

[BILL 84.] SECOND READING.

Order for Second Reading read.

Mr. COWPER, in moving the second reading of this Bill, said, its purpose was to meet a wish which had been very strongly expressed by the public for some legislation to prevent the destruction now so frequently observed of places of natural beauty, health, and enjoyment around the metropolis, which were being encroached upon by buildings and railways. The subject was admitted to be one of considerable difficulty and complexity, and the difficulty arose mainly from the great alteration that had token place since the wastes were first established, in agriculture and the mode of feeding cattle. The change in the feeding of cattle had rendered obsolete the uses for which these commons were originally set apart, while the growth of this gigantic city and the progress of railways had given them advantages and uses which they did not formerly possess. The principal provision of the Bill was that the Inclosure Act should not apply to the suburban commons within the metropolitan police district, which was also the district for levying coal dues, and which included all the parishes within a radius of fifteen miles. The other object was the establishment of a machinery by which in each particular case a local management might be set up according to the particular circumstances of the common. The General Inclosure Act ought not to apply to the suburban commons which were in the immediate vicinity of London or of other large towns. The purpose of that Act was stated to be to promote the cultivation of land, to increase the employment of labour and the food of the people; it was intended for the public good, and not to increase the possessions of the lords of the manor. But the commons in the neighbourhood of London were not generally inclosed for the purpose of agriculture. The temptation arose to inclose them for the purpose of building, and consequently if the Inclosure Acts were applied to them, that which was intended to be a public good would become a public evil. The framers of the General Inclosure Act were fully alive to this difference, because they inserted a clause by which all waste lands which were to be inclosed within fifteen miles of the metropolis, and within four, three, or two miles of other towns, were not to be inclosed under the provisions of the Act without the special authority of Parliament. It was fair, and in accordance with past legislation, that they should no longer give the benefit of the Inclosure Act for the purpose of the commons round London being built upon. The present Bill would not deprive the owner of waste lands of any rights of common or any authority or right that he now possessed. Every lord of the manor or commoner was left in possession of all the privileges and rights he now held independently of the Inclosure Act. There was nothing to prevent inclosure by agreement between the lord and commoners, and nothing to prevent inclosure by the statute of Merton. The statute of Merton, however, had very little effect with regard to the commons with which they wished to deal, as it applied only to rights of pasture. Of course, the lord of the manor or the commoners would still have the ordinary power of introducing a private Bill. There were some commons like Hampstead Heath and, perhaps, Peckham Rye, which being in close proximity to populous districts, and being places of great resort, ought to be treated like parks and made the subject of compulsory purchase by the Board of Works, and thus secured for the benefit of the public for ever. The Board of Works had recently purchased ground to make two parks, north-east and south-east of London, one Finsbury Park and the other Southwark Park, and he hoped they would introduce a Bill to enable them to purchase the rights of Sir Thomas Wilson over Hampstead Heath and the adjacent parts; but that of course would only be done by a private Bill. The commons chiefly to be dealt with by this Bill were those beyond the jurisdiction of the Metropolitan Board, and were commons which neither the lord of the manor nor the commoners desired to inclose for building purposes. The intention was to enable action to be taken by those who had rights on the commons, assisted by the funds of the parish or the public at large; and the cases were very numerous where the enjoyment of commons was entirely spoilt from the want of proper regulations. He might instance the case of Wandsworth Common, where holes had been dug in which the water was so deep that unfortunately men had been drowned there. It was therefore proposed to deal with such commons under the Bill. Other commons were frequented by persons who were a nuisance to all respectable people, and prevented any satisfactory enjoyment of them. With regard to some of the commons, an arrangement had been made between the inhabitants and the lord of the manor that an annual sum of money should be subscribed, and proper provision made for keeping the commons in order—for instance, at Peckham Rye and at Clapham—but in those instances it had been found there was a want of power to enforce any regulations which might be made by this self-constituted body. The object of the Bill was to enable a local management to be set up in the case of such commons where such local management was required. The question was how local provision was to be made. The customs and circumstances of each manor varied, and it seemed reasonable that a provisional scheme should be made in each instance, and that that should be confirmed by an Act of Parliament. It would be necessary to establish a new body of Commissioners who would make the inquiry necessary in each particular case in order to prepare the different schemes. That body would be selected in a manner to secure full responsibility without the necessity of incurring any large expenditure. There would be five Commissioners—three being official persons, and two selected from their knowledge of the subject, and having leisure to attend to its details. The official Commissioners would be—the First Commissioner of Works, who would be in Parliament, the Inclosure Commissioner, who would be responsible to the Secretary of State for the Home Department, and the Chairman of the Metropolitan Board of Works. He believed this scheme would be found to work well. It went on the principle of local management with central organization; but if the Metropolitan Board had been selected the management would have been central, and he thought that action might prove injurious because they could not expect a body of forty-six persons sitting at Spring Gardens would give the same attention to commons as the inhabitants who were resident near the spot.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Cowper.*)

Mr. AYRTON said, he rose to move the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Ayrton.*)

Mr. COWPER expressed his surprise at such an Amendment coming from the hon. Member for the Tower Hamlets, who complained the other night of a Motion of a similar kind being moved at a much later hour than that at which they had now arrived (five minutes to twelve o'clock). The House would listen with attention to anything he might wish to say on the subject treated by the Bill. He hoped therefore the hon. Gentleman would withdraw his Amendment, and allow the Bill to proceed.

Sir WILLIAM JOLLIFFE also trusted the hon. Gentleman would allow the discussion to proceed.

Motion, by leave, *withdrawn.*

Original Question again proposed.

Mr. AYRTON said, he was glad to receive an assurance from the Government that they intended to persevere with the measure that night. The right hon. Gentleman had taken the opportunity to repeat the speech he had made on introducing the Bill, and to restate the grounds upon which it had been introduced. He was glad to see that they were all agreed as to the objects of the Bill, and he could assure the right hon. Gentleman that he had no intention to interpose any obstacle to the accomplishment of those objects. All they had now to discuss was whether the measure contained ample methods for carrying out the purposes for which it was introduced. He felt as strongly as any one the necessity which existed of preserving the open spaces for the recreation of the inhabitants of our large towns, and especially of the metropolis, whose inhabitants had to pass over miles of roads before they could find a green shrub or tree uncontaminated by the smutty nature of the London atmosphere, but they ought also to take care that their proceedings were not at variance with the tendency of our present legislation. Above all, they ought to hesitate before consenting to the appointment of that which had been so generally condemned for many years past a *dilettanti* and irresponsible Commission for the purpose of doing work which, it appeared to him, required the attention of some responsible persons—a responsibility which might be secured by the appointment of either an officer of the Crown or of some local authority, either of which seemed to guarantee an efficient and satisfactory administration. It was a most objectionable proposal to appoint a Commission, comprising not only Members of different departments, none of whom could be responsible for what took place, but to add to the Commission several persons who, from the fact of their receiving no salary, could treat the subject in any manner they pleased, without being in any way made responsible for the course they might adopt. All our experience showed that such bodies had signally failed in carrying out the objects for which they were appointed, and the question he wished to raise was whether it was expedient to establish such a body as that proposed by this Bill, or some more recognized responsible authority. The right hon. Gentleman the First Commissioner of Works had hardly given a satisfactory idea of the character of the Bill, because, so far from its being likely to prove beneficial, he believed that some of the provisions of the Bill would tend rather to frustrate than to further the objects they had in view. The Commissioners were only to be set in motion by a memorial presented by a lord of the manor or a commoner, but it did not appear who was to pay for the expenses of the inquiry. If the expenses had to be borne by the memorialists, the memorials presented would, he thought, be extremely limited. Then, again, it was difficult to understand how anything could be done with the Commons when it was provided at the conclusion of the Bill that the Commissioners were to do nothing that would affect the rights or the interests of the lord of the manor or of the commoner. Any scheme recommended by the Commissioners would probably in some way or other affect such rights or interests, and on the petition of the person aggrieved it would be the duty of the House of Commons to reject the plan proposed by the Commissioners. The proceedings of the Commissioners might, too, be instituted solely for the benefit of places within fifteen miles of London, and yet one-half of the entire expenses of the Board and its proceedings might be defrayed under an order of the Treasury by the Metropolitan Board of Works, and would thus fall upon the ratepayers of the metropolis. The other half was to be defrayed out of the revenue of the country, and if the principles of the measure were agreed to he could not see why every county in England should not have a similar Commission framed for the benefit of the inhabitants of the large towns, entailing a serious increase on the public expenditure. It was by such bad precedents that our civil charges had grown to their present height. The Government had been compelled to give way to some slight demand which, bad in itself, had been made a precedent, and had led to acquiescence in general demands of a similar character. Before embarking on the proposed scheme they were bound to satisfy themselves that it was absolutely necessary. They already possessed an efficient body in the Inclosure Commission, to whom the working of the Bill might be safely intrusted. That body had an efficient staff and cost the country about £20,100 per annum ; and he believed that body was the best and most efficient body that could be found to discharge any duties Parliament might think fit to impose on them in reference to this Bill. The Inclosure Acts contained a number of clauses providing for the permanent appropriation of open spaces for the people, but they did not enable the town authorities to extend open spaces by purchase. If this were altered and powers were given to the local authorities to appear before the Inclosure Commissioners with an application for additional land, the Commissioners might estimate the value of the land required and grant the powers asked for. If that were done, the Inclosure Acts would be sufficiently amended for the purpose of providing sufficient open spaces for the people. It might be said that in the case of the metropolis a portion of the commons would not be sufficient, as the metropolitan authorities required that no land whatever should be inclosed. Still that did not prevent their applying to the Commissioners to purchase the rights of the lords of manors and the commoners. It was a reasonable proposition that the Metropolitan Board of Works should be enabled to acquire power of the Commissioners to purchase spaces for the people of the metropolis, because the ratepayers, who would find the money for the purchase, elected the members of the Board. It could not be admitted for a moment that the Commissioners had a right to seize the rights of the lords of manors ; and the whole matter resolved itself into the simple question whether it was desirable to sit up a new and irresponsible Board of Commissioners, who would necessarily be an expensive body, or whether the Inclosure Commissioners should be given some few new powers. He would remind the House that last week they had been legislating precisely in the opposite course to that proposed by the Bill under consideration, inasmuch as they had very properly enacted that Epping Forest, or rather what was left of it, should be vested in the hands of the First Commissioner of Works, because it was the property of the Crown. He thought it would produce a most lamentable result, if, instead of encouraging the Metropolitan Board to proceed in the providing of open spaces, the House should pass a law which was offensive to them. The Board were asked to pay the expenses incurred under a Bill to which they objected, and they would be, therefore, naturally indisposed to take any action under it. Two parks had been provided under the present Act, and there was a disposition to proceed further in the same direction; but the effect of the Bill now before the House would be to discourage these endeavours to procure open spaces for the recreation of the inhabitants. He contended that the whole matter should be investigated by a Committee upstairs. He desired to preserve the power of the Inclosure Commissioners, and to prevent as far as possible application for local Acts. He begged to move—

> "That it is inexpedient to transfer the duty with which the Metropolitan Board is by Law invested to an irresponsible Board, having power to incur expenditure and to charge the same on the ratepayers of the Metropolis; but it is desirable to amend the Inclosure Acts so as to enable the Metropolitan Board and local authorities in towns, with the aid of the Inclosure Commissioners, to acquire, by purchase or gift, rights in Commons, in order that the same may be kept open for the recreation of the inhabitants of the Metropolis and such towns."

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is inexpedient to transfer the duty with which the Metropolitan Board is by Law invested to an irresponsible Board, having power to incur expenditure and to charge the same on the ratepayers of the Metropolis; but it is desirable to amend the Inclosure Acts so as to enable the Metropolitan Board and local authorities in towns, with the aid of the Inclosure Commissioners, to acquire, by purchase or gift, rights in Commons, in order that the same may be kept open for the recreation of the inhabitants of the Metropolis and such towns,"—(*Mr. Ayrton,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR WILLIAM JOLLIFFE said, he did not rise for the purpose of opposing the Bill, but of expressing his surprise that the right hon. Gentleman had not offered a single reason which appeared in any way conclusive for the passing of such a measure. The legislation contemplated was totally foreign to anything that had hitherto been done in regard to the commons of the country; and he asked why the Inclosure Commissioners could not perform all that was requisite in the metropolis, seeing that they discharged similar duties throughout the country. Too much had been said as to the power of public opinion in this matter, for it had not been able to protect the public against the injustice of the Department of Woods and Forests. The Government had neglected their duty with respect to Epping Forest; and what had been done in the neighbourhood of Woolwich and Blackheath? At the latter place, for the sake of £40 or £50 a year, the public had been deprived of one of the most frequented commons. The complaints of the public were not against the lords of the manor, but against the Government, and the manner in which the Department of Woods and Forests had discharged its duty. Then, if any alteration was to be made in the existing law, the large towns of the country had as much right to be considered as the metropolis. Even in small places, by the aid of the Inclosure Commissioners, most beneficial measures had been adopted. In the town he represented fifty acres of land had been devoted to public recreation, not one farthing being charged on the ratepayers. The Commission proposed would entail considerable expense; and, taking all the circumstances into consideration, he could not help thinking that the Bill now before the House was altogether unnecessary. There was no reason why there should not be an enactment passed for a survey to be made of all the commons, and that they should not be interfered with till an Act of Parliament was brought in, in which provision should be made for necessary and desirable recreation. If such a measure were brought in as an amendment to the Inclosure Act, the whole thing would be settled, and he believed that course would meet with the approval of the lords of the manors.

MR. LOCKE said, that he had, in the Committee which sat upon this subject, objected, and still objected, to placing the control of the commons in the hands of the Metropolitan Board of Works. That Committee had come to two resolutions:—That the statute of Merton should be repealed, and that the commons should be preserved in their present state. In their Report they suggested the different boards and bodies that might be intrusted to carry out the various provisions. Amongst others they suggested the Inclosure Commissioners and the Metropolitan Board of Works, as well as a distinct Board to be appointed for the purpose, and which they thought would be the best body of all to take charge of the subject. He was very much in favour of referring the matter to a Select Committee of that House. If the House thought that the Inclosure Commissioners were the right body to whom the subject should be intrusted, the Chairman of Committees should have the power of handing it over to the charge of those Commissioners. There was a provision in the Bill that no inclosure should be allowed to take place unless a special Bill should be brought into Parliament, and there was another provision that no inclosure should take place in the metropolis. The main scope of the Bill was that lords of the manors and copyholders should enjoy their present rights, and that the public also should retain their existing rights and privileges and be free to walk over the commons in the metropolis. It would be unfortunate if there should be any difference of opinion amongst hon. Members, because they all had the same object in view for the benefit of the public. There would be only one point necessary, as an instruction to the Committee, and that was as to what existing body should form the Board taking charge of the subject, or whether a new Board should be created for the purpose, for it would be a great misfortune if no legislation were to take place upon the subject this Session.

Mr. BUXTON likewise deprecated any division of opinion on a question in regard to which they were all entirely agreed, and suggested that an Instruction to the Committee would probably cover any remaining points in dispute.

Mr. COWPER said, as it appeared to be the general feeling of Members that a Committee of the House ought to consider the points referred to, he was quite ready to accede to their wish. The only technical difficulty was that, by its title, the Bill was limited to the metropolis, and he thought, therefore, that an Instruction to the Committee would be requisite to consider the propriety of extending the provisions of the Bill beyond the metropolis to places in the vicinity of other towns in England. He would, therefore, move a Resolution to that effect after the second reading of the Bill had been agreed to. Without giving them further instruction, it would be in the power of the Committee to consider whether they would agree to substitute the Inclosure Commissioners for the Commissioners named in the Bill.

Mr. SANDFORD objected to the Bill as it now stood, on the ground that it was founded on a principle of exceptional legislation. To confine the operation of an Inclosure Act to commons within a certain radius of the metropolis would be nothing but a confiscation of private property. Commons were the absolute property of the lords of the manor, subject only to the rights of commoners. [Mr. Thomas Hughes: No!] Would the hon. and learned Member for Lambeth stand up and deny that proposition? He denied that the statutes of Merton did not apply to commons in the neighbourhood of London.

Mr. THOMAS HUGHES believed that the principle laid down by the hon. Gentleman—namely, that the lords of the manor were the absolute owners of commons subject only to the rights of commoners—had not been decided to be a principle of the English law.

Mr. SANDFORD said, he made the assertion on the authority of a former Attorney General, who stated the principle before a Committee upstairs. He wished that any Act of this kind might be a general one.

Mr. Alderman LAWRENCE observed, that what the inhabitants of London wanted was a body of non-inclosure Commissioners—a body of gentlemen who would take care that commons were not inclosed contrary to law. The people of the metropolis justly desired the preservation of their recreation grounds. If the Committee on this Bill were to inquire over the whole country, the Bill itself would be a mere delusion.

Mr. AYRTON, after the statement of the First Commissioner of Works, said he would not preserve with his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *committed* to a Select Committee.

Instruction to the Committee, that they have power to consider the expediency of extending the provisions of the Bill beyond the area of the Metropolis, to lands in the vicinity of other towns in England.—(*Mr. Cowper.*)

ELECTIONS (RETURNING OFFICERS) BILL—[Bill 161.]

(*Mr. Goldsmid, Mr. Huddleston, The O'Conor Don.*)

SECOND READING.

Order for Second Reading read.

Mr. GOLDSMID, in moving the second reading of this Bill, said, that one object of it was to confer upon Returning Officers the power of giving a casting vote in case of each candidate polling an equal number of votes.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Goldsmid.*)

Mr. J. LOWTHER said, he hoped that considering the lateness of the hour and the importance of the measure, the hon. Gentleman would postpone the second reading.

Mr. AYRTON said, he thought the better course would be to read the Bill a second time, on the understanding that it should not be further proceeded with until certain questions which would be raised before an Election Committee in respect to returning officers had been decided.

Motion *agreed to*.

Bill read a second time, and *committed* for *Wednesday* 20th June.

DEAN FOREST (WALMORE AND THE BEARCE COMMONS) BILL.

Select Committee on the Dean Forest (Walmore and the Bearce Commons) Bill [May 10] *nominated*:—Mr. Childers, Colonel Kingscote, Mr. Rolt, Mr. William Philip Price, and three Members to be nominated by the Committee of Selection:—Power to send for persons, papers, and records; Three to be the quorum.

NEW FOREST POOR RELIEF BILL.

Select Committee on the New Forest Poor Relief Bill [March 21] *nominated*:—Sir Jervoise Clarke Jervoise, Mr. Beach, Colonel Hamlyn Fane, Mr. Waldegrave-Leslie, Viscount Enfield, and four Members to be nominated by the Committee of Selection:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Friday, *May* 25, 1866.

The House met, and Forty Members not being present at Four o'clock, Mr. Speaker adjourned the House till *Monday* next.

HOUSE OF LORDS,

Monday, *May* 28, 1866.

MINUTES.]—*Sat First in Parliament*—The Lord Ormonde, after the Death of his Father.

Took the Oath—The Lord Farnham.

Public Bills—*First Reading*—Companies' Act (1862) Amendment* (124); Solicitor to the Treasury* [125].

Second Reading—Ecclesiastical Leases (Isle of Man)* (68); Hop Trade* (123).

Third Reading—Land Drainage Supplemental* (106); Cattle Assurance* (83), and *passed*.

COURT OF SMALL CAUSES (BOMBAY)—REMOVAL OF MR. MANOCKJEE CURSETJEE.

MOTION FOR PAPERS.

Lord CHELMSFORD, in rising to move—

> "That there be laid before this House the Copy of a Letter from Mr. Manockjee Cursetjee, One of the Judges of the Court of Small Causes at Bombay, to the Secretary of State for India, dated the 7th February 1866; together with all Enclosures and Papers accompanying the same:
>
> And Copies of all Correspondence with and Minutes of the Bombay Government relating to a Report in the Newspapers of a Discussion which occurred in the Court of Small Causes between Mr. Crawford, a Solicitor of Her Majesty's High Court, and the said Mr. Manockjee Cursetjee,"

said: The case to which I have to direct your Lordships' attention is one that deserves your most serious consideration. The papers which I propose to read relate to the conduct of the Bombay Government towards one of its Judges—conduct which I think was calculated to deprive him of all weight and character in his position as Judge, and which must have had the effect of preventing him from independently discharging his judicial functions, besides having a prejudicial effect on the administration of justice throughout the whole of the Presidency. That conduct has, I am sorry to say, received the countenance of the late and also the present Secretary of State for India. The Judge to whom I have referred is Mr. Manockjee Cursetjee, a Parsee gentleman, who has for more than fifteen years held judicial office in Bombay, during eleven of which he has been one of the Judges of the Court of Small Causes in that place. He is a gentleman who is very highly esteemed for his judicial qualifications and for the independence and integrity of his character, as will appear to your Lordships in the course of the statement I have to make. I will proceed to state the circumstances to your Lordships as plainly and as briefly as I can. In the month of August, 1864, an action was brought in the Court of Small Causes against a railway company for the non-delivery of one bale of goods out of ten, which had been given to the company to carry and deliver. Mr. Manockjee Cursetjee was the Judge who presided at the trial, and Mr. Crawford, a solicitor, appeared on behalf of the railway company. He admitted the non-delivery, and consequently the only question to be determined was the value of the bale. In the course of the evidence given by the plaintiff, in describing the contents of the bale, he made use of the term "hurdas." Mr. Crawford professed not to understand the meaning of the term. A discussion took place, and in the course of it an observation was made by the Judge which was regarded by Mr. Crawford as an affront; who, after using some strong language, left the court. In the following issue of the *Bombay Gazette* there appeared what purported to be a report of the proceedings at the trial, but which was very inaccurate and highly exaggerated; and as I understand there was no reporter of any of the newspapers in the court, nor any one capable of taking notes, and as Mr. Crawford threatened as he left the court that he would publish the proceedings, I do not think it will be considered unfair if I attribute that report in the *Bombay Gazette* to him. However this may be, the report to which I have referred was the ground upon which the Government of Bombay thought proper to proceed in the matter, and therefore it will be right that I should draw the attention of your Lordships to a portion of it. In the course of the trial the plaintiff, being cross-examined, said, speaking of the contents of the bale, that they were "hurdas," and cost 209 rupees—

> "Mr. CRAWFORD: But I want to know what 'hurdas' are. The plaintiff sues for a bale of piece-goods, and to test the value of his statement as to the value, I must be informed what kind of piece-goods they were—grey shirtings, madapollams, T cloths, jacconets, or what.
>
> "The JUDGE: The man tells you they were 'hurdas.'
>
> "Mr. CRAWFORD: But what is a 'hurda?'
>
> "The JUDGE: Never mind about that; he bought 'hurdas,' and sues for 'hurdas.' If you were a native you would know what 'hurdas' are.
>
> "Mr. CRAWFORD: But I am not a native, and I don't know.
>
> "The JUDGE; Oh, then I'll postpone the case that you may go into the Marwarree Bazaar and find out, you know; and the plaintiff by that time will get his evidence from Sholapore, you know.
>
> "Mr. CRAWFORD: I presume this is an English court of justice, and that the proceedings must be conducted in English, not in Marwarree.
>
> "The JUDGE; It is not an English nor a native court; it's the Small Cause Court. You can go into the bazaar and find out what a 'hurda' is.
>
> "Mr. CRAWFORD: I shall do nothing of the kind, and I consider your conduct impertinent and highly improper. I will not permit myself to be so addressed if I can help it. I shall report the matter to the full court.
>
> "After a considerable amount of shrill vociferation from the Judge, and no very mild retorts from the advocate, Mr. Manockjee proceeded—
>
> "Now, Mr. Crawford, do you intend to call evidence?
>
> "Mr. CRAWFORD: I decline to proceed any further before your honour; if I knew what a 'hurda' was I should call witnesses to value; as it is I decline to do anything. I did not expect much law here, but I am at least entitled to civility.
>
> "The JUDGE: Verdict for plaintiff for 209 rupees and costs, certified.

I think your Lordships may gather from this report that Mr. Crawford was insulting and irritating, and the Judge provoked and angry; but even with all the addition which may be imagined of tone and manner, it hardly appears to have been a sufficiently serious matter to justify the interference of the Government. Your Lordships will observe that there is no charge against the character of the Judge, no allegation of anything discreditable in his conduct; but at the worst, nothing more appears than a mere want of temper. The Bombay Government, however, thought proper to take the matter up, and a letter was addressed to the first Judge of the court in these terms—

> "Sir,—The attention of the Government has been attracted to a report in the newspapers of a discussion which occurred in the Court of Small Causes between Mr. Crawford, a solicitor of Her Majesty's High Court, and Mr. Manockjee Cursetjee. I am directed to request that you will ascertain and report whether Mr. Manockjee Cursetjee admits the substantial accuracy of the report and Mr. Crawford's remarks, and whether he wishes to submit any observations to Government regarding them.—I have the honour to be, sir, your most obedient servant,
>
> "H. L. ANDERSON,
>
> "Chief Secretary to Government."

In answer to that letter Mr. Manockjee Cursetjee sent to the Government a copy of the reports that had appeared in the *Bombay Gazette*, accompanied with his observations upon them, showing that in various parts they contained very grave inaccuracies. He also sent a report of an application made to the full court against him by Mr. Crawford, which he must have known had no jurisdiction in the matter, and therefore he could only have used the motion as an opportunity of additional insult to the Judge. It exhibits, however, the tone and temper ordinarily displayed by Mr. Crawford, and might have made the Government a little cautious as to interfering in a dispute in which he was concerned. If nothing more had occurred than the mere notice of a newspaper report by the Government of Bombay and an application to the Judge to answer it, although I should have thought their interference under the circumstances injudicious, I should not have thought it necessary to have brought the matter before your Lordships. But the next step taken by the Bombay Government was one of so extraordinary and unaccountable a character, that when it was first brought to my attention I could hardly believe but that there must have been some mistake. My Lords, it is a fact that without any further communication with the Judge, without stating whether his explanation was satisfactory or not, or requiring anything beyond it, without any intimation of their intention, they published, or at least they sent to the editor of the *Bombay Gazette* a copy of a letter which was addressed to the first Judge, with permission, and almost, indeed, with a direction to publish it. Now, my Lords, that letter conveyed a very severe censure upon the Judge for his want of courtesy towards Mr. Crawford—a condemnation based on a general impression that Mr. Manockjee Cursetjee did not sufficiently consider the feelings of the gentlemen who practised in his court ; the strange enunciation of a maxim that where a dispute arises between an advocate or solicitor and a Judge it must be assumed that the Judge was in the wrong ; and it conveyed a very severe rebuke for the past, and a solemn warning for the future. Your Lordships may think I am guilty of some exaggeration in thus stating the contents of the letter, but in order to dissipate such an impression I will at once proceed to read to your Lordships a portion of it. It is headed "Judge Manockjee and Mr. Crawford," and says—

"The following communication has been placed at the disposal of the press by Government :—

"On a consideration of the statements of Mr. Manockjee Cursetjee and of Mr. Crawford, after discarding all discrepancies as to minor facts, the honourable the Governor in Council is of opinion that there can be no doubt as to the principal point in dispute—namely, that the Third Judge of the Court of Small Causes did tell a solicitor pleading before him, as representative of the G. I. P. Railway Company, that if he did not know what a certain technical native expression implied he should go to the Marwarree Bazaar and find out. The honourable the Governor in Council is compelled to express his opinion that this language under any circumstances was most unbecoming. It might be palliated in some measure by extreme provocation on the part of the advocate, but the honourable the Governor in Council is bound to say that he cannot discover that Mr. Crawford in any way provoked the remarks which he justly deemed offensive, or that he said or did anything which was not suggested by a just regard for the interests of his clients. It is painful to the honourable the Governor in Council to record an opinion which may give distress to a zealous and high-minded servant of the public. His Excellency in Council recognizes in Mr. Manockjee Cursetjee many valuable qualifications for the judicial office, incorruptible integrity, fearless independence, energetic zeal to ascertain the truth, an honest scorn of all chicanery, and very considerable acumen in estimating the value of evidence. On the other hand, the Governor in Council cannot resist the general impression that Mr. Manockjee Cursetjee is not always sufficiently regardful of the feelings of the gentlemen who practise before him. Advocates and solicitors are, as educated gentlemen, so habitually conscious of the respect due to the judicial office, that it may, as a rule, be concluded that when any altercation arises it will be the Judge who is in the wrong. The fact that Mr. Manockjee Cursetjee is not of English birth is one which would only induce a gentleman of Mr. Crawford's character and professional position to be more cautious that there should be no diminution of the respectful consideration to which a Judge is entitled. The honourable the Governor in Council would, therefore, earnestly impress upon Mr. Manockjee Cursetjee the duty of not obscuring his many high qualities, and of not detracting from his usefulness as a public servant, by an indulgence in petulant and irritating remarks. He should consider that he will be regarded by the general public as a representative man, and that he may possibly in some degree injure the best interests of the inhabitants of India if he give occasion for an opinion that a Parsee gentleman cannot preside over a court of justice without entering into unbecoming conflicts with the counsel before him."

Now, consider the effect of such a document proceeding from a Government in condemnation of a Judge, for at least a trivial offence, and proclaimed to the world in the columns of a newspaper ? We generally consider that we ought to look with great forbearance on greater faults than these on the part of a Judge—that he is not to be condemned unless on very sufficient evidence, and that it is destructive of the interests of justice if any unnecessary exposure of his conduct is made. But here a Judge is condemned for a slight offence, at the utmost upon a general impression. And although it may be literally true, as I admit it to be to some extent, that when an altercation takes place in court between an advocate and a Judge, the Judge is usually the first to blame, because he may by always showing due respect to those who practise before him, secure proper respect being paid to himself, yet this ought by no means to be taken as a general rule, and nothing can, at all events, be more imprudent and injudicious than for a Government to proclaim this as a maxim on which their judgment is founded, or will be founded in any future case that may be brought before them.

What other effect can such a mode of procedure have than to encourage rough-mannered practitioners who are desirous of carrying a particular point by storm, or who wish to wreak their vexation for their want of success upon the Judge, to insult and browbeat him, secure in their possession of this vantage ground, that if he rebuke them as he ought to do, and any altercation takes place, it will be assumed by the Government that the Judge was in the wrong. This letter was published in the newspaper the day before Mr. Manockjee Cursetjee left Bombay, but in due time he sent a Minute in answer to the letter to the Governor and President in Council, and I think your Lordships will say, if your Lordships will give attention to the correspondence, that the conduct of Mr. Manockjee Cursetjee was throughout the whole of this affair most forbearing and judicious. He says in the Minute—

> "The day before I left Bombay for this, I found published in the columns of a newspaper of the 12th a letter from Mr. Chief Secretary Anderson, dated the 11th instant, addressed to my learned Colleague the acting First Judge, conveying the opinion of the Honourable the Governor in Council on the subject of my last Minute answering the Government reference, and showing what actually did occur, and how absolutely were the real facts and circumstances perverted, and the words passed between me and Mr. Crawford in the course of the discussion misrepresented in the columns of the *Bombay Gazette.* I have read this letter with surprise and sorrow. Surprise because I read it only in the columns of the newspapers, and have as yet been favoured with no official intimation thereof; and sorrow because I find myself constrained to prolong a discussion which, on several considerations, I wished had died its natural death."

He then goes on to speak of the relations between advocates and solicitors who appear in the court, and the Judge, and gives some instances of the conduct of certain solicitors—among others Mr. Crawford himself—to show how ready they are to take advantage of a Native Judge, and he concludes in these words—

> "I have addressed this Minute for the consideration of the Honourable the Governor in Council, and with a request that as the Government letter under review has been caused to be published in the columns of the newspapers, my last Minute, as well as this, with Government resolution thereon, may also be given to the public through the same channel."

I put it to your Lordships, could he have asked anything less, and was it not essential that he should have had at least this redress in order to place him in a proper position before the public? But what was the answer?

Lord Chelmsford

> "I am desired to explain, with reference to your complaint, that this letter found its way into the columns of the newspapers before you had been allowed the opportunity of seeing it; that a copy of it was placed in the editors' room at the time the original was despatched to the First Judge of the Small Cause Court."

My Lords, I am perfectly astonished at this. There does not appear to have been any feeling of the impropriety of the publication of the letter in the papers at all, and all the Government endeavoured to explain was that the copy of the letter was sent to the editor at the same time that the letter was sent to the First Judge, and might have reached the hands of Mr. Manockjee Cursetjee. The Government letter goes on to say—

> "I am now directed by the Honourable the Governor in Council to inform you that an attentive perusal of your letter has not convinced Government that the view taken of your proceedings was wrong, and that Government does not think that any good result will be obtained by continuing the discussion."

In other words the Government said to Mr. Manockjee Cursetjee, "you have been disparaged and degraded; but never mind, submit patiently and proceed with your duties." But Mr. Manockjee Cursetjee entertained a very different impression, and acted upon it with great spirit and propriety. He seems to have been on very intimate terms with the distinguished Governor of Bombay, and he wrote to Sir Bartle Frere as follows:—

> "Villa Byculla, 30th December, 1864.
>
> "My dear Sir Bartle,—I received this morning a Government letter on the subject of the late correspondence. I have just returned from Mr. Inverarity and your brother, telling them that I sit with a broken heart and reluctant hand to announce to your Excellency my intention of resigning into your hands from the 1st February my office on the Bench of the Bombay Court of Small Causes. Under the circumstances mentioned in my Minute, and consistently with the sincerity of my feelings conveyed in its paragraphs 43 and 46, I feel I could not with any degree of self-respect and independence maintain my position on the bench of that tribunal, which I held for more than eleven years without a moral stain, without being rebuked by Government, except in the instance in question—grounding the rebuke on no other foundation than 'general impressions,' which I felt mortified at. Pardon, I beseech you, Sir Bartle, my want of ceremony in giving vent to the outpourings of my burning heart. But you know I do not, and will not, dissimulate my sentiments, and be assured that whatever I have to think of Government measure —whatever may be my feelings thereon—whatever the extent of my misfortune thereby—and be what my future lot of life—I will not

suffer (and hope you also will not) any link in the chain of our long existing acquaintance—I may, with pride, add friendship—be broken."

To show the estimation in which this gentleman was held by the Governor, I may refer to a letter received by him immediately afterwards, in which he was requested by the Governor not to press his resignation—

"My dear Manockjee,—Your letter of the 30th, which reached me on my way from Nassick, has caused me extreme regret. I think you are quite wrong to tender your resignation, and I am sure I should be wrong to accept it, at least until we have had an opportunity of further discussing the position in which your correspondence with Government has placed you, which you seem to me to have greatly misunderstood. I cannot go into the question satisfactorily in a hurried note, but I hope to be back in Bombay next week, and shall be glad to see you as soon as I return, and discuss the matter more fully; when, unless you are much less reasonable than of old, I feel sure I shall convince you you are wrong."

After this the Governor and Mr. Manockjee Cursetjee had an interview, and on that occasion the Governor still pressed him not to tender his resignation, but Mr. Manockjee Cursetjee felt that in the position in which he was placed it was impossible for him to continue on the bench with any regard to his own character, or to the efficient adminstration of justice in his court, and he therefore wrote his final determination to the Governor in the following terms:—

"As far as your Excellency is concerned I feel satisfied that personally you cannot do more than telling me that you were sorry that that unfortunate resolution which I felt hurt at had been at all published, and in the way it was worded: that it was not intended for publication, and should have been differently worded."

I must pause here for a moment to say that I strongly suspect the Governor was not at all aware of the publication of the letter. Mr. Manockjee Cursetjee goes on to say—

"But as it has been given out to the world by the Government Secretary in the words in which it was constructed, and after I have shown in my Minute from Matheran that the severity of the rebuke administered to me was neither called for by the facts of the case, nor deserved on my part, and after having expressed my feelings and assurance that 'if I wholly deserved that rebuke; if there had been no extenuating circumstances to soften its severity, my conscience tells me I am no longer worthy of holding my position on the Bench,' &c., I cannot and will not place myself in a false position by acting differently to what I have professed. I have deeply pondered over and weighed what your Excellency so kindly and feelingly expressed on the subject of my position and the position of Government, and I ardently wish I can form any other resolve than what I contemplate acting on—namely, unless my Minutes with their respective appendixes placed in the editors' room, with such resolution thereon as will take away the effect of the sting under what I lay suffering by the Government measure, I cannot without forfeiting self-respect and independence, nay, with any peace of mind, continue to hold and maintain my position on the Bench of the Small Cause Court. If Government will do this as a matter of *insâf* (favour it will be wrong in me to ask, and I will not ask it) then my next course will be to withhold sending in my resignation till the result of an appeal to the Secretary of State, and pending which to absent myself from the Court by applying for a furlough or leave on urgent private affairs. Your Excellency at our last meeting said that you would call for the papers and look into them once more, and let me know the result. I entreat you to expedite it. I earnestly entreat your forgiveness for this intrusion, and if I seem presumptuous on what I have aforesaid in my wonted fervid style, I beg you will divest your mind of any idea that I thereby wish or desire that your Excellency as a Governor, in finally disposing of this (my unfortunate) case, should act on any other than public consideration. It will, indeed, mortify me to have it supposed or insinuated that I, who ever stood foremost in reprobating Khutputism, should have sought or ventured to seek its despicable agency in my own case."

My Lords, Mr. Manockjee Cursetjee then wrote a letter to the Secretary of State for India, which states the whole case so clearly, distinctly, and forcibly, that although it is long, I am afraid I must trespass on your Lordships' patience by reading it in order that your Lordships may understand the knowledge of the circumstances of the case possessed by the Secretary of State for India when he refused to interfere with the course adopted by the Bombay Government. The letter is as follows:—

"The Right Honourable Sir Charles Wood, Bart.,
Secretary of State for India.

"Right Honourable Sir,

"Your Excellency's despatch on the correspondence between the Government of Bombay and myself I hear has reached Bombay. That despatch was a laconic one, comprised in one brief sentence, that you saw no cause to interfere in the matter. You neither touched upon the merit of the case nor expressed any opinion whatever on the grave question raised by the said correspondence, and particularly my Minute of the 27th of October, 1864—namely, violation on the part of the local government of the first principle of administering justice—judicial independence.

"As the publication of your opinion on the said question is of essential importance, not to me only, but to every judicial officer in India, I trust you will not consider me either presumptuous or importunate in venturing respectfully to request you will be pleased to make that opinion public. The following brief recital of facts on record will render clear the magnitude and importance of this representation to you:—

"As a Judge of the Bombay Court of Small Causes, I was called upon by the Government of Bombay, by a letter dated 19th August, 1864, to offer observations on a newspaper report by which their attention was attracted — a report not alleging any malversation of office, but stating at most an alleged want of courtesy in one particular instance, to (I may add, as the very report proves him to be) an insolent solicitor!

"Although no judicial officer is legally or constitutionally bound, as I have been advised, to respond to such an invitation, I did so out of respect to the Government and considered the matter at an end. But the next thing I heard to my amazement and sorrow was that without any further communication with me Government had published in the *Gazette* a letter, to the address of the Acting First Judge, dated 11th October, 1864, giving not only an opinion on the case reported in the newspaper, but adding that the Governor in Council cannot resist the 'general impression' that I am not always sufficiently regardful of the feelings of the gentlemen who practised before me. And this is superadded by a declaration that 'advocates and solicitors are, as educated gentlemen, so habitually conscious of the respect due to the judicial office, that it may, as a rule, be concluded that when any altercation arises it will be the Judge who is in the wrong.'

"I feel persuaded you, Right Honourable Sir, cannot and will not uphold the proceedings of the Bombay Government in the above respect. To do so would be to strike a sad blow to judicial independence and destroy the usefulness of a Judge, and particularly a Native Judge of fifteen years on the bench—one who has hitherto stood so high in the estimation of the Government as to have been frequently complimented, and even in the letter of the 11th October, 1864, in the highest terms, by regarding me 'a zealous and high-minded servant of the public,' and recognizing in me 'many valuable qualifications for judicial office, incorruptible integrity, fearless independence, energetic zeal to ascertain the truth, an honest scorn of all chicanery, and a very considerable acumen in the estimation of the value of evidence.'

"These are terms of commendation of which a Judge on the bench of any tribunal in any country cannot but feel proud.

"It is, Right Honourable Sir, both on personal and public considerations that I am constrained to persist in continuing the discussion. I consider it a duty which I owe to the Government, the governed, and myself to defend the honour, integrity, and independence of my position as a Judge.

"The strong view I have taken of the Government measure from the outset has been endorsed by the late Advocate General, the Honourable Mr. Lewis, and other barristers and practitioners at Bombay, whose opinion I appended to my letter to the Bombay Government of the 12th April, 1865, for the purpose of being transmitted to you, and I now do myself the honour of inclosing a letter from the Vice Chancellor, Sir Page Wood, to show the view this eminent law authority in England has taken of my case.

"I respectfully but earnestly request you, Right Honourable Sir, to take a fresh and enlarged view of this reference to you on the facts recorded as aforesaid, and publish your opinion—

"First,—Whether you will uphold the act of the Bombay Government, in voluntarily taking notice of a newspaper report of a discussion between the Bench and the Bar, as in the instance in question?

"Secondly,—Whether you will endorse the opinion proclaimed by the Bombay Government that 'advocates and solicitors are, as educated gentlemen, so habitually conscious of the respect due to the judicial office, that it may, as a rule, be concluded that when any altercation arises it will be the Judge who is in the wrong?'

"Thirdly,—Whether the local government is warranted in publicly censuring a Judge, as in my case, on a resolution founded upon a 'general impression?'"

Your Lordships will observe that in this letter was enclosed the letter of that eminent and learned Judge, Vice Chancellor Sir Page Wood, and I should have thought that the opinion of so high minded, dispassionate and judicious an authority would have had some weight with the Secretary of State for India. It does not appear, however, to have produced the slightest effect upon his mind, for this short answer was returned to the letter I have read—

"India Office, S.W., 8th March, 1866.

"Sir, I am directed by the Secretary of State to acknowledge the receipt of your letter of the 7th ultimo, and to state that the proceedings in your case were transmitted by the Bombay Government to him at your request, and that his reply was addressed to that Government on the 9th August last. As you seem to have left Bombay before this despatch reached the Government, I am directed to apprise you that the Secretary of State therein stated that he saw no reason to interfere with the course adopted by the Government, and to add that Lord de Grey concurs in that decision. I am, Sir, your obedient servant,

"HERMAN MERIVALE.

"Manockjee Cursetjee,
"Hill House, Southampton."

The Government of Bombay had done nothing to repair the mistake (to call it by no stronger name) which it had made, and although the subordinate Government was responsible in the first instance for the course taken in the matter, as the Secretary of State when appealed to refused to interfere, he must be assumed to have sanctioned what had taken place. It may be extremely disagreeable to censure, even in the slightest degree, so eminent a public servant as Sir Bartle Frere, but all private feelings should be merged in the performance of public duty.

EARL RUSSELL: Not private feelings, but public feelings.

LORD CHELMSFORD: I do not care whether they are public feelings or private feelings; what I mean to say is, that by refusing to interfere, the Secretary of

State for India virtually sanctioned this proceeding of the Bombay Government. Now, my Lords, let us see what was the conduct with which the Secretary of State thought it was not his duty to interfere. It was this. The Government of Bombay, upon a newspaper report of what at the most was a mere want of temper on the part of a Judge, had called upon him to answer a charge thus irregularly brought to their notice, and had condemned him in strong terms, proclaiming their condemnation and censure through the columns of a newspaper far and wide throughout the whole country. What, my Lords, must have been the effect of this? In the first place, almost necessarily, to deprive the public of the services of a Judge, who is admitted to possess the highest qualifications for the judgment seat, for Mr. Manockjee Cursetjee cannot possibly consent to remain upon the bench, until his character has been set right with the public; nor can he, until the stigma under which he now labours is removed, continue to exercise his office of Judge to the public advantage. And with regard to all the Judges throughout the Presidency it has been proclaimed that they must be careful how they endeavour to repress the over forwardness or petulance of advocates, for if they should do their duty by repressing any manifestations of over eagerness and zeal, and a collision should take place, it will be assumed by the Government that they were in the wrong, and thereby the independent and proper exercise of their functions will be entirely prevented. These considerations appear to me to be so serious and so important that as one who still takes a part in the administration of justice, and who has a strong feeling for the dignity and independence of the judicial office, I have thought it my duty to bring the matter forward, and to move for the production of the papers, which will give the House all the information that is required in reference to this case.

Moved, That an humble Address be presented to Her Majesty for,

Copy of a Letter from Mr. Manockjee Cursetjee, One of the Judges of the Court of Small Causes at Bombay, to the Secretary of State for India, dated the 7th of February 1866; together with all Enclosures and Papers accompanying the same:

And Copies of all Correspondence with and Minutes of the Bombay Government relating to a Report in the Newspapers of a Discussion which occurred in the Court of Small Causes between Mr. Crawford, a Solicitor of Her Majesty's High Court, and the said Mr. Manockjee Cursetjee.—(*The Lord Chelmsford.*)

EARL DE GREY AND RIPON: The noble Lord who has just sat down has expressed his opinion in very strong terms on the course that has been taken in this case by Sir Bartle Frere, the Governor of Bombay, and by the Government of that Presidency. I must, in the outset of my reply, request your Lordships, in looking at the question which has been brought forward by the noble and learned Lord, to remember that in all matters connected with India we should look rather to what is the Indian practice than to what may be the practice in similar cases in this country. One of the principal points to which the noble and learned Lord has adverted, as brought forward by Mr. Manockjee Cursetjee, in the letter which he has read, rests upon the idea that the course which the Government of Bombay took in the first instance by addressing an inquiry to Mr. Manockjee Cursetjee, in regard to the report of a trial which appeared in the newspapers, in obtaining his explanation, and in not only expressing their opinion on his conduct in the form of a censure, but also publishing it in the newspapers, the proceedings of the Government were very objectionable, and calculated to interfere improperly with the independence of the judicial office. Now, I understand that in taking notice of a matter of this sort the Bombay Government were only taking a course for which they had numerous precedents, and that even in the case of the Zillah Judges, who occupy a much higher position than that of the Judges of the Court of Small Causes, having both original and appellate jurisdiction, it has always been the practice arising out of the peculiar circumstances of India that the Government should, when they thought necessary, make communications of this nature to judicial officers of that rank, and consequently they could not, as a matter of course, neglect to communicate to judicial officers of a lower rank their views with regard to the way in which those officers conduct their business. Your Lordships will understand that I do not refer to any interference with the Judges in respect to their decisions in particular cases, which would, of course, be very improper; but to such notice as was taken by the Government of Bombay of what they believed to be a defect of temper and of manner on the part of Mr. Manockjee Cursetjee. No doubt, such criticisms on the conduct of any judicial functionary would not be desirable in England; but I am informed that it has always been the practice in India, where it has been necessitated by the circumstances of the country; therefore, your Lordships will see that in addressing a letter of this description, that is to say, in criticizing the conduct of Mr. Manockjee Cursetjee, the Government of Bombay were simply doing that which had been done in many cases before, and which had been done some years before—I shall not, of course, name the gentleman to whom I refer—in reference to an officer of the very same court as that to which Mr. Manockjee Cursetjee belongs. So far, then, as relates to the question of whether in addressing to a judicial functionary of this rank criticisms of this description, the Government of Bombay acted contrary to the practice, it is clear that they did not do so, and consequently my noble Friend (Viscount Halifax), who is not now in the House, was right in not interfering with the line of conduct which the Government of Bombay felt themselves called upon to pursue in this respect. The noble and learned Lord has read a letter which was addressed by the Government of Bombay to Mr. Manockjee Cursetjee. I do not say that I think that letter was in all respects judicious. I think that some portions of that letter lay down a principle or leading idea with regard to disputes between practitioners and Judges which is no doubt open to dispute; and so far I concur with the noble and learned Lord in his objection to the expression used by the Government in that letter, that where an altercation occurs between a Judge and an advocate, the Judge is probably to blame. I should not myself lay down such a doctrine; but there is no doubt that the cases must be very rare in which any Judge ought to allow himself to get into an altercation with any person practising before him. But in their letter the Government of Bombay convey to Mr. Manockjee Cursetjee that his manner towards those who practised before him had on certain occasions been intemperate. [Lord CHELMSFORD: That is stated as a "general impression."] The noble and learned Lord has, on this occasion, one advantage over me—he has in his possession the letter of the Government of Bombay, and he has quoted that letter to your Lordships; but as I do not intend to lay it on the table, I cannot refer to it. I have carefully examined the matter, so far as regards the question of precedent, and if the Government of Bombay, in stating to Mr. Manockjee Cursetjee that they considered his conduct in regard to the practitioners in his court was not calculated to uphold the dignity of his office, were justified in that impression, I do not think it inconsistent with the practice of the Indian Government to bring the matter to the notice of the Judge. The letter is one which, as the noble and learned Lord has said, is very complimentary to Mr. Manockjee Cursetjee; but it also conveys the opinion of the Government that he had exceeded his strict line of duty, and had created a feeling in the minds of those who attended his court that he was not sufficiently regardful of their feelings. But then we come to another point, which is started by the noble and learned Lord—namely, that the letter was published; and in regard to this point, I have to explain to your Lordships the manner in which that letter came to be published. I was not aware until it was brought under my notice on this occasion that there has been in practice for several years a system by which there is in connection with the Government offices of each of the three Presidencies what is called an editor's room, in which the Government with the view of giving accurate information on matters on which they desired the public to be accurately informed lay papers, and permit the editors of newspapers, or other persons in their behalf, to go there and peruse them. It appears that the letter in question was placed in the editor's room in Bombay, and I entirely agree with the noble and learned Lord, that the publication of the letter was an aggravation of the censure which it conveyed; but I have the authority of Sir Bartle Frere for stating that the publication of the letter took place through some inadvertence.

LORD CHELMSFORD: I had omitted to state that there is a letter of Mr. Manockjee Cursetjee, in which he states that himself.

EARL DE GREY AND RIPON: Sir Bartle Frere says he regrets that the publication of that letter took place. There is one other point which I think it is necessary should be cleared up in reference to this subject, and that is in reference to Mr. Manockjee Cursetjee having first seen the letter in the newspapers. It has been explained to Mr. Manockjee Cursetjee that this arose from the fact that the letter was sent in the usual course to the First Judge of the Small Causes Court; but as

Mr. Manockjee Cursetjee left Bombay on the same day, he did not receive it until some considerable time had elapsed. This is all I have to say with regard to the course taken by the Government at Bombay. It appears to me that in drawing attention to the manner in which Mr. Manockjee Cursetjee conducted the business of his court, the Government of Bombay were not exceeding what according to precedent was right. In regard to the publication of the letter, I concur in the view expressed by the noble and learned Lord; but I thought it due to so high an officer as Sir Bartle Frere, with whose eminent talents and services your Lordships are acquainted, not to pass a censure upon him until I had ascertained what his view of the matter was, and I have recently received a letter from him, the contents of which I have already stated. I now come to the question, what was the course taken by the Secretary of State for India in reference to this matter? In the first place, the correspondence was sent home by the Government of Bombay, at the special request of Mr. Manockjee Cursetjee; it came home some time last year, and an answer was sent to India. Viscount Halifax, who was then Secretary for India, looking at the question with which he had to deal—namely, the course taken by the Bombay Government, and finding that it was in accordance with the usual practice, declined to interfere with the discretion exercised by the Government. When I entered upon the office which I have the honour to hold, I found the letter which the noble and learned Lord has read from Mr. Manockjee Cursetjee. Your Lordships will have observed that in that letter Mr. Manockjee Cursetjee asks for answers to three questions—

> "First,—Whether you will uphold the act of the Bombay Government, in voluntarily taking notice of a newspaper report of a discussion between the Bench and the Bar, as in the instance in question?
>
> "Secondly,—Whether you will endorse the opinion proclaimed by the Bombay Government that, 'advocates and solicitors are, as educated gentlemen, so habitually conscious of the respect due to the judicial office, that it may, as a rule, be concluded that when any altercation arises it will be the Judge who is in the wrong?'
>
> "Thirdly,—Whether the local Government is warranted in publicly censuring a Judge, as in my case, on a resolution founded upon a 'general impression?'"

Now, I do not think it would be desirable for the Secretary of State to get into the habit of answering general questions of this kind put to him by officers of the Government, and I certainly did not think it right to answer these; but I have to state to your Lordships in regard to the first question, that I think, under the circumstances, the Government were justified in calling on Mr. Manockjee Cursetjee for an explanation of conduct which seemed to them to render it doubtful whether he had been acting in a judicious manner. In regard to the second question, I may say that perhaps the Bombay Government used rather a strong phrase with reference to disputes between Judges and advocates; and, with regard to the third point, I think that the Government of Bombay were not, under the circumstances, precluded from calling attention to the matter. Sir Bartle Frere wrote, "I regret the publication of the letter myself," and I do not think that your Lordships would have wished me to pass a public censure upon him for his conduct in that matter. I have expressed my own opinion, and I have been authorized to express his. With respect to the production of these papers, I trust that the noble and learned Lord will not persist in calling for them, inasmuch as there is at all times great inconvenience in producing papers and minutes that have passed between the Government and its own officials. I think that the doing so on this occasion might set an inconvenient precedent. The whole case is now practically before your Lordships, and I think it would not be to the advantage of the public service for me to produce the papers asked for.

THE EARL OF ELLENBOROUGH: I have the highest possible respect for Sir Bartle Frere, as one of the best Governors of a Presidency which the records of Anglo-Indian history can produce. He is a worthy successor of Sir John Malcolm. He does everything he can to promote the welfare of the natives, and by his popularity among them, he strengthens the British Government in India. It is a matter of great satisfaction to me that Sir Bartle Frere is to a very small extent mixed up in this matter. It appears to me that he did not intend, in the first instance, that the letter should be given to the world, and he has since disapproved of that publication. I feel convinced that he never saw the letter. The instruction was no doubt given probably to the Secretary to write a letter in a certain sense, and probably no one thought it worth while to read the Secretary's letter, and the Secretary sent the letter to the editor's room, and so it got published in that roundabout way before the person who was most interested in it knew anything at all about it. This, however, is a matter of very serious moment. In the first place, it affects the position of a gentleman who has been fifteen years in the judicial service, and eleven years in the office of Judge of the Court of Small Causes. He has, in that character, received, in the letter which has been read, the highest praise for his qualifications, possessing qualities of a most remarkable character, and it appears that for what was a very doubtful offence, he was censured in terms which made his resignation of his office absolutely necessary, not merely as a matter of etiquette, but as a matter of duty, for it is impossible that he could have continued to have performed his duties as a Judge after that censure was passed upon him to the benefit of the public service ; consequently, the letter forced upon him his resignation, which, at his time of life, must very materially affect his prospects and those of his family. The matter is much worse than that. It has been a subject of doubt with many who have considered the question, whether it would be possible to employ Native Judges where European interests were concerned, because the Europeans do not treat the Native Judges as they would treat an English Judge in this country. Every European believes himself to be as one of the conquerors of the country in every respect superior to the Judge before whom he is placed. There is also a difficulty in finding the natives to fulfil these offices. If the Government throw its whole weight in favour of an English attorney appearing before a Native Judge in Bombay and forcing him to his resignation, your Lordships may be sure that the Government will have rendered it perfectly impossible for a Native Judge in Bombay, or in any part of India where Europeans may come before him, to continue to hold his position, however great his qualifications may be. I think that this is a very serious matter. It is, I believe, the desire of the Government, and certainly the desire of the great majority of the people of this country, that the natives of India should be promoted to higher situations than they have hitherto filled in the public administration under European superintendence and with due regard to the future security of our Empire. But there is a party in India, and a very strong party it is, which entertains a totally different opinion. They appear to think it wrong for Europeans to employ a native in any position which a European could fill. I will not say in the language of one learned authority in this country that that is all a plot, but I have an idea that it is all combinations. It is quite clear from the words used by the Attorney that he had expected to receive support, and that he applied to the full court for the purpose of obtaining that support. It is also evident that that was done by persons in the Government, although not by Sir Bartle Frere, and the fault has arisen from making communication to the Judge officially, instead of privately. Had that native gentleman subjected himself to the remarks contained in the letter to the Government, the course to have been pursued ought to have been for Sir Bartle Frere to have requested him to call upon him, and then in a private interview whatever objection might have been taken to his conduct could have been stated. No doubt if that course had been taken it would have avoided any future public scandal. I feel convinced from what has fallen from the noble Earl the Secretary of State, that both he and his predecessor, although they might, perhaps, have abstained from officially noticing that matter, may, without in the least degree humiliating the Government of Bombay, take occasion to suggest to that Government that on the return of Mr. Manockjee Cursetjee to India their Government shall take an opportunity of placing him in some other position which he will be enabled to fill with equal respect, and equal advantages to this, of which he has now been deprived. That is the course which I think the Government ought to pursue. Certainly, I think it was the duty of those who are responsible at home, while avoiding any public act which would in any way humiliate the Government of India, to endeavour by their parental and confidential advice to prevent that Government on any future occasion from resorting to any similar course, and suggesting to it the propriety of repairing, as far as can be done, the injury which has been inflicted on a respectable gentleman.

LORD CHELMSFORD : In consequence of what has fallen from the noble Earl opposite I shall withdraw my Motion.

Motion (by Leave of the House) *withdrawn.*

HOP TRADE BILL—(No. 123.)

(*The Lord Harris.*)

SECOND READING.

Order of the Day for the Second Reading read.

Lord HARRIS, in moving that the Bill be now read a second time, explained that the object of the measure was to check certain frauds which existed to a very considerable extent in the traffic in hops. These frauds consisted in the substitution of hops of inferior quality for hops of a superior quality, whereby the brewer and the purchaser was imposed upon; and this practice was greatly facilitated by the manner in which hops were packed, which rendered it difficult to test the quality of hops in the pocket. The method for checking this fraud proposed in the Bill was not at all novel. The trade in hops had formed the subject of legislation since 1710; but in the last century the legislation was principally directed for the purposes of the Excise. In 1710 the Excise officers were obliged to put the year and the weight of the hops upon each bag or pocket. In 1800 the grower was called upon to place his name outside the bag or pocket, in order that the buyer might know whence the hops came. In 1810 further alterations were made, imposing greater obligations upon the grower; and in 1814 regulations were made fixing the size of the letters of the name and place of abode, but the weight and the year were still directed to be affixed by the Excise. In 1862, when the hop duty was done away with, there was no provision made for the year or weight being marked upon the pocket, although the trade attached great importance to this information, because hops were very much diminished in value after twelve months, and the weight enabled the dealers to detect any tricks that might be attempted with the pocket. Under the Bill, the obligation was thrown upon the owner or grower to affix his name, the parish where the hops were grown, and the county in which the parish was situated; also the number of the pockets he turned out, the weight of each pocket, and the year in which they were grown. A penalty was imposed for false marks, for packing the pockets with different qualities of hops, and for putting foreign hops in British bags. The provisions of the Bill were, in fact, very similar to those of the Merchandise Marks Act. The obligations thus imposed were to be enforced by penalties. Hops were a delicate production, and could not be exposed like other articles to the outward air, and the only real test was after the hops were in the copper and became beer. Every interest—the grower's, the factor's, and the brewer's—agreed that this was a valuable measure.

Moved, "That the Bill be now read 2ª."—(*Lord Harris.*)

The Earl of ROMNEY was of opinion that it would have been better if, instead of requiring marks to be put upon the bags, the hop trade had been thrown completely open, and treated in the same way as tea, sugar, corn, or any other article. No real protection was given by requiring the weight to be marked on the pocket within a month, for if carried by water they increased in weight, while if kept in a dry place they became lighter. The mark afforded no real protection as to the quality of the hop, for in one parish of 6,000 acres two qualities might be produced—one very good, and the other very bad; and persons, instead of being secured, might be deceived by the name upon the pocket. So far from admitting that the quality of hops could not be tested by examination, he believed that persons who understood the trade could distinguish, blindfold, between first and second qualities. The Bill would lead the dealers to trust in a system of marks, and it would be wiser to get rid of that system altogether. He hoped that the noble Lord would consider, before they went into Committee, whether he would insist on that provision which required that the weight should be affixed on the bag within a month.

Motion *agreed to*: Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

House adjourned at a quarter before
Seven o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, May 28, 1866.

MINUTES.]—New Writs Issued—*For* Winchester, *v.* John Bonham-Carter, esquire, Commissioner of the Treasury; *for* Waterford County, *v.* John Esmonde, esquire, Commissioner of the Treasury.

New Member Sworn — William Dingwall Fordyce, esquire, *for* Aberdeenshire.

Public Bills—*Ordered*— Standards of Weights, Measures, and Coinage.*
First Reading—Standards of Weights, Measures, and Coinage* [166].
Second Reading—Indian Prize Money* [146]; Reformatory Schools* [162]; Industrial Schools* [185]; Tramways (Ireland) Acts Amendment* [149]; Rochdale Vicarage* [38].
Referred to Select Committee—Rochdale Vicarage* [38].
Committee—Representation of the People [68], debate *adjourned;* Customs and Inland Revenue [145]; Belfast Constabulary* [159]; Nuisances Removal* [164]; Glebe Lands (Scotland)* [165].
Report—Customs and Inland Revenue [145]; Belfast Constabulary* [159]; Nuisances Removal* [164]; Glebe Lands (Scotland)* [165].
Third Reading—Labouring Classes' Dwellings (Ireland)* [94]; Naval Savings Banks* [114]; Fishery Piers and Harbours (Ireland)* [93], and *passed.*

ARMY—SANDHURST COLLEGE.

QUESTION.

Major JERVIS said, he would beg to ask the Secretary of State for War, Why the extra pay for the Professor of Military History at Sandhurst has been fixed so as to give a Captain or Subaltern of the Line £350 per annum, including their regimental pay, while a Captain or Subaltern of Artillery would only get £292 and £216 respectively; whether it is with the view of preventing Officers of the Ordnance Corps competing for such appointments?

The Marquess of HARTINGTON said, in reply, that the officers of the Line at Sandhurst received a fixed salary; whereas the officers of Engineers and Artillery received indirect pay in addition to their fixed pay. The matter, however, was now under consideration, and there was some difficulty in arriving at a conclusion on it.

DANUBIAN PRINCIPALITIES.

QUESTION.

In answer to Mr. Darby Griffith,

Mr. LAYARD said, that the Conference at Paris had come to the conclusion that the election of Prince Charles as Hospodar was illegal, and instructions had been sent to the agents of the different Governments who were parties to the Conference that no steps would be taken to recognize Prince Charles.

Mr. DARBY GRIFFITH said, he dedesired to know, whether the Conference had authorized any actual intervention in the Principalities?

Mr. LAYARD: No.

PAY OF SPECIAL CONSTABLES.

QUESTION.

Lord ROBERT MONTAGU said, he wished to ask, Why the special pay of Constables on Duty at the Houses of Parliament, which was fixed by Sir James Graham at 7*s.*, had been reduced to 5*s.* per week?

Mr. KNATCHBULL-HUGESSEN said, in reply, that when the special pay of these officers was fixed at 7*s.* the pay of the classes of constables to which they belonged was only 21*s.* per week. Since then the pay of those classes had been raised to 22*s.* and 23*s.* per week, and as the reception of a smaller rate of pay would injure the constables employed about the Houses of Parliament in the matter of superannuation, their regular pay had been raised to the same amount as that of the class to which they belonged, and their special pay had been diminished, so as still to leave them in the reception of 28*s.* per week, which was considered an adequate remuneration for the services which they performed.

ORDER OF BUSINESS ON FRIDAY EVENINGS.

Mr. BAILLIE COCHRANE said, he desired to ask a question of the Chancellor of the Exchequer, and, disclaiming any personal feeling in the matter, declared that he called attention to the subject solely in the interest of private Members and with a view to procure a better regulation of the business of the House. On the Friday night before the adjournment for the Whitsuntide holidays, as hon. Gentlemen were aware, the House was counted out; and on last Friday no House at all was made. On that account he charged the Government with a public breach of faith with regard to the House and also with a private breach of faith with respect to himself. As to the public breach of faith he wished to know, Whether, when, some years ago, the private Members gave up Thursday night for the sake of public business, it was not expressly understood that the Government should regard Friday as one of their own nights so far as making a House and keeping a House, in order that private Members might bring forward matters with which they concerned themselves? and as to himself, he would remind the House that he had an important notice on the paper for the Tuesday after the first night of the Reform debate; but that, desiring to comply with the wishes of the Government and to mark his respect for the House, he waived his right when the Chancellor of the Exchequer appealed to him to do so, the right hon. Gentleman at the same time stating that his Motion was one of great importance, and that if he should not obtain an opportunity by the ballot of bringing it on, the Government would give him a night. By the ballot he secured the third or fourth place on the paper for Friday night, while those who came before him were not likely to act upon their Notices. He, however, went to the Secretary to the Treasury and said that, as it might be more convenient to the Government not to have a House, considering it was the Oaks day, and also the night before the recess, he would give up the Motion for that night and ballot again, without asking the Government for a day. The hon. Gentleman, however, said the Government had most important business for that night, and he promised to keep the House for him. In the result the Motions of his predecessors took a longer time than he expected, and he was not able to bring his forward earlier than nine o'clock. Soon afterwards the House was counted out, although he had induced all the hon. Gentlemen interested in his question to remain in town; and it was currently reported that the count-out was brought about at the instigation of the hon. Gentleman himself. He did not believe it; but he did say that after what had passed the Government were bound to keep a House. It might be said that the fact of a count-out having occurred on the question showed that the matter was not of much public interest; but it was acknowledged that a count-out would occur between eight and ten o'clock on any question, however important, if the Government chose to procure such a result. He did not think it right that hon. Gentlemen should be treated as he had been, considering how often the right hon. Gentleman appealed to them to postpone their Motions in order that Government business might be proceeded with; and he trusted that what had befallen him would be a warning to private Members not to give way in future. He begged to state that he should put his Motion on the paper for to-morrow night, and would not give way for Government business. He wished to know from the Chancellor of the Exchequer what was to be the order of business on Friday nights in future? That he might be in order, he moved that the House adjourn.

MAJOR JERVIS seconded the Motion.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Baillie Cochrane.*)

THE CHANCELLOR OF THE EXCHEQUER: I rise to offer my hon. Friend the explanation which he desires, so far as it depends upon me; and, first of all, I will refer to that case which has occupied the less prominent portion of his statement, but which was treated as part of the question which he wished to submit to the House—I mean the unfortunate failure on Friday afternoon last to make a House. With respect to that, I think the general propositions of my hon. Friend are so just that it is quite right I should state to the House exactly what occurred, so far as it is within the knowledge of myself or any Member of the Government. The hon. Member is, I think, correct in the general proposition he lays down with regard to Friday nights. It is the usual endeavour of the Government both to make a House, and, so far as they can, to keep a House on Friday evening. Now, what happened on last Friday evening was this, and I am in hopes it will be thought the Government are not to blame—whether any one else is to blame, I am not here to say, and I really do not know. But, Sir, those whose duty it is, on the part of the Government, to look to the making of a House have found during the present Session of Parliament—probably in part owing to its being a new Parliament, and in part owing to the great amount of interesting and important business that has been before the House—there was no difficulty whatever in making a House. In general there has been a superabundance of Members ready to make a House; and I know that once or twice, when I had a doubt about it in my own mind, I have said to the Secretary of the Treasury—"Is there any likelihood that there may be no House on such a day?" and he said, "Oh, no; the attendance of Members at the usual hour of prayers is so great that the House is certain to be made." However, on Thursday last, that being the day which immediately followed the vacation, my hon. Friend the Secretary for the Treasury, in the exercise of a forethought which it was his duty to exercise, bethought him that possibly there might be a difficulty in making a House on that day; and consequently he sent to Members of the Government desiring them to quit their offices and to come down here for the purpose of making a House—an operation which, it must be observed, is not desirable for the public service to repeat too often. However, on that Thursday the operation was performed, and my hon. Friend with many other Members of the Government were here, and he found again on that Thursday, which he regarded as the critical day—the day immediately succeeding the recess—he found here, I do not know precisely what number of Members, but a number far in excess of what was necessary to make a House. That being so my hon. Friend inferred—and it appears to me it was perfectly natural and legitimate that he should infer—that if on the day after the recess the number of independent Members appearing here was far beyond what was ample for making a House he need not use any special measures on Friday. Accordingly he did not take any measure to procure the attendance of Members of the Government on Friday, and he took precisely the course which he would have done if it had been a Monday or a Thursday. To the surprise of us all we heard that when you, Sir, had counted up to the number of thirty-six, you were unable to make any further progress. I do not know whether it is truly alleged or not, but the rumour did reach us that there were divers Members of Parliament in the immediate vicinity of those doors who did not think fit to supply the additional three, which was the number actually wanting for the purpose. That is the account of the case as regards last Friday; and I think if Gentlemen will bear in mind that it would be ridiculous and absurd on the part of my hon. Friend to be continually calling on gentlemen who are engaged in their offices on public business to come down here at a quarter to four o'clock to make a House, they will be inclined to think that no blame attaches to the Government for the occurrence of an incident which they, it so happens, regret extremely. With regard to the case of my hon. Friend on the Friday night preceding the recess, I will answer him without the slightest reference to the threat which he has uttered that he will avenge himself by putting down his Motion for to-morrow (Tuesday) night, and then making it. But I must say that such is the opinion I entertain of the placability of my hon. Friend of the elevation of his tone and character, and his entire incapacity to indulge any vindictive feeling, that I am quite certain, if a case of public advantage should arise, he will show us that that threat is really not intended to be put into execution. I admit every word of what he has said with regard to his own claim. It is perfectly true that he withdrew his Motion originally in order to allow the public business to go forward. It is also perfectly true that I asked him to ballot and take his chance, and that I likewise did admit that his Motion was one fit to be discussed, and if need arose, and he found a difficulty in bringing it forward, I should be happy to give him the best assistance in my power. I need not say that it is with very deep regret indeed that I am obliged to admit that the House was counted out on that Friday evening. But he will admit that the evening which immediately precedes the vacation is an evening on which there is a difficulty in gathering Members together; and, I am quite sure, if my hon. Friend recollects the state of the House at the time when it was counted out, he will remember that this (the Treasury) Bench was rather respectably occupied—that certainly not less than three or four Cabinet Ministers were in the House, and that an overwhelming proportion of the Members who were actually present in the House were Members sitting on this side of the House. My hon. Friend will also bear in mind that a Motion was expected to come on upon that evening of rather a peculiar nature, and I grant I entertained a doubt in my own mind that a considerable number of Members absented themselves with a view, I will not say of defeating the discussion upon that Motion, but with a general sense that it would not come on. The obligation of the Government to keep a House on Friday evenings was admitted by the late Lord Palmerston; but, at the same time, Lord Palmerston said that the Government must look for assistance to the independent Members of the House. Whether that assistance was given on the occasion in question is not for me to say, though I think the number of independent Members connected with the Opposition was so small that they might have been almost counted upon the fingers of one hand at the time the House was counted out. I can only say that for the future the Government will use their efforts to prevent the recurrence of that proceeding. As regards the Motion itself which the hon. Member proposes to make, I think it is far too important a one to be made the subject of an Amendment, because it raises the entire question of metropolitan government. It is not merely a question for the reconstruction of the Board of Works, but it is a much larger one; and therefore it will be the duty of the Government to afford the hon. Gentleman as much assistance as possible in bringing it before the House.

SIR STAFFORD NORTHCOTE desired to say one word upon the subject, as he was of opinion that at least a little *laches* attached to the Government in consequence of there having been no House on Friday evening. He and another Member were in the tea-room at the time, and would have been most happy to assist in making a House, but they received no intimation that the House was not likely to be made. That surely could not have occurred if any energetic exertions had been made to prevent the occurrence which happened. But he wished to draw attention to another matter touching the business of the evening. The first Order of the Day was the Motion to go into Committee on the Representation of the People Bill. Upon that the right hon. Member for Kilmarnock (Mr. Bouverie) proposed to move an Amendment, or rather two Amendments—the second of which was an Instruction to the Committee to make the Franchise and Re-distribution Bills one. Then the hon. and gallant Member for Wells (Captain Hayter) had given notice of an Amendment to that Instruction, and some doubt existed as to whether the Orders of the House would permit the hon. and gallant Member's Motion to be made at the time he proposed to make it. He therefore suggested that the House should be made acquainted with the Order of business for the evening, and upon what Motion it was proposed to take the sense of the House.

THE CHANCELLOR OF THE EXCHEQUER: The course of procedure this evening will, I think, be this: We assume, that after the Order of the Day for the Committee on the Representation of the People Bill has been read, the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie) will move the Instruction of which he has given notice; and as far as the Government is concerned, they will at once accede to that Motion without any further discussion. We think the subject of referring these Bills to the same Committee has been abundantly, though incidentally, debated on former occasions, and therefore it is that we shall agree to the Motion of the right hon. Gentleman. Then, according to the Order on the paper, the hon. and gallant Member for Wells (Captain Hayter) stands next, with an Amendment to the Motion of the right hon. Gentleman (Mr. Bouverie). This Motion of the hon. and gallant Gentleman, I believe, by the forms of the House, cannot be moved as an Amendment to the Motion of the right hon. Gentleman (Mr. Bouverie), and therefore it will fall to the bottom of the list of Amendments in Committee, and will not be debated tonight. But that Motion of the hon. and gallant Gentleman raises a very important question. It goes to the root of the whole matter, both as regards the measure before the House and as regards the Government who are responsible for that measure. Consequently, I should hope that there will be a general disposition to concur with the Government in the opinion that that Motion is one which some effort should be made to bring at once under the judgment and decision of the House. Then comes next the Motion of the hon. Member for Bridgwater (Mr. Kinglake), that it is not expedient to go into Committee on the Franchise Bill until the House has before it the expected Bill for the Re-distribution of Seats. I presume that that Motion has lapsed by force of the existing circumstances. [Mr. KINGLAKE: Certainly.] We then come to the Motion of the hon. Member for Rochester (Mr. Wykeham Martin)—

> "That it would be neither just nor expedient that any class of persons who are entitled to vote at the election of Members to serve in Parliament, against whom no corrupt practices have been proved, should be deprived of their franchise by the present Bill"

—which I presume I may say relates to persons employed in the dockyards. That Motion is of a somewhat extensive character, and I think the whole subject could be much better discussed when in Committee on the Bill. Perhaps if a prospective effect were given to the clause, it would be deprived of severity; but I think my hon. Friend would hardly expect the House to deal with a proposition which, in point of fact, would prevent the House from discussing Motions such as that of which notice was given by him the other night with respect to the freeman's franchise in connection with the Irish Reform measures. The Government, therefore, without pledging themselves to absolutely adhere to the clause in the Bill on this subject, in the precise terms in which it at present stands, should the House think that it is too severe, would appeal to the hon. Gentleman not to make his Motion at present, but allow it to stand over until the Committee, when the whole subject can be discussed upon its merits. The proposal of the hon. and gallant Member for Wells (Captain Hayter) is of a very different character, and I trust that no Motion of a secondary character will be moved, so as to intercept the judgment of the House being taken on that Motion at the earliest possible convenience. I therefore make an appeal to the hon. Gentleman (Mr. Wykeham Martin) to allow his precedence on the paper to be waived, in order that the House may have the opportunity of coming to the Motion of the hon. and gallant Gentleman (Captain Hayter). The others are not Motions which will interpose any impediment to the discussion at which it is our wish to arrive without any delay whatever.

MR. P. WYKEHAM MARTIN (Rochester) said, that nothing could be further from his desire than to oppose any proposal of his to the united wish of the House. His position, however, was somewhat peculiar; he gave notice of his Motion some weeks ago in consequence of a public pledge to use his utmost efforts to accomplish the object he had in view, without any wish to impede the advance of public business. He should in Committee move an Amendment to Clause 16, according to notice, and he might state that he had received many assurances from both sides of the House that he should have fair play. He would, therefore, in deference to the united wishes of the House, give way to the hon. and gallant Member for Wells, and he hoped, when he should have the opportunity of moving his Amendment, hon. Gentlemen opposite would recollect the concession he had made.

Motion, by leave, *withdrawn.*

REPRESENTATION OF THE PEOPLE BILL—[BILL 68.]—COMMITTEE.

(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers.*)

Order for Committee read.

MR. BOUVERIE said, that no prefatory remarks were requisite in making the Motion of which he had given notice. The subject had undergone considerable discussion already, and the opinion of the House

in reference to it had been unmistakably expressed during the debates on the Franchise and Re-distribution of Seats Bill—namely, that the question of Reform should be dealt with at once, and in a comprehensive manner. He, therefore, begged to move—

"That the Representation of the People Bill and the Re-distribution of Seats Bill be referred to the same Committee."

Resolution *agreed to.*

MR. BOUVERIE then moved—

"That it be an Instruction to the Committee that they have power to consolidate the said Bills into one Bill."

Motion *agreed to.*

Ordered, That the Representation of the People Bill and the Re-distribution of Seats Bill be referred to the same Committee:—*Instruction* to the Committee, that they have power to consolidate the said Bills into one Bill.—(*Mr. Bouverie.*)

SIR RAINALD KNIGHTLEY, who was very imperfectly heard, rose to move the Instruction of which he had given notice—

"That it be an Instruction to the Committee that they have power to make provision for the better prevention of bribery and corruption at elections."

The hon. Baronet having referred to the bribery and corruption which prevailed at the last election, more particularly adverting to the evidence taken before the Yarmouth Election Committee, was understood to say that the objections to his proposal on the score of time had lost all their force. At the beginning of the Session the Government told the House of Commons and the country that the Franchise Bill was alone to be proceeded with, and that they would stand or fall by their proposals. They had "passed the Rubicon," had "broken their bridges" and "burnt their boats." But having reached the opposite shore they found, apparently, that the position of their opponents was impregnable; for what had they done since? They looked behind them, and although their retreat was cut off and their bridges and boats both destroyed, they found, apparently, that the stream was not so forbidding, and that the current was not so rapid as they had imagined, for they quietly walked into it and waded back again to the shore from which they had started. Under the advice of the noble Lord the Member for Chester (Earl Grosvenor), and with the assistance of the right hon. Gentleman the Member for

Kilmarnock (Mr. Bouverie), the House were called upon, at the end of May, for an expression of opinion in favour of amalgamating the measures—a proceeding which in March the Government declared to be impracticable. But even while executing this strategic manœuvre the Chancellor of the Exchequer could not restrain his unfortunate propensity for threatening the House of Commons. He ate the leek, but swore he would be most horribly revenged; and no doubt, if his threat were carried out, he would be most horribly revenged, for he told the Members of the House of Commons that he would punish them by "keeping" them during the whole of September and October. The House of Commons were to be treated as a parcel of schoolboys, and deprived of their holidays because their taskmasters had wasted three months of the Session by setting them the wrong lesson to learn. Whether the House of Commons would tolerate the adoption of such a course he would not pretend to say; but, if they sat until December, he hoped the Bill would not pass into law without including in it provisions such as those which his Motion contemplated. No Act to amend the representation of the people could ever be satisfactory which did not amend the law relating to bribery and corruption. The hon. Member concluded by moving that it be an Instruction to the Committee of which he had given notice.

Motion made, and Question proposed,

"That it be an Instruction to the Committee that they have power to make provision for the better prevention of bribery and corruption at Elections."—(*Sir Rainald Knightley.*)

THE CHANCELLOR OF THE EXCHEQUER: Part of the speech of the hon. Gentleman, that in which he canvassed the conduct of the Government, was, if I may be permitted to say so, rather in anticipation of the debate which will occur by-and-by, and therefore I will forego all attempts either at defence or recrimination. As to the Motion of the hon. Gentleman, I will not for a moment doubt that he is very sincere and earnest in his desire to make provision for the better prevention of bribery and corruption at elections. I venture to appeal to him in the name of that very sincerity and earnestness not to persevere with this Instruction to the Committee. When we contended that we were justified by a regard for the interests of the question in bringing in a Franchise Bill apart from the Bill for the Re-distribution of Seats, we were fairly open to the reply that on previous occasions, when Government dealt with the questions of Reform, it had been customary to combine these two subjects in the same Bill. The hon. Gentleman, therefore, must feel how weak is his own position when I remind him that, under no circumstances, I believe—certainly not as a general rule—has it been attempted to combine provisions for the prevention of bribery and corruption at elections with the general question of the Parliamentary constitution. The subject is one that amply merits separate discussion, but it can hardly, I think, be discussed to advantage in connection with a Bill for the re-distribution of seats or a Bill relating to the franchise. There are many grounds upon which the objection may be put; but I put it simply on this ground, that the questions of the elective franchise and re-distribution of seats are subjects which naturally, and of necessity, give rise to those differences and conflicting interests which are connected with party in this House; but the questions connected with bribery and corruption are never regarded from the same point of view. We have always endeavoured to approach them on common ground, upon the assumption—which, I think, must be regarded as a just assumption—that we all have an equal interest in the repression of bribery and corruption; and there is no reason why upon this subject a Gentleman who sits at one side of the House should regard with suspicion any proposition emanating from those with whom he ordinarily differs in opinion. It was said the other night that health is not infectious and disease is; and so, I am afraid, if we take this, which is not a party question, and fling it into the arena of party questions, we do no good whatever in the discussion of party questions, while we really should do a great deal of harm to the discussion of a question which involves no party considerations at all. Certainly, as far as the views of the Government are matured on that subject, we are of opinion that Reform is grievously needed; but it is much easier to see the necessity than to suggest remedies, and it will not, I think, be possible to legislate on that subject without very deliberate inquiry as to what can be done. But there is another point of which the hon. Gentleman will feel the force. The commencement of a Parliament is the period at which the great bulk of the inquiries take place which commonly bring to light the practices pursued at elections, and the operation of the law with regard to bribery and corruption. It would be exceedingly desirable, before attempting to handle the question by legislation, that we should obtain all such experience as the investigation now going on may afford us. It appears, I confess, to us that the immature state of our information with regard to the election inquiries and their results would be itself a sufficient reason against attaching to the labours upon which the Committee are about to enter the additional task that the hon. Gentleman proposes to impose. The arguments of the hon. Gentleman with regard to the horrors of sitting in September or October in order to dispose of the questions of the franchise or re-distribution of seats appear to cut directly against the view for which he contends, because those horrors undoubtedly would not be mitigated by having to sit through November in order to dispose of the questions connected with bribery and corruption. I therefore hope the hon. Gentleman will be disposed not to press upon the House the adoption of this Instruction, but will rest contented with the assurance that the Government share the convictions of the House upon this subject and that the best and most stringent provisions which the wisdom and experience of this House can devise—not too stringent I should hope, but sufficiently so to prove effectual for the purpose — the Government will be prepared to adopt and carry out at the time when they feel they can approach the subject with the greatest advantage. That time, however, will not have arrived until the information derived from the election inquiries occurring after the general election is made complete.

Mr. OSBORNE: Having been most recently returned to this House, I beg to express my thanks to my hon. Friend the Member for Northamptonshire (Sir Rainald Knightley) for having been first on the other side of the House to direct attention to a point that I think requires reform more even than the franchise or the re-distribution of seats. It is all very well for the right hon. Gentleman below me to say, "I want experience on the subject of bribery." In God's name, what experience more does he want? Is it not patent to this House and to the country that the real plague spot in our Constitution is the bribery and corruption which was so rife, not only in the last, but in every election? ["No!"] I say yes. And when you look at the list of election expenses that have been published, and when hon. Members remember their own experience, I say that both sides of the House would be acting a most hypocritical part in saying that this was not the most material point on which the Minister of the Crown should put his finger and legislate at once. For my own part, I deeply regret that, instead of following the advice of the right hon. Member for Kilmarnock—advice which I think most mischievous and most likely to defeat the Bill, by mingling up the paltry re-distribution of seats—for a paltry re-distribution it is — with the question of the franchise — he did not take the advice of my hon. Friend the Member for Northamptonshire, and deal boldly with this question of bribery and corruption. I want to put a plain question to the right hon. Gentleman the Chancellor of the Exchequer, upon which I hope there will be no evasion. When does he intend to legislate on this question? Is it to be put off till these Commissions have reported? If so, it will be put off to what is called "a more convenient season," and we shall hear nothing more of it. I think the Motion brought forward by my hon. Friend well worthy the consideration of the House. If we could by any possibility get rid of the re-distribution of seats and inquire into this question of corruption we should be doing something really useful to the country. I feel so strongly on this subject that if my hon. Friend goes to a division I shall certainly support him with my vote. And I do hope some hon. Member will elicit from Her Majesty's Government what is the particular course they intend to pursue with regard to this question of bribery and corruption.

Mr. NEWDEGATE said, he could not separate the questions of bribery and intimidation at elections from the question of re-distribution of seats. He felt as strongly as the hon. Member for Northamptonshire (Sir Rainald Knightley) that the present organization of county elections did not secure economy. The present system was a most expensive one. The system of intrusting everything to agents had entirely failed as a measure for securing economy. An account was given by the election agent of certain large expenses which were made certain by the appointment of the agent, and then followed large contingencies which, remaining behind, never came within the purview of the law. He (Mr. Newdegate) did not believe that bribery was practised to any appreciable extent in county elections; but it was notorious in borough elections. The accumulation of wealth had increased the expenditure on elections in recent years, and to a most dangerous extent, as impairing the freedom of election, and it was likely to become more so; he looked to the re-distribution of seats as the means of preventing the undue application of wealth to corrupting the constituencies. So far from deprecating the re-distribution of seats, he did not think the Bill went far enough. He was a Conservative; some people called him a Tory; but he believed that if the Conservative party ever shrunk from the masses of their fellow-countrymen—if they ever acted as though they did not represent a genuine national feeling—their cause was lost. Thank God, the allegation that Conservatives did not represent any national feeling was not true. The people of this country were Conservative, —there was a division of opinion amongst them, but they were Conservative, especially of their own freedom, and it was with that object he was proud of being one of their representatives. It was for the preservation of the freedom of election that the Motion sought to check bribery and corruption. The expenditure at elections was a growing evil, and he thought that the hon. Member for Northamptonshire had done his duty in bringing the abuses to which it led before the House. If it ever came to this, that wealth only was represented in the House, or numbers only corrupted by wealth, there would be a deficiency of talent, and gradually, if the electoral system ceased to collect within these walls the highest talent, the House would become an instrument of degradation instead of being an honour to the country.

Mr. CLAY thought that if a thing was right to be done, it would not be very easy to point out a time when it was wrong to do it. It seemed to him he must be a wise man who could exactly predict the length of the life of the present Parliament; and he must be a very sanguine man who could suppose that it would be very long lived. He agreed with his hon. Friend the Member for Northamptonshire that bribery, corruption, and intimidation were the black spot on that House; but having regard to the time which former Commissions had taken to make their Reports, if the House were to wait for the Reports of the Commissions which were to be appointed in consequence of cases which had occurred during the last election, there was nothing more likely than that we should have another general election under the present inefficient state of the law. There might be another election with new constituencies and seats differently distributed; and he could not conceive any position more unhappy for new constituencies than one in which they would be exposed to all those evils which the present law was confessedly powerless to remedy. For those reasons, and believing the subject to be by far the most pressing that could come before the House, he would vote with the hon. Member for Northamptonshire if he went to a division on his Motion.

Sir LAWRENCE PALK confessed that the reply of the Chancellor of the Exchequer to his hon. Friend the Member for Northamptonshire had taken him by surprise. The right hon. Gentleman seemed to treat the question of bribery, intimidation, and corruption as a matter of no great moment—one that might be taken up at any time that was convenient to the House. But there was no Reformer so ardent that he wished to go through a course of Reform; there was no Member who did not wish to see the question settled for at least the present generation of legislators; and there was not a Member on either side of the House who would stand up and say that any measure of Reform could be satisfactory to the House or the country that did not deal with the question of bribery, intimidation, and corruption. It seemed to him to be the very pith and marrow of Reform. He quite admitted that the measure before the House was open to great cavil and discussion, and that there was very considerable doubt whether it could under any circumstances be made a measure which would be acceptable to the country; but there was one question as to which no two men held different opinions, and that was the extensive corruption of many places which now returned Members to Parliament. There was another question which he might submit to the House. It was proposed largely to extend the franchise. Were they going to extend the franchise to those whose poverty made them more especially susceptible to the chance of being bribed or intimidated without giving them any defence? Were they willing to permit wealth to prostitute the constituencies of England, and pass it over as a question which the House could take up at any time, or whenever they had nothing else to do? If those were the principles on which the Chancellor of the Exchequer was going to legislate, he ventured to think they would not meet with the approbation of the House or of the country. The question was a grave one, which ought not to be passed lightly over. No man who had any pride in his country—no man who had read the page of history—could doubt that the great blot on the English constitution related to the great question which the Chancellor of the Exchequer had passed over so lightly. He could assure the right hon. Gentleman that if he thought the question could be passed by in this way he was very much mistaken. He appealed to hon. Members at the other side of the House to support the hon. Member for Northamptonshire, who he hoped would not flinch from pressing his Motion to a division.

SIR GEORGE GREY: I apprehend the question before the House is not whether bribery, corruption, and intimidation were extensively practised at the last election and at former elections, nor whether it is important that the House should use every means of checking those practices, but whether it is expedient the House should agree to this Instruction, which will not only give the Committee power but will oblige them to introduce into the Reform Bill provisions against bribery, corruption, and intimidation. When an Instruction of this kind is moved it is usual for the Member who proposes it to give the House some information as to the means by which the Committee are to carry it into effect. But in this case the hon. Member for Northamptonshire has not done so. He assumes — what I dare say no one is prepared to deny—that bribery has prevailed at elections; but he does not state by what provisions he would prevent it at future elections. Neither does the hon. Member for South Devon (Sir Lawrence Palk), though I think he has rather pointed to the ballot, to which, perhaps, he has become a convert. From my experience of one or two Bills directed against those practices, I know the subject is one with which there is no little difficulty in dealing; and I express my own opinion when I say that I cannot put much faith in mere penal enactments for preventing bribery and punishing persons who are guilty of it. The existing law is very stringent; and I believe its inefficiency is an assumed rather than a real inefficiency. The Corrupt Practices Act prevents persons from sheltering themselves under the plea that they are not to be called on to criminate themselves. There may be an inquiry first by a Committee, and then by a Commission; and I have already expressed my opinion that if the House are really in earnest they might do much by means of the existing law, after receiving the Report of a Commission, to put down bribery and corruption. I believe if they did not respect too carefully the rights of the minority who had not been guilty of bribery, but if they boldly applied the penalty of disfranchisement in cases where bribery has been shown to prevail extensively among a constituency, they would do more to check bribery than is likely to be done by any new enactment. At the same time, I am not prepared to say that some provisions of a more penal character might not be framed to deter persons from being guilty of the crime. The hon. Member for Glamorganshire (Mr. Hussey Vivian) has given notice of a proposition, the effect of which would be to deprive for ever of his vote the person giving a bribe, or the person receiving one. I presume there would be a similar provision in the case of intimidation. The House can consider that proposition at the proper time; but to adopt the Instruction of the hon. Baronet the Member for Northamptonshire in the absence of any specific proposal would, in my opinion, be unwise as regards the object in view, and would only retard the progress of the Bill which the House now has before it. I hope, therefore, the House will not agree to the Motion.

SIR HUGH CAIRNS: With regard to the objection of the right hon. Gentleman that no specific provision has been proposed by the hon. Member for Northamptonshire (Sir Rainald Knightley), I apprehend that the object of an Instruction is not to propose on the face of it a specific amendment of the law, but to give power to a Committee to deal with a subject which otherwise it could not deal with, so that in the Committee proposals may be brought forward for an alteration of the law. I confess that I was rather surprised at the statement which we have just heard from the right hon. Gentleman the Secretary of State for the Home Department. The right hon. Gentleman said that my hon. Friend the Member for Northamptonshire had assumed that the law was defective, but had not shown where it was defective; and the right hon. Gentleman stated that he himself was not prepared to say that Parliament could go further, as far as severity was concerned, in legislating on the subject of bribery at elections. But the right hon. Gentleman the Chancellor of the Exchequer said, not many minutes ago, not simply that he was of opinion, but that Her Majesty's Government were of opinion, that the law on this subject was gravely and seriously defective. Now, how can we reconcile these two statements? I must say that the two reasons given by the Chancellor of the Exchequer for rejecting the Instruction are not reasons to which the House ought to attach much weight. The right hon. Gentleman said that in a new Parliament inquiries had to take place on the subject of bribery, and that, therefore, it was better to wait till those inquiries were concluded, because until then you could not have the facts on which to proceed. Now, I believe I am correct in saying that the Election Committees have terminated, and that there are Commissions which either have been or will shortly be moved for in four instances. I want to know whether the House imagines that in the course of those four inquiries anything will be elicited which would bear on the general question as to what legislation on the subject ought to be? I dare say you will find out by means of these inquiries, whether 50, 100, or 150 men were bribed in some particular borough, but no light will be thrown on the general question. Suppose, however, that all the four Commissions were to report that bribery had not extensively prevailed in those four communities, would the House be ready to say, "Oh, all that we have been talking about bribery for years past is a myth, because, with regard to four particular localities, a report has been made showing that bribery does not extensively prevail there?" I apprehend it is utterly impossible that any finding of these Commissions could alter the general question, and I think that it is necessary to make provision, in some shape or other, for the purpose of preventing the increase of bribery at elections. The second reason assigned by the right hon. Gentleman the Chancellor of the Exchequer is even more singular than the first. He said, "Do not give the Instruction to the Committee, because, if you do, you will find both sides of the House agreeing about it. There will be no dispute about it, it will not be a party question, and, therefore, you had better not raise the question at all." Well, if we have that happy prospect, it will certainly be a variety to find some subject on which there is no difference of opinion.

Mr. HUSSEY VIVIAN said, there could be no doubt that bribery had extensively prevailed at the last general election, and at all previous general elections. So strong was his opinion on the subject (having served as Chairman of two Committees), that he had ventured to put a Notice on the subject on the paper which stood for the next day. If that Motion should be carried, it would, of course, be very much in the nature of an Instruction, and would effect what he believed to be the universal desire of every Gentleman having a seat in that House. The following was the Motion of which he had given notice:—

> "That it is the opinion of this House that any person found by a Royal Commission to have been guilty of offering or giving a bribe to any elector, in order to induce him to vote, or to abstain from voting, or on account of his having voted or abstained from voting for any candidate at an election of a Knight of the Shire or Burgess to serve in Parliament, shall henceforth and for ever be disqualified from exercising the Electoral Franchise or from sitting in Parliament."

An inquiry by Royal Commission was a judicial inquiry, and when a Commission decided that a person had received or had given a bribe, they might accept as a fact that it was so. Was it right that any person who had given or received a bribe should afterwards exercise the franchise? If such a Resolution were passed it would do more to stop bribery than had been effected by all the measures on the subject that had passed the House. If the hon. Member for Northamptonshire (Sir Rainald Knightley) should go to a division he would be unable to support him, because he (Mr. Hussey Vivian) was sincerely desirous that this Reform Bill should pass, and he had no desire whatever that it should be got rid of by a side-wind. The more they loaded this Bill with Instructions, the less likelihood there was of its becoming law during the present Session. A bribery Bill was almost sufficient for a Session in itself. He was in the House when the Act with respect to bribery was passed, and he recollected the length of time it took to pass it. He believed that if they superadded this subject to the Bill—the objections already raised being so numerous—the effect would be pretty well to shelve the Bill altogether.

MR. MOWBRAY said, if any justification was required for the Motion of his hon. Friend the Member for Northamptonshire, it was to be found in the conduct of the right hon. Gentleman the Home Secretary respecting the Commissions which had been appointed. It would be a month to-morrow since the Motions for the four Commissions to inquire into the existence of corrupt practices at the late elections for Totnes, Lancaster, Reigate, and Great Yarmouth had been agreed to. Her Majesty's Government offered no opposition, the matter was referred to another place, and since then nothing more had been heard about it. But surely it was the duty of the Government to take care that some one should move the House of Lords in order that the Commissions might issue. [Sir GEORGE GREY: Her Majesty's Government have done so.] He wished to know when that had been done. The public journals, from which hon. Gentlemen usually derived their knowledge of what passed in the other House, had not noticed the circumstance that attention had been called to these Commissions of Inquiry, and the Commissions themselves had not issued from the Home Office. If those Commissions were to be a ground for delay in acceding to the present Motion, Her Majesty's Government ought to satisfy the House that they have shown due diligence in causing them to issue. If the Government were really in earnest in dealing with this question, they would take care that the Commissions should issue forthwith. Then, if the sitting of Parliament were carried on till September or November, the Reports of the Commissions would be ready, and the House would have time to deal with this Bill. He hoped the Motion of the hon. Baronet the Member for Northamptonshire would be agreed to.

MR. STANILAND said, he also had a notice on the paper in the shape of an Instruction to the Committee. He had voted for the second reading of the Electoral Franchise Bill, and desired to see it pass; but he did not expect that, if the Bill should pass, there would be any abatement of corrupt practices unless at the same time some legislative measures for their repression were adopted. He was surprised at the assertion of the Chancellor of the Exchequer that there was not sufficient evidence of the existence of bribery. [The CHANCELLOR of the EXCHEQUER dissented.] The right hon. Gentleman's words were, that then the House had not experience enough of the prevalence of bribery to enable it to come to a decision on the subject. Why, from the days of Sudbury downward, there had been abundant evidence and experience of that fact; and during the last two months no fewer than fifty-four petitions had been presented against the return of Members representing boroughs in England, in four-fifths of which bribery was alleged to have taken place, and the decisions of the Committees appointed to inquire into these petitions fully demonstrated that bribery had existed to a great extent. There was one borough, however, which had not been the subject of investigation during the present Session —a borough on the east coast, with a constituency of between 1,000 and 1,100. He had it on the authority of a gentleman connected with that borough, that out of that number of constituents over 700 were bribed. ["Name, name!"] He had further to state, on the authority of that gentleman, that the average price of the 700 voters was £35 per head. ["Name, name!"] And he could further state, on the same authority, that several of the independent electors of the borough, who were tenants of his informant, had had offered to them, and had actually received, £60 per head for their votes. ["Name, name!"] And yet there had been no petition against the return for that borough, and it was now represented in the House. ["Name!"] He had not the slightest objection, privately, to give the name; but it would be painful, no doubt, to the feelings of the hon. Member for the borough to which he referred, and who was now sitting in that House. They had had before them, from the various Election Committees, cases where bribery had been proved, and they knew that bribery had extensively prevailed in many boroughs, and he would put it to hon. Members whether the time had not arrived for something to be done. It was obvious that if there were no persons to offer bribes there would be none to receive them; and when they inveighed against the poor voter for being more exposed to the temptation of bribery than the richer voter, they ought at the same time to remember that if the temptation were not placed in his way by the agents of hon. Members sitting in that House, the bribery would not take place. He trusted that when the question did come forward—as sooner or later it must—whoever had the conduct of the measure would take care that those who offered the bribes were made the objects of punishment rather than those who received them. The question of bribery came to this: they must do one of two things—either they must legalize bribery, or they must take effectual measures to destroy the system altogether; for they had arrived at this condition, that in the present Parliament, out of 334 Members, representing the boroughs of England and Wales, one out of every seven of them had been charged publicly, by petition lodged in that House, with the commission of bribery and intimidation. That was the unvarnished fact; and he put it to the House whether the Government ought not to pledge themselves to do something on a question of such importance, which so greatly affected the character and dignity of the House. It was incumbent upon the Government that they should undertake, during the present Session, to introduce a Bill to settle the law as to bribery. The right hon. Gentleman the Chancellor of the Exchequer had said the law was already very stringent, and he doubted whether it could be made more so. Now he (Mr. Staniland) thought the law was decidedly favourable to the continuance of the system which prevailed. It was his misfortune to lose his seat by a minority of twelve, and it cost him £500 or £600 to petition for it; but in the case of Nottingham, he was told that the expenses connected with the petition against the return for the borough amounted to something like £10,000. [Mr. Osborne: Not in respect of the last election.] He supposed the hon. Gentleman had had to deal with more peaceable "lambs" than there had been at the election previous. The cost of the inquiry at Nottingham, he understood, amounted to something like £10,000. And why was that? Because the inquiry could not take place on the spot, and they had had to drag witnesses, candidates, solicitors, agents, and everybody connected with the matter to London, at an enormous cost, which put it entirely out of the question that any poor man should contest the validity of an election. This was not the fault of the Act of Parliament, but the fault of the law which Parliament had sanctioned. It would be far better if provision were made that a Select Committee appointed upon such an inquiry should conduct that inquiry upon the spot where all the circumstances arose. The sacrifice of time on the part of hon. Members that such a course would entail would be little compared with the enormous sacrifice imposed upon all other persons attending a Committee. He would also venture to make another suggestion, and that was that in the case of a Member petitioned against for bribery and unseated, provision should be made to enable the candidate who had polled the next highest number of votes, in a certain proportion, to claim the seat. In the case, for instance of a man who polled one-third of the votes, and who lost the seat through the bribery of his opponent, he thought it would be better, on unseating the Member guilty of bribery, to give the seat to the other candidate. With reference to the prevention of bribery, the only suggestion he had ever heard made to effect that object was that the ballot should be adopted. He confessed that he was not an advocate for the ballot, as he believed that with the ballot and with money there was not a constituency under 4,000 or 5,000 in this country that would not return any man whose pocket was the largest. He believed that the ballot would be of the greatest assistance in promoting bribery. He believed that the only effectual remedy to prevent bribery would be to group the boroughs of this country together in such a manner as that it would be almost a physical impossibility for bribery to be committed. How was it that bribery did not exist in counties? It was because of the extent of the constituencies, and because those constituencies were so dispersed over so large an area that any machinery for the commission of bribery would be ineffectual. His proposal was—

Mr. SPEAKER said, the hon. Gentleman was not in order. He might speak generally upon the subject before the House, but he could not speak on the proposal of which he had given notice for a future day.

Mr. STANILAND then concluded by expressing a hope that the right hon. Baronet the Home Secretary would take care that pending the discussion of these Bills some pledge was given by the Government to the House that they would introduce a measure on this subject, which should show the country that they were really as anxious as was the country itself, and as he believed the House was, to do away with this vice and to settle this question which had proved so great a pest.

Mr. BARROW said, it would be a matter of the greatest pain to him, as an admirer of our Constitution, if this blot of bribery should remain unchecked. He thought that before they subjected a larger portion of the population to the possibility of demoralization they ought to endeavour, by some means or other, to put a stop to the bribery which prevailed too generally at elections. No hon. Gentleman in that House could say he was ignorant of the fact that bribery was carried on in his own neighbourhood, though he (Mr. Barrow) was, happily, able to say that it had not extended to the division of the county which he represented (South Notts). No hon. Gentleman could say he was not satisfied in his conscience that there existed an amount of bribery which ought, if possible, to be put down. Bribery at present was the greatest blot upon our Constitution, and he was not willing to take the step they were about to do until the question was practically dealt with.

The ATTORNEY GENERAL: I wish, in the first instance, to advert to what has been said respecting the Commissions moved for in this House, because there is a misapprehension with regard to the facts. The noble Lord at the head of the Government was about to move for these Commissions in the other House, when a noble and independent Lord (Earl Grey), who takes a prominent part in the debates of that House, stated that he thought, in respect of so important a proposal, more time ought to be given to the House for the examination of the evidence; and at the instance of that noble Lord and under these circumstances delay unavoidably occurred, and the consequence is that the House of Lords has not yet expressed its acquiescence in the Address of this House, and it has been impossible that the Commissions should be issued. I hope I shall not be thought intrusive if I offer a few words upon the Motion before the House. The question is, not whether we shall endeavour, at the proper time and in the proper manner, to do all in our power to put an end to bribery, but whether this is the proper time. I apprehend the rule of business is, if you wish to do things well, to do one thing at a time, and then to consider well the thing which you are about to do. With regard to the general question of Reform, the House has expressed the opinion that the one thing which must be done comprehends two important branches of the subject—the franchise and the re-distribution of seats; and the Government, acceding to the view of the House upon that subject, has accepted the Motion of the right hon. Member for Kilmarnock (Mr. Bouverie). I am quite sure that all those who anxiously desire to do that one thing, comprehending those two important branches of the subject, must be aware that it is a very great and a very serious, not to say difficult, undertaking, which requires their whole attention and their best energies. Those who really desire to settle this question cannot wish, at the same time and as part of the same measure, to introduce another subject, which, however important in its connection with the Parliamentary system of this country, has hitherto, I believe, always been settled in a different Bill. No Government which has ever brought forward any Reform Bill at any time has ever thought of mixing this question up with Parliamentary Reform. It is a subject that will be best considered if separately considered. I feel quite convinced that if the House will look at the question upon its merits only, with the view of putting the greatest possible check upon bribery, it will say that the worst step they could possibly take would be to proceed in the way proposed by the hon. Baronet the Member for Northamptonshire (Sir Rainald Knightley). My hon. and learned Friend (Sir Hugh Cairns), of whom it is very difficult to suppose that he misunderstands anybody, has not done justice to what fell from the Chancellor of the Exchequer. My right hon. Friend, as I understood him, did not say or mean to say that the House was sure to be agreed upon any proposal that could be made in order to put an end to bribery and corruption. What my right hon. Friend said was that he believed the House to be of one mind with regard to their general purpose in this matter — of one mind in their desire to find the best means of putting a stop to an evil requiring correction. We know, however, from experience, that, so far from its being easy to agree upon a remedy for that evil, it is, perhaps, one of the most difficult subjects in the world to deal with. What is the reason we are not further advanced than we at present are in applying a remedy? Why, because all the means hitherto tried have been inefficient for the purpose. We have heard further suggestions this evening — one to give the seat under certain conditions to the candidate of the minority; another, that the subject should be inquired into by a Committee sitting upon the spot. These may, very possibly, be good suggestions—certainly, they are very serious and important ones. But to suppose that the House would be at once unanimous in accepting them would certainly imply the possession of a sanguine temperament indeed. The subject is as difficult as it is important, and the proper course is to deal with it deliberately, relying upon the unanimity of purpose in the House, but by no means expecting unanimity of opinion. Certainly if our object is not to stop the Reform Bill, but really to suppress bribery, nothing could be worse than to insist that the Government, who do not pretend to have a measure ready, should introduce into this Bill provisions to be extemporized with regard to bribery, and that the House should act upon hasty and hurried suggestions arising from all parts of the House. I did not understand the Chancellor of the Exchequer to say that the law requires to be made more stringent with regard to penalties, nor did I understand the Home Secretary to say that the law in his judgment was susceptible of no improvement. The Home Secretary says that as to penalties he thinks we have probably gone as far as we can go; he did not say that in another direction another remedy might not be sought for. But he added that such a remedy must be sought for with great deliberation, and that it might be impossible to find it if we proceeded in the way suggested by the hon. Baronet. The Chancellor of the Exchequer did not say that we had not enough evidence to warrant our belief in the existence of corruption, but that these Commissions had been issued because it was thought of importance to get to the root of the matter, and to obtain information which can in no other way be supplied; and the detailed information thus to be furnished, showing the extent of the existing corruption, the length of time during which and the methods by which it has been carried on, are points which ought to be carefully considered. The real truth is this: if the present Motion is pressed upon the House as one means of throwing over all Reform in the present Session, it may be a very good Motion for that purpose. But if the object is to promote purity of election it is the most ill-considered proposal which could be made.

MR. WHITESIDE: The manner in which the Members of the Government have addressed themselves to this question deserves, I think, the notice of the House. My hon. Friend (Sir Rainald Knightley) put a plain practical question to the Chancellor of the Exchequer; the right hon. Gentleman evaded it; the Secretary of State rambled into a disquisition upon the ballot; and the Attorney General moralizes and does nothing. The hon. and learned Gentleman gives as one reason for not adopting the course suggested, that the Government have no Bill ready; but it is marvellous in how short a time the Government can get a Bill ready when they choose; and if pressure is only put upon them, I have no doubt that the Ministry, who can unsettle and resettle the Constitution in a few days, will soon be able to propose clauses with a view to repress the crime of bribery. The Attorney General admits that the law on the subject which now exists is not satisfactory. That is the very ground for discussing the subject. The Chancellor of the Exchequer says he sees the difficulty, and cannot see the remedy for it. That is surely to pass a censure upon himself; because if a difficulty exists it is the duty of the Minister to find a remedy, and if he cannot find a remedy—I shall not tell him what he ought to do. One thing has been made clear by this discussion. The Attorney General has delicately intimated that his opinion is in favour of Parliamentary Reform — a point upon which before we were left in doubt. The hon. and learned Gentleman, it now appears, absolutely thirsts for it—he is for pressing on the Reform question — and will not allow any delay even for the purpose of considering the prevention of bribery, or curtailing the expenses of elections. The real point, however, was stated by the hon. Member for Glamorganshire (Mr. Hussey Vivian). It was that Parliamentary Reform would be endangered by considering bribery at elections. So that Parliamentary Reform consists in evading the question of bribery and corruption.

MR. HUSSEY VIVIAN said, he had stated that the Bill would be endangered if this Instruction were agreed to.

MR. WHITESIDE: Quite so. I understood the hon. Member to say he was apprehensive that if we dealt with the subject of bribery and expenses of elections, we might endanger Parliamentary Reform — so that, as I understand him, Reform is to be carried, leaving bribery and election expenses to flourish untouched. A practical question is presented to the House, and I have no doubt that a practical remedy will be found by somebody when it is understood that the House is really in earnest on the subject.

MR. BRIGHT: I think that those who sent us here, when to-morrow they read the report of what has taken place, especially the speeches made on the other side of the House, will be extremely gratified at the new zeal of hon. Gentlemen opposite with regard to purity of election—and their gratification will be the greater if they should happen to believe in that zeal. Now, there is no man in the House, I am sure, notwithstanding the speeches that have been made, and there is no man out of it who knows anything about the principles of law-making, who is not quite certain of this—that to attempt to draw up a series of clauses upon all matters affecting the conduct of elections, with a view to insert them in this Bill, is not a proceeding which is wise with regard to the question of purity of election, and is most adverse to the Bill now before the House. The Attorney General has already stated that, and I repeat it. This question of purity of election is a very great and a very difficult question. We have had several Committees of the House to inquire into it. I recollect sitting on a Committee for many weeks with, I think, the hon. and learned Gentleman, one of the Members for Suffolk (Sir FitzRoy Kelly). Well, every kind of proposition almost was made. Most of them were rejected; and of those that were accepted by the Committee some have been rejected by the House and some have been accepted, but those that were accepted have apparently utterly failed. Some Members have an idea that you can suppress bribery and corruption by measures of punishment. I entertain no such belief. The law is strong enough now as far as the matter of punishment is concerned, and yet apparently the law effects nothing in the suppression of bribery. What is clear to every man who is connected with the representative system in every other country but this is, that you can only suppress bribery by having constituencies sufficiently large, and by having the mode of election by ballot. Now, Sir, I will not go into a discussion of that question, but an hon. Gentleman behind me has referred to it, and I wish only to utter one sentence with regard to it. It is this—that there is no country in the world but this in which we have constant charges and admissions of the gross bribery which takes place at elections. It is not charged universally—it is scarcely charged at all in the United States. ["Oh, oh!"] It is not charged in any of the countries on the European Continent. ["Oh, oh!"] I beg to tell my hon. Friend that the electoral system of all these countries, or nearly all, differs from that of this country in this particular—that small constituencies such as we have—manageable constituencies—are not known, and vote by ballot is all but universal. Now, the hon. Gentleman the Member for Northamptonshire (Sir Rainald Knightley) has proposed that the House should go into an entirely new question in Committee on this Bill. I venture to say that, whether he be honest in making this proposal now with a view to forward generally the cause of Reform or not, I am quite sure that the result of his proposition, and I fear the object of his proposition—as far as it is supported by many Gentlemen—is to cumber the Bill of the Government so that it shall be impossible to pass it through Parliament during this Session. I do not know whether the Chancellor of the Exchequer, as leader of the House, and the most influential Member of the Government, will think fit to accede to any such proposition. I think he has not gained much by having acceded to the proposition of the right hon. Gentleman the Member for Kilmarnock. I believe the proper course to be taken with regard to Reform was that which the Government offered to the House in the first instance; and that every step they take in adding to their measure any of those propositions which are intended to make the Bill more comprehensive — in doing something now which may be necessary to be done, but which they have not proposed to do at present — is only adding to their difficulties in carrying any Bill at all. And I state without hesitation my opinion that outside this House every Member, whether he be on this side or upon that, who insists on adding to this Bill matter which does not come within its original scope of extending the franchise or of re-arranging the distribution of seats, will be adjudged as a man who is putting obstacles in the path of this Bill; and is desirous to embarrass the Government, whose difficulties, whatever else we may disagree about, we must all admit are at least sufficient for the time.

MR. DISRAELI: I merely rise to express my confidence that the House will come to a decision upon this question without being influenced by the reign of terror with which the hon. Gentleman is continually threatening us. These threats come somewhat too often. Not having succeeded in frightening us by the letter which was read to the meeting on Primrose Hill, the hon. Gentleman repeats these threats here; but the House of Commons will not, I am sure, be deterred from doing what, under the circumstances, I clearly believe to be its duty. The hon. Gentleman has taunted us with a new-born zeal in favour of measures to put down bribery and corruption at elections; but I was not aware that we on this side of the House were particularly inrerested in maintaining that system of corruption. I have always understood that the great mass of Gentlemen on this side of the House returned by counties do, at least, represent constituencies to whom corruption has never for a moment been imputed; and if I look to the records of the last Parliament upon this subject, and especially to the proceedings of the last general election, I do not find with regard to the borough elections that we on this side of the House have any cause to be afraid of confronting this question. Whether the feelings of the hon. Gentleman and those intimately connected with him are the same I shall not stop to inquire; but if we are attacked upon this head I can fairly retort by appealing to the annals of Wakefield and of Huddersfield. In those instances the charges were very properly held to be proved, but they at least were not made against Members sitting on this side of the House.

COLONEL CROSLAND rose to explain that the occurrences to which the right hon. Gentleman had alluded in connection with Huddersfield had not taken place at the last election. [" Order! "]

MR. DISRAELI: The hon. Gentleman has no right to interrupt me for the purpose of making an explanation. I was not alluding to his case; but even if I were, it would be equally good for my argument. It is perfectly immaterial whether the hon. Gentleman's experience is more or less recent. I understand, however, from the hon. Gentleman that my statement with regard to the previous election was quite accurate. Let me remind the House what they are called upon to do by the Instruction that has been moved by my hon. Friend the Member for Northamptonshire. It is to perform a duty which in my mind is the very first the House ought to consider under the circumstances in which the Government are placed with regard to their measure for the improvement of the representation of the people in Parliament. What is the argument of the Government? The Attorney General, in a speech which was really only explanatory of the speech of the Chancellor of the Exchequer, says that there is no precedent for it—that in 1832, when the great measure of Parliamentary Reform was introduced, the House was not asked to deal with the questions of corruption and bribery when it was dealing with the extension of the franchise and the re-distribution of seats. That is true enough; but in 1832 you were creating the constituencies that have since become corrupt, and it is now our duty to profit by the experience of what has occurred since 1832. We know that the measure of 1832, though it may have conferred incalculable benefits upon the country, has led to an increase in bribery and corruption; and when we are therefore called upon to increase the constituencies and to institute fresh borough representation, what is more natural than that we should profit by the experience of the past, and at the same time adopt measures by which the evil should not only not be increased, but may possibly be reduced? We cannot, therefore, I think, possibly refrain from acceding to the Instruction of my hon. Friend the Member for Northamptonshire, and I still hope that the Government will relieve the House from the necessity of dividing upon the Motion.

COLONEL CROSLAND: I rise to make an explanation [*Cries of* "Divide!"] and I hope that as a new Member I shall be allowed to make it. When I unfortunately ventured to interrupt the right hon. Gentleman when he mentioned Huddersfield along with Wakefield, I did so because I felt it to be my duty as the present Member for Huddersfield; because, although I have unfortunately been put to the expense of having to go before an Election Committee, I have come out of it free from blemish and from blame, and I wished to explain this to the House, inasmuch as though I may have some faults of my own, I do not want to have the sins of other people to answer for as well as my own.

MR. WYLD, said, he should support the

Motion and hoped that the hon. Baronet would proceed to a division. The Government proposed to link pure and impure boroughs, to the great probable injury of the former constituencies. It was therefore necessary, for the sake of the purer boroughs, that more stringent measures should be adopted for the prevention of bribery and corruption.

Mr. MILNER GIBSON: When my right hon. Friend the Chancellor of the Exchequer introduced the Franchise Bill to the House, he announced generally the views of the Government upon Reform, and said in his speech that a part of the subject was undoubtedly the question of expenses at elections, and of bribery and corruption; and he said that the Government would not consider that they had completely dealt with the question of Reform until they had reviewed the law affecting these subjects and made such changes as might be found necessary. He stated also that it was the intention of the Government to deal with the question, although they did not intend to do so in this Bill. The charge against the Franchise Bill, was that the exclusion of the question of the re-distribution of seats from the measure was without precedent, and one of the reasons given for including both these questions in one Bill was the fact that no Reform Bill had ever been introduced into Parliament by any Government without including both these subjects. I venture to remind the House that there never was a Government Bill relating to the question of Reform which contained a series of clauses the object of which was to deal with the question of bribery and corruption. If we had introduced such clauses into this Bill we should have been departing from all precedent; and the charge made against us would have been that we had taken as an unprecedented a course by including bribery clauses in our Bill as we had done by the exclusion of the question of the distribution of seats. It is indeed a part of Reform always dealt with separately. The right hon. Gentleman the Member for Buckinghamshire in introducing his Reform Bill of 1859, though many years had elapsed since 1832, and though there had in the meantime been plenty of bribery, never thought of including a series of clauses relating to the subject. The fact is that this Motion is a very effectual mode of lessening the chance of carrying the Reform Bill, and I should think that my right hon. Friend the Chancellor of the Exchequer would not be acting as a true friend of his own proposals if he gave his sanction to the Motion of the hon. Member for Northamptonshire. If the hon. Member succeeds in carrying his Instruction, I hope he will be prepared with the clauses he wishes to have inserted. We have not had the slightest indication of what his proposals are to consist. We are asked to agree to this Instruction without any knowledge whatever of what plan is to be proposed, and I am quite certain that no person can view this Motion in any other light than as an indirect mode of obstructing the Government Reform Bill.

Question put,

"That it be an Instruction to the Committee that they have power to make provision for the better prevention of bribery and corruption at Elections.—(*Sir Rainald Knightley.*)

The House *divided:*—Ayes 248; Noes 238: Majority 10.

AYES.

Adderley, rt. hon. C. B.
Annesley, hn. Colonel H.
Anson, hon. Major
Archdall, Captain M.
Arkwright, R.
Bagge, W.
Bagnall, C.
Baillie, H. J.
Baring, H. B.
Baring, T.
Barnett, H.
Barrow, W. H.
Barttelot, Colonel
Bateson, Sir T.
Beach, Sir M. Hicks-
Beach, W. W. B.
Beaumont, W. B.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D.W.P.
Bernard, hon. Col. H.B.
Bingham, Lord
Booth, Sir R. G.
Bourne, Colonel
Bowyer, Sir G.
Bridges, Sir B. W.
Bromley, W. D.
Brooks, R.
Browne, Lord J. T.
Bruce, Lord E.
Bruce, Sir H. H.
Bruen, H.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H.A.
Cairns, Sir H. M'C.
Campbell, A. H.
Capper, C.
Cartwright, Colonel
Cave, S.
Cecil, Lord E. H. B. G.
Cholmeley, Sir M. J.
Clay, J.
Clinton, Lord A. P.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D.R.W. B.
Cole, hon. H.
Cole, hon. J. L.
Conolly, T.
Cooper, E. H.
Cubitt, G.
Cust, hon. C. H.
Dalkeith, Earl of
Dick, F.
Disraeli, rt. hon. B.
Doulton, F.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. A.
Duncombe, hon. W. E.
Du Pre, C. G.
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Earle, R. A.
Eaton, H. W.
Eckersley, N.
Edwards, Colonel
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Fane, Lt.-Colonel H. H.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.

Floyer, J.
Foley, H. W.
Forester, rt. hon. Gen.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gaskell, J. M.
George, J.
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Gorst, J. E.
Grant, A.
Graves, S. R.
Greenall, G.
Greene, E.
Gray, Lieut.-Colonel
Grey, hon. T. de
Griffith, C. D.
Grosvenor, Capt. R. W.
Gurney, R.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hardy, G.
Hardy, J.
Hartley, J.
Hartopp, E. B.
Hervey, Lord A. H. C.
Hay, Sir J. C. D.
Hayter, Captain A. D.
Heathcote, hon. G. H.
Heathcote, Sir W.
Heneage, E.
Henniker, Lord
Herbert, hon. P. E.
Hogg, Lt.-Colonel J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.
Horsman, rt. hon. E.
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Hunt, G. W.
Innes, A. C.
Jervis, Captain
Jolliffe, H. H.
Jones, D.
Kekewich, S. T.
Kelk, J.
Kelly, Sir F.
Kennard, R. W.
Ker, D. S.
King, J. K.
Knight, F. W.
Knox, Colonel
Knox, hon. Major S.
Lacon, Sir E.
Laird, J.
Lascelles, hon. E. W.
Leader, N. P.
Lechmere, Sir E. A. H.
Legh, Major C.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Liddell, hon. H. G.
Lindsay, hn. Colonel C.
Lindsay, Colonel R. L.

Long, R. P.
Lopes, Sir M.
Lowe, rt. hon. R.
Lowther, J.
Lytton, rt. hn. Sir E. L. B.
Mainwaring, T.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Marsh, M. H.
Meller, W.
Miller, S. B.
Miller, T. J.
Mitchell, T. A.
Mitford, W. T.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Naas, Lord
Neeld, Sir J.
Neville-Grenville, R.
Newdegate, C. N.
Noel, hon. G. J.
North, Colonel
Northcote, Sir S. H.
O'Neill, E.
Osborne, R. B.
Paget, R. H.
Pakington, rt. hn. Sir J.
Palk, Sir L.
Parker, Major W.
Patten, Colonel W.
Paull, H.
Peel, rt. hon. Sir R.
Peel, rt. hon. General
Pennant, hon. Colonel
Percy, Maj.-Gen. Lord H.
Phillips, G. L.
Powell, F. S.
Pugh, D.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, J.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Sclater-Booth, G.
Scourfield, J. H.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Sheridan, R. B.
Simonds, W. B.
Smollett, P. B.
Staniland, M.
Stanley, hon. F.
Stirling-Maxwell, Sir W.
Stronge, Sir J. M.
Stuart, Lt.-Colonel W.
Stucley, Sir G. S.
Sturt, Lt.-Colonel N.
Surtees, F.
Surtees, H. E.
Sykes, C.
Taylor, Colonel
Thorold, J. H.
Tollemache, J.
Treeby, J. W.

Trevor, Lord A. E. H.
Trollope, rt. hon. Sir J.
Turner, C.
Tyrone, Earl of
Vandeleur, Colonel
Verner, E. W.
Walcott, Admiral
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.

Whiteside, rt. hon. J.
Whitmore, H.
Williams, Colonel
Wise, H. C.
Woodd, B. T.
Wyld, J.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, C. W. W.
Yorke, J. R.

TELLERS.

Knightley, Sir R.
Cranbourne, Viscount

NOES.

Adair, H. E.
Agnew, Sir A.
Akroyd, E.
Amberley, Viscount
Anstruther, Sir R.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Baring, hon. T. G.
Barnes, T.
Barron, Sir H. W.
Barry, C. R.
Barry, G. R.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Berkeley, hon. H. F.
Biddulph, Col. R. M.
Biddulph, M.
Bouverie, rt. hon. E. P.
Bright, Sir C. T.
Bright, J.
Briscoe, J. I.
Brown, J.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bulkeley, Sir R.
Buller, Sir A. W.
Buller, Sir E. M.
Butler, C. S.
Buxton, C.
Buxton, Sir T. F.
Calcraft, J. H. M.
Calthorpe, hon. F. H. W. G.
Candlish, J.
Carnegie, hon. C.
Cave, T.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, M.
Childers, H. C. E.
Clement, W. J.
Clinton, Lord E. P.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Colthurst, Sir G. C.
Colvile, C. R.
Cowen, J.
Cowper, hon. H. F.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.

Crosland, Colonel T. P.
Crossley, Sir F.
Dalglish, R.
Davie, Sir H. R. F.
Dawson, hon. Captain V.
Denman, hon. G.
Dent, J. D.
Dering, Sir E. C.
Dilke, Sir W.
Dodson, J. G.
Duff, M. E. G.
Duff, R. W.
Dundas, F.
Dundas, rt. hon. Sir D.
Edwards, C.
Enfield, Viscount
Erskine, Vice-Adm. J. E.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Finlay, A. S.
FitzGerald, Lord O. A.
Fitzwilliam, hn. C. W. W.
Eordyce, W. D.
Forster, C.
Forster, W. E.
Foster, W. O.
Fort, R.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Gaselee, Serjeant S.
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon. W. E.
Gladstone, W. H.
Glyn, G. C.
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, J.
Gooch, D.
Gower, hon. F. L.
Goschen, rt. hon. G. J.
Graham, W.
Gregory, W. H.
Greville, Colonel F.
Gray, Sir J.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Grosvenor, Earl
Grosvenor, Lord R.
Grove, T. F.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.

Hanbury, R. C.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Hay, Lord J.
Headlam, rt. hon. T. E.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Howard, hon. C. W. G.
Howard, Lord E.
Hughes, T.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Ingham, R.
James, E.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kearsley, Captain R.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Laing, S.
Layard, A. H.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Locke, J.
Lusk, A.
Mackinnon, Capt. L. B.
Mackinnon, W. A.
M‘Lagan, P.
M‘Laren, D.
Martin, P. W.
Matheson, A.
Merry, J.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mitchell, A.
Moncreiff, rt. hon. J.
Monk, C. J.
More, R. J.
Morrison, W.
Neate, C.
Nicol, J. D.
Norwood, C. M.
O'Beirne, J. L.
O'Brien, Sir P.
O'Donoghue, The
Ogilvy, Sir J.
Oliphant, L.
Onslow, G.
Packe, Colonel
Padmore, R.
Palmer, Sir R.
Pease, J. W.
Peel, A. W.
Pelham, Lord
Potter, E.
Potter, T. B.
Price, R. G.
Proby, Lord
Rawlinson, Sir H.
Rearden, D. J.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron M. de
Russell, A.
Russell, F. W.
Russell, Sir W.
St. Aubyn, J.
Salomons, Mr. Ald.
Samuda, J. D'A.
Samuelson, B.
Saunderson, E.
Scott, Sir W.
Seymour, A.
Seymour, H. D.
Shafto, R. D.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stanley, hon. W. O.
Stansfeld, J.
Stone, W. H.
Sullivan, E.
Sykes, Colonel W. H.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Torrens, W. T. M‘C.
Tracy, hon. C. R. D. H.
Verney, Sir H.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vivian, Capt. hn. J. C. W.
Waldegrave-Leslie, hn G
Warner, E.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whatman, J.
Whitbread, S
White, J.
Williamson, Sir H.
Winnington, Sir T. E.
Woods, H.
Wyvill, M.
Young, R.

TELLERS.
Brand, hon. H. B. W.
Adam, W. P.

THE CHANCELLOR OF THE EXCHEQUER: As no other hon. Gentleman has an Instruction to move, I beg to move that the Speaker do now leave the Chair. I have only to say, on the subject of the division which has taken place, that of course we shall wait for the production by the hon. Gentleman of the plan which no doubt he has formed—though he has not as yet communicated it to the House—though we do not feel very sanguine that it will be effectual in dealing with bribery and corruption. I am afraid that some time will elapse before the production of these clauses, and when we have gone in Committee through those parts of the Bill which we have admitted to be legitimate portions of it, and when we have the clauses which the hon. Gentleman may propose, it will be our duty to give them a dispassionate consideration. If the hon. Gentleman shall succeed in dealing with what we consider a great evil, we shall be exceedingly glad to give him any assistance that we can render. We shall not, however, on account of a proposal to introduce into the Bill matters which we think should rather be dealt with separately—we shall not so far as depends upon us think ourselves justified in departing from the objects we have proposed to ourselves, whether as regards the enactments of the Bill or the vital purpose of prosecuting it during the present Session?

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Chancellor of the Exchequer.*)

CAPTAIN HAYTER, who had placed a Notice on the paper, to move as an Amendment to the Instruction to be moved by Mr. Bouverie—

"That this House, although desirous that the subjects of the Franchise, and of the Re-distribution of Seats, should be considered together, is of opinion that the system of grouping proposed in the present Bill for the Re-distribution of Seats is neither convenient nor equitable, and that the scheme of Her Majesty's Government is not sufficiently matured to form the basis of a satisfactory measure,"

but which had been subsequently altered, now rose to move that—

"This House, while ready to consider the general subject of a Re-distribution of Seats, is of opinion that the system of grouping proposed by Her Majesty's Government is neither convenient nor equitable, and that the scheme is otherwise not sufficiently matured to form the basis of a satisfactory measure."

He said, that in moving an Amendment which the House had just heard from the lips of the highest authority was regarded by Her Majesty's Government as seriously affecting what was vital and essential to the great question of Parliamentary Reform, he thought he should not be presuming too much upon the indulgence of the House if he ventured to trespass upon its attention for a few moments. He hoped that he and those on that (the Ministerial) side of the House who acted with him would not be open to the charge of factious conduct for the course which they proposed to take in this matter—especially when it was considered that on the great division on the second reading of the Franchise Bill he, for one, supported Her Majesty's Government with a sincere and honest conviction. They had now to deal with a question which was regarded as a necessary corollary to every great scheme of improving the representation of the people—they had to deal with a scheme for amending the representation of the people by a re-distribution of political power throughout the whole extent of the United Kingdom. He therefore felt it right at the very ouset of his statement to say what were the points which he and those who acted with him thought vital and essential, and what were the causes which had led them to take a course directly hostile to Her Majesty's Government, and the reasons which justified them for so doing. In the first place, he and his hon. Friends were of opinion that to introduce a measure which, in one of its most essential features, limited its operations to towns with a population of 8,000, was to deal with the question in a narrow and unsatisfactory manner. Her Majesty's Government were placed in this position. They had out of an aggregate of seventy-nine seats to obtain for re-distribution fifty to be distributed in various ways for the improvement of the representation of the people. Now, it seemed to him and to those hon. Gentlemen who thought with him, that it was impossible for the Government to form a just, equitable, and statesmanlike project if they limited themselves within the narrow bounds which they had adopted. That was the first objection. The second was that the effect of this Bill upon small constituencies could not be regarded by any unbiased observer as fair to those who represented them. The third objection was that in taking into consideration a question which opened up the whole field of the improvement of the borough representation the Government were not justified in saying that the unenfranchised towns were to be kept utterly aloof. The hands of those who agreed with him were strengthened by the very principles which the leader of the House had himself laid down as having guided her Majesty's Government in the preparation of the measure. The words which the Chancellor of the Exchequer used in laying this Bill upon the table were, as far as he could recollect, these—

> "In grouping the boroughs, we have adopted the principle of geographical convenience coupled with local reasons, which must be understood to be expressed with a certain latitude."

That was the very point upon which he joined issue with the right hon. Gentleman; and if he could prove his case to the satisfaction of the great majority of the House, surely he would be justified in saying that the measure of Her Majesty's Government was crude, immature, and not such as would present to that House a satisfactory basis—and that was a vital point—for the settlement of the great question of Parliamentary Reform. There was another point of some importance, and it was this—that he would not have ventured to come forward in this case, a little Parliamentary David with his sling and stone, against the great Goliath on the Treasury Bench, on a question of rhetorical argument or a course of reasoning—it would be absurd to attempt it—but he ventured to meet the right hon. Gentleman on the hard and rigid basis of facts. He took nothing but the facts which the right hon. Gentleman had laid before them, and the principles upon which he applied those facts; and it was with the earnest and sincere conviction that they who represented small boroughs would be doing not only a flagrant injustice to their constituents, but a still more grievous injury to the country, if they were to permit a measure of that kind to be put forward as a satisfactory settlement, that he had taken up this subject. Before entering on the important duty of pointing out in detail the facts upon which he founded his objection to the Bill as it stood at present, it was just to those hon. Gentlemen who honoured his Motion with their support that he should explain that they had found it utterly impossible to bring forward this Motion on the second reading of the Bill for the Redistribution of Seats, and that therefore they had selected the present stage as the most convenient for introducing it. He felt from the first moment that he saw this Bill, that as it then stood it could never meet with the approbation of the House of Commons; yet he had not ventured to make the present Motion until he had patiently and carefully investigated the whole subject, and had heard loud complaints from Members unaffected by the Bill, as to the unjust manner in which it proposed to deal with the representation of the various boroughs scheduled in the Bill. The conclusion at which he had reluctantly arrived was that, however distasteful it might be to him personally to place himself in opposition to Her Majesty's Ministers, he should not be doing his duty, but should be betraying the trust reposed in him, were he to sanction the scheme proposed by the Bill. He had now to ask those hon. Gentlemen sitting on either side of the House, over whose boroughs the black flag of extinction was flying, whether, if they did not exert themselves in their defence, before the Bill got into Committee, they would ever be able to write as the epitaph upon their tombs the motto of "Resurgam." He was ready to admit the anxiety of the Chancellor of the Exchequer to remedy any injustice that might be pointed out in the scheme of re-distribution, but he was afraid that the right hon. Gentleman was too firmly tied and bound by the principle he had himself laid down as the foundation of his Bill, to permit them to hope that he would be able to do justice to their individual cases. It was one of the most fatal objections to the Bill that it left no sort of discretion in the hands of Her Majesty's Government which might enable them to deal fairly with special cases, but confined their operations within a narrow and prescribed limit beyond which they were forbidden to pass. It was under these circumstances that he and many other hon. Members, believing the principles of the Bill to be vicious and dangerous to the Constitution of the country, and to the fair and proper representation of the people, had regarded it as their duty to offer an organized opposition to the passing of a measure which, so far from being an improvement of the existing mode of representation, retained all the worst of the anomalies complained of and created others still more unfortunate. In touching upon the more prominent errors in the grouping of the boroughs, as proposed by this Bill—which he could not help believing had not been maturely considered—he should be materially assisted by those hon. Members whose constituencies were directly affected by the Bill, and who would be more competent than himself to enter into details with regard to the injustice with which their respective boroughs were threatened. In taking the first group as proposed by the Bill he found that Woodstock, Wallingford, and Abingdon, situated in the two counties of Oxford and Berks, instead of returning three Members, as at present, would, when grouped, only return two. Woodstock stood in a somewhat peculiar position, as it was supposed to be somewhat under the influence of the ducal house of Marlborough ; but however much it might be the interest of the present Government to free the borough from that influence, it was scarcely consistent with the improvement of the representation to group that borough with two others in an adjoining county. He was speaking entirely within the knowledge of gentlemen present when he said that Wallingford and Abingdon were at least twenty-five miles from Woodstock, which, on the other hand, was in the immediate vicinity of Oxford city. Even supposing that Her Majesty's Government were determined to adopt the scheme of grouping represented towns only—a scheme which he was far from saying he approved—surely it would have been more consistent to join Woodstock with either Oxford or Banbury ; and then, perhaps, they might fairly have included Wallingford and Abingdon in one group ? The next group in geographical order was that in Gloucestershire and Worcestershire, and was to include Cirencester, Tewkesbury, and Evesham, towns which were to return two Members instead of six, as at present. Such a method of grouping was doubtless very effectual for obtaining seats for distribution in other parts of the country, but it was hardly the way to obtain an homogeneous constituency to unite in a group these towns having no common interest whatever. Probably not one-tenth of the inhabitants of any of those boroughs had ever seen the other two towns, since the two former were separated by the breadth of Gloucestershire, the latter was in Worcestershire, and it took four hours by railway to travel the fifty-three miles which divided them ; while Cheltenham, Stroud, and Gloucester being all represented towns intervened. Passing lower down the country to the westwards, he came to Wells and Westbury, the former in Somerset and the latter in Wilts. The proposal of Her Majesty's Government to group those two boroughs exhibited a most glaring case of geographical inconvenience and want of consideration, for not only were these places twenty miles apart, but they had not one single interest in common, one being a manufacturing town and the other a Cathedral city and the capital of Somerset. But lying between them was the represented town of Frome, containing a population of 9,500, with which town or with Bridgwater, Wells should have been joined, were any proper system of grouping represented towns to be carried out. In fact, far more satisfaction would have been given had the towns of Glastonbury and Shepton Mallet, containing together a population of 13,000 or 14,000, been included in the group. All those places were connected by railway, by community of interest, by general intercourse, and by association. Notwithstanding all these considerations, Wells, whose privileges dated back to an early period, was grouped with a borough in another county with which it had no connection and no interest in common. The effect of this, as he knew upon the authority of one with whom he was most nearly connected, and who, as Gentlemen on both sides would admit, had some knowledge of constituencies, would be to create a nomination borough of the rottenest kind, and it was a salient instance of the ignorance displayed by the Government in this scheme, which, while affecting to reform the Constitution, and correct anomalies, would itself create fresh evils and fresh anomalies. He would next refer to the proposed grouping of boroughs in Devonshire, which presented the most glaring absurdities. In the first place, Totnes, Dartmouth, and Ashburton, which now had four Members between them, were to be grouped and return only one. Now, Dartmouth was a seaport, while Totnes and Ashburton were both agricultural towns; and though he did not speak from personal knowledge, it would probably be found that there would be very little community of interest or any identity of feeling between them, if they should be amalgamated into a single constituency. What, however, he had most to complain of was that, while these places—Totnes, Dartmouth, and Ashburton—would form together a population of 12,000, and were to have but one Member, Tiverton, with a little over 10,000 inhabitants, was to retain two. Now, what could the people of Ashburton, Totnes, and Dartmouth, think of the equity of such an arrangement? Upon what conceivable principle of common sense or common justice could it be based? But it must be remembered that this was by no means an exceptional case. They had not to travel beyond the limits of the very same county to discover another instance of the same sort. The next group was that of Bridport, Honiton, and Lyme, which instead of returning five Members, were for the future to return only one. Yet he found upon reference that the united population of Bridport, Honiton, and Lyme was nearly 15,000, while in the closest proximity to them lay the borough of Tavistock, with less than 9,000 inhabitants, which was still to return two Members. Could anything be more absurd, or more contrary to the most obvious principles of equitable distribution? The House could easily imagine with what feelings of astonishment it must have been learnt in the neighbourhood of those places that Tavistock—which was something of a nomination borough—still retained her two Members, while Bridport, Honiton, and Lyme were deprived of four out of the five Members who at present represented them? Passing on to the adjacent county of Cornwall they discovered another anomaly though of a somewhat different character, as relating not to one borough or another, but to the two portions of the same county. In the north of Cornwall, Bodmin, Launceston, and Liskeard were to be thrown together in one group. He did not think the geographical convenience of this arrangement was very remarkable, for he was told that there was a distance of eighteen miles in one case and of twelve miles in the other, between the places grouped together. Nor does it appear that there was much identity of interests to form them into one homogeneous constituency. But, if they glanced at the other side of the county, there they found the three constituencies of Penryn and Falmouth, Truro, and Helston entirely untouched. These features of the measure reminded him of the game of bowls as he had seen it played in America, the Chancellor of the Exchequer coming down with his bowls and at one stroke knocking over these unhappy constituencies in the north, then turning round to look at the happy triumvirate in the south, where Helston as the very focus of electoral purity stands as the centre figure of the group. They must expect, however, in the end to share the same fate, for he did not believe that this Bill would be the last scheme of re-distribution, and those places would one day find themselves in the same awkwark predicament. The next anomaly to which he would allude, and which was the first that caught his attention, had been mentioned by the leader of the Opposition, and very naturally so, the boroughs in question being situated in the right hon. Gentleman's own county. It was a very striking example of the inconsistencies of the plan on which the re-distribution was to be carried out. The Chancellor of the Exchequer informed the House that in framing Schedule B some boroughs were to lose one Member because they could not be geographically and conveniently grouped—of these Marlow was one. Now, the towns of Wycombe and Marlow were situated not many miles from each other, about ten, he supposed [Mr. DISRAELI: Six], and it took you not more than twenty minutes to travel from one to the other by train. Marlow, because supposed to be incapable of convenient geographical grouping with any other constituency, was, in accordance with the plan laid down by the Chancellor of the Exchequer, to lose one of her representatives, but Wycombe retained both, although the population of the latter place was only about 300 above the 8,000 which the Bill fixed as the limit for the possession of one Member; while the population of the two places that thus were to have between them three Members did not exceed 15,000, the limit, according to the principle laid down by the Chancellor of the Exchequer, entitling them to but one representative. Another instance of unwise grouping was presented in Hampshire. Andover and Lymington were to be united, though one was a seaport and the other an agricultural town, and though they were separated from each other by almost the entire breadth of the county. Surely, if the plan of grouping represented boroughs were adopted, and if geographical convenience were consulted, Andover ought to be joined to Winchester and Lymington to Christchurch? The Government would thus have obtained four seats instead of three. It was monstrous to group together towns which were forty miles apart. Such a proposition was altogether monstrous. He would now refer to a case which had been alluded to by the right hon. Gentleman the leader of Her Majesty's Opposition in his great speech on the second reading of the Re-distribution Bill. Had the right hon. Gentleman known all the facts, he might certainly have made that case much stronger. He (Captain Hayter) referred to the group of Wareham and Dorchester, which were to return one Member instead of three. Now, in immediate proximity with Wareham was Poole, which returned two Members with a very small margin over the population required. That borough might much more naturally be associated with Wareham. Then, on the other side of Dorchester, and united to it by railway, was Weymouth, which, with a population under 15,000, was to return two Members, while Dorchester and Wareham thrown together were only to return one. Why did they not group Weymouth and Dorchester? Surely this was a case of injustice to these boroughs. It was difficult to see how Government could have been led to act in any case in such a spirit; but the accumulation of such cases showed how crude and immature their whole scheme was. If they had really at heart the settlement of this question, they ought to have introduced a comprehensive plan, and taken proper means of ascertaining how best the principle of geographical convenience could be worked out, while they did justice to the unenfranchised towns. There was another extraordinary group—in Sussex—he meant that of Petersfield, Horsham, Midhurst, and Arundel. He could not conceive how it was possible for any one with a map before him to suggest a group that would be more inconvenient. He must have gone out of his way to do so. On the score of geographical convenience Arundel surely ought to have gone with Chichester. Together they would have returned two Members, and that would have given another seat to be disposed of; but it was manifestly absurd to suppose that the group as now arranged would form a homogeneous constituency, or act together in that spirit which should animate an united electoral body. There was yet another group to which he must refer—that of Maldon and Harwich. These two towns were divided from each other by half the length of Essex. Between them lay the represented town of Colchester; Harwich and Ipswich lay near together, and would have formed a group much more geographically convenient than Maldon and Harwich; while close to the former lay the unrepresented town of Chelmsford. These were some of the absurdities in this Bill, and to which he called the serious attention of the House. He had done so very imperfectly, but the Members immediately connected with the proposed groups would, no doubt, enter more fully into the details of each case. He had referred to ten out of the sixteen groups, and he thought he had pointed out what the House would consider the most glaring anomalies. In order to a satisfactory settlement of the Reform question, they ought not to be called on to take a step in the dark. They should, at least, know what they were doing. If he might be allowed to do so without trespassing unduly on the attention of the House, he should wish to read one or two extracts from communications which had passed between him and his father, who might be supposed to have some knowledge of the borough constituencies in this country, but who was the last person in the world to wish to offer opposition to anything brought forward by Her Majesty's Government. His father's words were these—

> "Undue influence may in certain cases be done away with, but the joint action of a constituency which is surely in accordance with the Constitution will be wholly destroyed. The possibility of bribery will remain the same as before, the expenses will be trebled."

He maintained that the expenses would be not only trebled but quadrupled and quintupled in some cases.

> "The analogy of the Welsh boroughs does not hold, they being always in the same county so as to admit of united action. Here they are so far divided as not to admit of union for any purpose. Nothing can justify the disfranchisement, under the plea of Reform, of one good constituency to create a rotten borough. Meantime, all the nomination boroughs besides those created by the Bill above 8,000 population are left untouched. The present crude proposal is, in fact, no Reform at all; it leaves all the questions of importance open, and, so far from settling the matter, invites a further Bill."

How it was possible for the Government to consider this a satisfactory settlement of Reform would task all the eloquence of the Chancellor of the Exchequer to show. He should be sorry to bring his father's name unduly before the House, but he himself had told him that if he still enjoyed a seat in that House, and still had the honour of holding the official position which was then intrusted to him, he should have resigned office rather than give support to a measure he so strongly disapproved. Another duty, and not a very agreeable one, remained for him to perform; but, as the opposition he was now giving to the Bill was certain to be attacked on every possible ground, it was necessary to show that it was grounded upon equity and justice. Taking not any wide limits of comparison, but merely the narrowly-increased limit of 10,000, the House would see what glaring discrepancies were disclosed by contrast with the limit of 8,000 selected by the Government. In his humble position it was not for him to suggest any improved plan, but it should be borne in mind that according to the dictum of the Chancellor of the Exchequer himself boroughs with a population of 8,000 were not necessarily to be regarded as subject to corrupt influence. Windsor, with 9,000 inhabitants, was to retain its double representation, though, from sad experience, he knew that Windsor enjoyed the distinction of combining corrupt influence with aristocratic power. Next upon the list was Wycombe, just above the limit; and then came Tavistock. With regard to Poole there were some strange stories, which, upon his own authority, he was not in a position to endorse; but the right hon. Gentleman the leader of the Opposition had shown satisfactorily that there were boroughs like Wareham with which it might be grouped and still retain something like a homogeneous constituency. Stamford escaped, because, as it was said, it "had fifty-seven voters to the good;" and Guildford had even a narrower escape, its population being 8,020. He had no complaint to make against Guildford, but the House would see that if it, rejoicing in a resident population of twenty above the limit, retained its double representation, while another borough, with perhaps twenty below the limit, was merged in a group of other boroughs, there was an utter disorganization of the smaller constituencies. Chichester had fifty-nine and Malton seventy-two beyond the limit of 8,000; and, finally, he came to that borough which returned one of the most useful of all the Members of the House—useful to junior Members, useful to his party, and generally esteemed—the hon. Member for Lewes (Mr. Brand). It would have been rather too much to expect from the hon. Member, who might be supposed to have had something to do with the preparation of the Bill for the Re-distribution of Seats, that having just returned from ingratiating himself with his constituents he should mark his sense of gratitude by improving that constituency off the face of the earth. Accordingly Lewes was spared. So far he had spoken merely of towns under 10,000 inhabitants, possessing a double representation, and he would not travel over any wider field of survey. But if the Government found themselves placed in a position of difficulty and embarrassment in obtaining seats sufficient to distribute among the great towns of the North, and the rural constituencies, surely they might have enlarged their circle of observation. On the list of boroughs having populations of between 10,000 and 15,000, he found these boroughs—Barnstaple, Berwick, Bridgwater, Sandwich, Stafford, Weymouth. Were all these towns conspicuous for their purity? Yet these were all to retain their two Members, while the grouped boroughs, approaching, or, perhaps exceeding, the same limit of 15,000, would only have one Member between them. He felt deeply thankful for the indulgence which the House had extended to his remarks. The subject was one upon which many Gentlemen at both sides of the House felt keenly—not alone those who were personally affected by the provisions of the Bill, but others in a position to take a thoroughly impartial view of the question. He implored Her Majesty's Government to reconsider the nature of their own proposals, or, if this course could not be taken, at least to offer some means of escape from the difficulties with which the question was at present surrounded, making it impossible for hon. Members to support the Bill without grossly betraying the interests of their constituents, and also betraying the interests of the country. On his own part, and on the part of those acting with him, he assured the Chancellor of the Exchequer that they were animated by no spirit of factious opposition, but would give a hearty support to any measure calculated to effect a settlement of the question. What they claimed was such a settlement as would prevent the need of reopening it again. But when the provisions of this Bill came to be seriously considered, what would be said by the unenfranchised towns? Did the right hon. Gentleman think they would sit down calmly under such a measure? When he saw their hungry mouths clamouring for the prize they were not to obtain, the right hon. Gentleman, no doubt, would remember the line so often quoted in his Eton days—

> "Tantalus à labris sitiens fugientia captat
> Flumina."

He asked the right hon. Gentleman to reconsider his determination, and if he produced a measure dealing simply with the anomalies of the representation, and pruning from the Constitution those excrescences which had grown upon it with the lapse of time, he would have little difficulty in securing its adoption by Parliament. He was not opposed to the granting of further representation to Scotland if Her Majesty's Ministers considered that desirable; as one who had enjoyed the advantages of an University education, he should not declaim against the proposal to grant representatives to the Universities of London or Edinburgh; and if additional representation of counties was shown to be necessary, he was prepared to acquiesce in the proposal. But he was not prepared to supply the Members in the way proposed by the bald and immature project before the House. Moreover, he thought that if increased representation were given to counties the third Member in each case ought to represent, not the opinions of the majority, which already found ample expression, but those of the minority. Whenever the right hon. Gentleman the Chancellor of the Exchequer, or whoever else it might be who guided the Counsels of Her Majesty, should introduce into that House a Bill really dealing with the anomalies of our representative system, and correcting, by a fair measure dealing with the re-distribution of seats, the abuses which had grown up in the lapse of time, he could promise that Minister in all earnestness for himself, and for those at least who sat upon the Benches at his side of the House, that they would not offer him their support in a niggard and ungenerous spirit when called upon to yield up the representative privileges which their constituencies had so long enjoyed. In return for justice they would offer him the loyalty of every separate section of a powerful and united party. The hon. and gallant Member concluded by moving his Amendment.

MAJOR ANSON, in seconding the Amendment, said, that when the Government first introduced the Franchise Bill they had made up their minds to deal with the question of Reform by piecemeal. The House thought that the course then taken by the Government was open to grave objection, and the question that the Bill be read a second time, was met by a Resolution declaring that it was inexpedient to proceed with the Bill till the whole question was before the House. On that Resolution a division was taken, and the Bill was read a second time; but, in consequence of the relative numbers on that division and of the threatening attitude of the Liberal Members, the Re-distribution of Seats Bill was brought in, and the Liberal Members who had opposed the Government gained their object, and the Government was defeated. ["No!" "Hear!"] The House now found themselves, for the first time during all this discussion on the subject of Reform, face to face with the whole Bill of the Government; and it was, therefore, their duty to consider whether the Bill now before them was founded on true principles—whether it was a good Bill and one likely to settle the question. He must say for himself that after a full consideration of the subject, he had been unable to discover any principle, sound or unsound, on which this Bill was based. He therefore thought it was a bad Bill, and one which could not bring about a settlement of the question at all. He was of opinion that it would have been better if the Government had followed the example of the hon. Member for Hull (Mr. Clay), who had laid on the table a Bill which was, at any rate, founded on an intelligible principle—one which they could all understand, and when that Bill came before the House for a second reading he would give it his support. In discussing the proposition of the Government, he would first deal with the question of the borough franchise. He was afraid that both the House and the country had heard rather too much on the subject during the present year; but it would be necessary for him to say a few words on the manner in which the Government proposed to reform the borough franchise. He was determined to oppose the Bill for the reduction of the franchise in or out of Committee, wherever he could, which they had been brought to bolster. In the first place, their proposition was founded on statistical information which every one in that House concurred in holding to be erroneous. This he believed to have arisen simply from the fact that the Returns, like the Bill, had been concocted in a hurry. He opposed it, in the next place, because he observed that by the extreme Reform party that Bill was represented to be a compromise. This was worthy of observation when the House came to consider whether it was likely to effect a settlement of the question. Again, he opposed it, because it was uniform in its action. He should have no objection in a great many boroughs where there were large numbers of the working classes to lower the franchise not only to £7, to the extent of making it simply a household franchise; but, on the other hand, he thought there were a great many boroughs in this country—a majority of them—where it would be a great mistake to lower the franchise at all. He therefore thought it would be a very great mistake to have a uniform lowering of the borough franchise; certainly it would be so in the absence of good statistical information to show them what they were about. He had referred to a certain section who asserted that this measure would be a compromise. This was said, he presumed, to weaken the opposition of those who would be against any further lowering the franchise. He felt that he was justified in alluding to the matter, because there had been more plain speaking on this subject elsewhere since the Franchise Bill had been read the second time, than there had been before. The real movers in Reform agitation—those who got up public meetings on the subject—were the Members of an association called the Reform League. That body had held two meetings within the last week; its great mouth-piece in the House of Commons was the hon. Member for Birmingham (Mr. Bright), and by a letter which he had addressed to the Association, and which was read to the meeting on Primrose Hill, that hon. Gentleman showed that he joined with it in the object which it sought to achieve—that object being manhood suffrage pure and simple. He confessed he could not believe any of those gentlemen when they said that lowering the franchise to £7 was likely to settle the question, because the letter of the hon. Member for Birmingham showed that he had no wish to conciliate those who were opposed to an extension of the franchise. As one of the Liberals who had voted against the Government on this question before, he must say that the hon. Member's letter was plain and blunt in its language—so plain and blunt that it required to be met in rather plainer language than the rules and courtesies of that House permitted to be used. As to the question of the re-distribution of seats, he did not think that any question ought to be more carefully dealt with than that, for it was a measure which involved disfranchisement and touched a large variety of interests. He had got an authority for this in the present Prime Minister. In the year 1821 Lord John Russell proposed certain Reform resolutions to that House, and, curiously enough, he combined together bribery and corruption and a re-distribution of seats. He moved that a Select Committee should be appointed to consider what persons it would be advisable to enfranchise, and what would be the best method of effecting it without a diminution in the number of representatives in this House. But the Government had shown by their haste and carelessness in dealing with this question that they were not actuated by the principles of Lord Russell in 1821. They had neither consulted the interests nor the wishes of the various boroughs they had pitchforked into groups. He would remind the House that before they could get at those groups they had to go through two processes. They must first disfranchise every one of those boroughs, and then they were to be brought together again and enfranchised, with one or two representatives as the case might be. But in this second process they would leave other boroughs much more important still unenfranchised, and they would give every one of those unenfranchised boroughs a good case of grievance. He, therefore, could not regard the Bill as likely to settle the question. He understood the object of Reform to be to get rid of certain anomalies in the present system of representation, but he could hardly think that object would be effected by a measure which, while it got rid of certain anomalies, created other and greater anomalies in their place—for such, he believed, would be the effect of the proposed plan of grouping. The next part of the Bill to which he would refer was the proposition to give an extra Member to four towns already returning two —namely, Liverpool, Birmingham, Manchester, and Leeds. One would suppose that the reason why a third Member should be given to each of these towns consisted not only in the fact of their large labouring population, but also in the circumstance of their great mercantile importance, and of the great shipping and manufacturing interests connected with them. But the operation of the £7 franchise under the present Bill would swamp the existing constituencies—the great shipping, commercial, and manufacturing interests would be completely disfranchised, and the addition of a third Member would simply be the giving one Member more to the working population of those towns. And yet there were great manufacturing and mercantile towns, such as West Bromwich and Stockton-on-Tees, that would remain entirely unrepresented. He would much prefer giving one Member to each of these unrepresented towns to giving a third Member to those towns which already had two. Another portion of the Bill to which he objected was that giving a third Member to any division of a county, and with respect to South Lancashire the better alteration would be, instead of giving three Members to each of two divisions to divide it into three divisions, and give two Members to each of those divisions. This was an instance of the carelessness with which the Bill had been prepared. There were also some divisions of counties to which it was desirable not to give an additional Member. In South Staffordshire there was the large district of West Bromwich, having a population of 70,000 or 80,000, and it would be a better plan, instead of giving a third Member to that division of the county, to take that district out of the county and give it a Member. He objected to the arbitrary line of 8,000 inhabitants adopted by the Government, and believed that it would have been a fairer plan to have taken as the rule the number of electors, instead of the actual number of inhabitants, the larger number of whom would consist of women and children; whereas, by taking the number of electors, they would see at once what was the nature of the constituency with which they had to deal. The city he represented (Lichfield) was a case in point. If a really good Bill for the re-distribution of seats were brought forward, he should not object to Lichfield losing a Member; but then he should demand that it should be treated fairly, and that other boroughs not half so important should not be left with two Members. At the present moment the number of electors in Tavistock was 426, and under the £7 franchise the number would only be 475. In Lichfield the number of electors was 564, and under the £7 franchise the number would be 780. Under a £6 franchise, which in most of the boroughs in this country a £7 franchise would virtually be, the number of electors would be 1,000. In Tiverton the number of electors was 465. Under a £7 franchise the number would be 588, and under a £6 franchise 672. There were various other boroughs of the same character, but it was unnecessary for him to mention them. The number of the electors was the true ground to take, and by that they would attain their object, that of keeping as many as they could in possession of the franchise. He believed there was not a single clause in the Bill that would in any way promote the settlement of the question; and tinker it as they might, it would be utterly impossible to make a good Bill of it. It might be all very well for the hon. Member for Birmingham to say that those who supported the Motion then before the House would do so because they were opposed to all Reform—all he could say upon that point would be of little avail; therefore, whatever might be his feelings about Reform, under no circumstances would he give his vote in support of a Bill which he sincerely believed to be bad in every way, and which was not likely to be a settlement of the question, because simply the name of Reform had been by courtesy given to it. He had felt it to be his duty to oppose the Bill on the first opportunity on the Motion for going into Committee, and he should feel it to be his duty to oppose it at its subsequent stages. There was another point worthy of consideration. They had consumed already four months out of the ordinary six months of the Session, and they were then only beginning to enter into the question. It was notorious that on all sides of the House—behind the Government Benches, below the gangway, and on the opposite side of the House—serious objections were raised against the Bill. There was scarcely a single clause that was not threatened when the Bill got into Committee, and he could see but little or no chance of the Bill passing through Committee, whatever shape it might assume there, until the middle of July. After that the Bill would have to go to "another place," and they could not ignore the fact that, in all probability, that "other place" would then decline to deal with a question of such vast importance at so late a period of the Session, but indignantly refuse to have anything to do with it. The House of Commons would therefore be throwing on the shoulders of the House of Lords a duty which they ought to take upon themselves. No doubt one section of that House would be only too glad to see the House of Lords place itself in an unpopular position by the rejection of a measure which was supposed to be for the better representation of the people; but all moderate men in the House of Commons ought to take into consideration the small chances there were of the Bill becoming law, and take on themselves the responsibility of throwing it out. It was because he could not see that the Bill would lead to the settlement of the much-vexed question of Reform, or any chance of its passing into a law this year, that he seconded the Motion that had been submitted to the House by his hon. and gallant Friend the Member for Wells.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, while ready to consider the general subject of a Re-distribution of Seats, is of opinion that the system of grouping proposed by Her Majesty's Government is neither convenient nor equitable, and that the scheme is otherwise not sufficiently matured to form the basis of a satisfactory measure,"—(*Captain Hayter,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BAGNALL, in supporting the Motion of the hon. and gallant Member for Wells, declined to admit that those who did so were opposed to Reform. The assertion was that they were incapable of proof, and it was quite sufficient to meet it with a simple denial. Progress was admitted to be one of the laws of creation; and however good our Constitution might be, it was necessary not only to preserve it, but also to improve it and to adapt it to the present time. Arrangements which once worked well might become anomalies, but it was not Reform to substitute for an existing anomaly a still greater anomaly. The Reform Act itself of 1832 did great benefit, no doubt, to the country, but many of the arrangements then made had since become anomalies. The representation of the country was not what we could wish, but it would be made worse rather than improved by the Re-distribution Bill before the House. He would illustrate this by reference to cases of which he had a personal knowledge, and which told as strongly against the Bill as any that could be brought forward. It would have been much better to have given Members to West Bromwich and Wednesbury than to have increased the representation of South Staffordshire, in which they were situated; and it would have been much fairer to have given them Members than to have given a Member to Middlesborough. He had nothing to say in disparagement of that place, for he was well acquainted with the marvellous—

almost magical—development of its iron-making industry. Now, as the Government had proposed to give it a Member, he would take it as the standard of a place that ought to have a Member, and compare with it West Bromwich and Wednesbury. In 1861 Middlesborough had a population of not quite 19,000; the population of West Bromwich at that time was more than 41,000, and that of Wednesbury 22,000, making a total of 63,000. Of inhabited houses there were in Middlesborough 3,117, or, making allowance for houses in progress of erection or void, 3,367; while in West Bromwich and Wednesbury there were 12,166. He would further compare the relative importance of these places by the value of their iron trade. From Returns he had obtained he estimated that the annual value of the iron trade of Middlesborough was £1,034,000, while the value of the iron made at West Bromwich and Wednesbury was £1,958,000, or nearly £1,000,000 more. In the trade values he had given he omitted the value of the iron and coal mining of West Bromwich and Wednesbury. In Middlesborough there was no mining; it smelted iron from the Cleveland Hills with the coals from Northumberland and Durham, but in West Bromwich and Wednesbury iron works had been built because they had coal and iron mines of their own. If Middlesborough be taken as the standard of a place which ought to have a Member, how many ought West Bromwich and Wednesbury to have? It was observed the other day that West Bromwich and Wednesbury were not municipal towns; but they both had Improvement Acts and Commissioners appointed under them; they taxed themselves for local purposes; and, in his opinion, without the form and ceremony of the civic garb, they had all the advantage they could have under mayors and corporations. How, then, were they to account for the conduct of the Government in offering a Member to Middlesborough and omitting to recognize the claims of West Bromwich and Wednesbury, of which the Government could not be ignorant, for it was proposed that they should have a Member in Lord Derby's Reform Bill in 1859. He was almost ashamed to suggest that Middlesborough might be indebted for the recognition it had received to the visit of the Chancellor of the Exchequer, who met with a handsome reception, and who, no doubt, like every other visitor to the town, was impressed with the marvellous, almost mushroom-like growth of the manufacturing industry of the place, and left with the conviction that so much energy and industry deserved representation in Parliament. He believed they did, but that West Bromwich and Wednesbury still more deserved representation; and if these two towns were not large enough, the constituency might be made larger by adding Tipton. The three places joined each other; they were engaged in the same trades, mining and the manufacture of iron; they had common interests; they were grouped naturally, and their claims deserved attentive consideration. The Bill ignored them, and he would oppose it at every stage.

Mr. BARNETT rose as the unfortunate representative of the first borough named in Schedule A of the Bill (Woodstock) to be grouped with others, and ventured to think that the alliance proposed for his borough with other boroughs would be truly an unholy alliance, and would result in the virtual disfranchisement of the former. He admitted that a question of this kind, being one of national importance, ought not to be argued from isolated cases, and that it would not be right to allow individual interests to interfere with the settlement of such a large question. His justification for drawing attention to the borough in question was that its particular case occurred over and over again in the Bill, and that a number of small instances produced an important aggregate result. The general question of grouping boroughs had been already touched upon by several Members, and especially, in a remarkable manner, by the right hon. Gentleman the Member for Buckinghamshire, with whose views he entirely agreed, and therefore he entirely disagreed with the proposal to unite Woodstock with Abingdon and Wallingford; he could not see on what principle such a arrangement was based, and, in fact, nothing could be more incongruous than the union of the three places. Abingdon and Wallingford were not in the same county as Woodstock; they were widely separated from Woodstock, Wallingford being twenty-five miles distant from Woodstock; they had no community of interests with Woodstock; no market brought the people of the three places together, and Abingdon and Wallingford were as much separated from Woodstock as if they were a hundred miles from it. Boroughs so circumstanced might positively have antagonistic interests, as the interests of one county were often opposed to those of another, and representatives of such united boroughs might occasionally find themselves placed in a very awkward position. As had been already well remarked, if any principle of grouping was to be sanctioned, it would be only reasonable that those towns which were now unrepresented, and which were within reasonable distance of small boroughs returning Members, should be grouped together. Near Woodstock, there were one or two growing towns—Chipping Norton, and Witney — at which a considerable manufacture was carried on; and if it had been proposed to unite one or both to Woodstock, although it might not have been exactly agreeable to his constituents, no strong objection could have been urged against such a proposal on the score of reason or justice. He could assure the House that Woodstock viewed the present proposition with the greatest dislike. The hon. and gallant Member for Abingdon (Colonel Lindsay) had that afternoon presented a petition from the Town Council of that place and another from Wallingford, expressing disapprobation of the proposed alliance; and he was daily expecting to receive a petition to the same effect from Woodstock. To him nothing could be more unsatisfactory than the prospects of the proposed union. The future candidates would be exposed to greatly increased trouble and expense; there would have to be an election agent and independent machinery in each borough; and, although there was partial communication by railway, it was not immediate or direct. He foresaw as the result of such an union, additional trouble, expense, and probable bribery and corruption, while Woodstock would be overwhelmed by the united influence of the two other towns. The population of Woodstock at the date of the last Return was 7,800—within 200 of the magical number of 8,000; and he could not help being reminded on this matter of the pithy words of Lord Melbourne, "Why can't you let it alone?" The right hon. Gentleman proposed to give Woodstock two-thirds of a Member; although there were no less than seven boroughs which were now represented by two Members, and which, if the Bill were to become law, would still have one Member left; yet each of these had a smaller population than the borough of Woodstock. The object of the Bill was, of course, as everybody was aware, to procure a certain number of seats to give to places which were no doubt entitled to be represented; but if the Government were to adopt his suggestion and let Woodstock alone, they might see whether the constituencies of Abingdon and Wallingford, which had a common interest, would not be content to be joined together, and with a population of some 12,000 persons, return one Member, thus leaving two Members still to the three boroughs. The statement had been referred by the hon. and gallant Gentleman who moved the Amendment (Captain Hayter) that a preponderating influence prevailed in the borough of Woodstock which it was desirable to neutralize. That was a point, however, on which much misapprehension existed. There could, of course, be no doubt that a large landed proprietor, whether titled or otherwise, must exercise some influence in any borough with which he was immediately connected; but he (Mr. Barnett) denied that in the case of Woodstock the influence alluded to could fairly be said to be preponderating. Whatever the Manchester and Birmingham school might say, the Chancellor of the Exchequer professed that he by no means desired to deprive the landed interest in this country of its legitimate influence; and when a landlord, surrounded by intelligent men, who formed his tenantry, told them to vote as they thought right, and some twenty out of seventy who might be supposed to be influenced by him either did not vote at all, or in direct opposition to the politics of their landlord, it was scarcely right to speak of his influence as preponderating. If, then, the Government were not disposed to be generous towards Woodstock, he would ask them, at all events, to be just, and not deal with it upon the score of the existence of a preponderating proprietary influence, while such places, for example, as Tavistock and Tamworth were left untouched. It had been suggested that it might be possible to unite Woodstock with Oxford, and his hon. and learned Friend the Member for that City (Mr. Neate) would not object to such an union; but he could see no justice in the proposal unless the House was prepared to act upon the principle that small boroughs should be abolished altogether. For the reasons he had given he should support the Amendment, and he could scarcely conceive that the House would be prepared to sanction a scheme which he ventured to look upon—and he had regarded it from various points of view—as one of the most ill-digested, unjust, unreasonable, impolitic, and therefore unsatisfactory that had for a long time been submitted to Parliament.

Mr. SCLATER-BOOTH said, that while he expressed his concurrence in the condemnation with which the Bill seemed to be received on every side, he claimed to be at all events disinterested in his opposition to it, inasmuch as he did not think it could, if it were to pass into law, materially affect the character of the constituency of North Hampshire, which he represented. He was, he might add, one of those who had evinced a sincere desire to see the question of Reform, if possible, settled in the present Session; and he had hoped, after the forbearance which had been exhibited on the Opposition side of the House, the second reading of the Bill having been taken after only a few hours' discussion, the Government, acting upon the suggestions which had been thrown out in the comprehensive speech of the right hon. Gentleman the Member for Buckinghamshire, would have so modified the measure as to make it more acceptable to all parties. The Government, however, had thought fit to press it forward without making any material change, and under those circumstances, the House, he contended, ought not to be asked to go into Committee and then trust to the chapter of accidents, by amending the most objectionable clauses, to convert a dangerous and unsatisfactory measure into a safe and reasonable one. For his own part, having paid considerable attention to the subject, it appeared to him highly inexpedient that any such course should be pursued, because the objections which he and others entertained—especially to the Bill for the re-distribution of seats — involved questions of principle, which could, as matters stood, be fairly raised only before going into Committee by means of Resolutions affirming or rejecting those principles. The Bill as proposed by the Government was full of anomalies. One main objection he had to the Bill was the proposed addition of a third Member to populous places on what was called the "unicorn" precedent. This course, followed further, would lead into enormous difficulties. Places were said to require an additional Member on account of their size. He doubted the principle—but in the case of towns which required more Members, we must go a great deal farther than the Bill proposed if we were to remove the anomalies that existed to any great extent. Take the case of Birmingham, Liverpool, Manchester, which were to have a third Member each. But Finsbury was as large as two or three of them—as large as Manchester and Salford together, which were to have five Members, whereas Finsbury was to merely retain its two. Again, Salford contained 100,000 inhabitants, and the Chancellor of the Exchequer had made a great point of giving it a second Member, and no one could deny that it ought to have two representatives: but Kensington, with 100,000 inhabitants, was to be left in the position of a little town with one Member. Was it, he would ask, likely, under these circumstances, that the metropolitan constituencies would rest long contented with the moderate character of their representation? Lambeth furnished another instance of the anomalies by which the Bill was pervaded. The Chancellor of the Exchequer, indeed, said that the representation of the metropolis might be supposed to be more efficient than would otherwise be the case, because its Members were on the spot, while he also intimated that an addition to their numbers would not be very popular in the House. It was perfectly true that some years ago that was the case; but the explanation of that matter was that the metropolis was at that time represented by certain Members who were no particular credit either to it or to the House; but matters were now entirely altered, for some of the most distinguished ornaments of the House were to be found among the metropolitan representatives. But to pass to another point, it seemed to him, he must confess, as if the authors of the English, Scotch, and Irish Bills had proceeded on entirely different principles. In Scotland there was to be no grouping at all; in England the grouping was to be of represented towns only; while in Ireland eleven unrepresented towns were to be grouped with others now sending Members to Parliament. Another very objectionable principle in the Bill was the proposal to take away seven seats from England to confer them upon constituencies in Scotland. If it could be shown that claims to be preferred on the part of English constituencies were exhausted—no more towns to be enfranchised, and no more counties to be divided —that England had more Members than she knew what to do with—then it would be proper to give those seats to Scotland. But there was no pretence for anything of that kind. The case of Wednesbury and West Bromwich had been forcibly stated already, and that of Croydon was another instance. It was said that Croydon could not be enfranchised because it had no municipality; but the same objection applied to Chelsea and Kensington. Stockton-on-Tees was another strong case. He would not mind giving a Member to the Scotch Universities, but entirely objected to take from England, where there were places with such strong claims, in order to add to the representation of Scotland. If more representatives were required for Scotland he would rather see a small addition made to the number of Members than adopt the plan now proposed. He disapproved of the arrangements made in the case of some of the most populous constituencies. Take the case of West Kent. That division contained upwards of 9,000 electors, and the £14 franchise would double the constituency. He should have imagined that some arrangement was possible by which West Kent might have retained its character of an agricultural constituency. Gravesend was no doubt made into a borough, but it was by no means a large or important constituency. But the parish of Lewisham alone contained 22,000 inhabitants, and, of course, under the new £14 franchise would contain a proportionate number of electors. He could hardly think that the House would allow West Kent to be entirely swamped as an agricultural constituency as it would be now if the new franchise were created. East Surrey was another case of the same nature. It was estimated that 12,000 voters would be added by the Bill to the 10,000 already existing in East Surrey; and this result might in great part have been avoided if Croydon had been made a Parliamentary borough. Middlesex, where 11,000 new voters should be called into existence, was another strong case. The formation of Chelsea and Kensington into a Parliamentary borough would modify this result to a limited extent; but still the number of new voters would be enormous; and in other counties the same results would follow from the Bill. Now, he was not one of those who feared a low franchise in the counties; but he would never be a party to the creation of enormous masses of new county electors without being certain that they had the means of exercising the franchise. What was the use of giving a man a vote if he lived eight or ten miles from any polling-place? The question of polling-places was quite germane to this subject, and in Lord Derby's Reform Bill provision was made for it. He thought it out of the question to impose on the constituencies the burden of providing a fresh polling place in every parish, as would be necessary with such an enormous mass of voters. Members did not find it their interest to move in the matter, because the greater the number of polling-places the greater the expense to them: but it was the bounden duty of those who created large constituencies to enable voters to poll at the public expense, and also to simplify the present cumbrous and hardly intelligible system of registration. The elector should have reasonable facilities for exercising the franchise which was given to him; but under this Bill no such facilities were furnished. Another important subject was the expenses of candidates. Some time ago, when the House had to consider the question of the conveyance of voters to the poll they discovered that bribery and corruption might be practised under an infinite variety of forms; and when the Solicitor General took great trouble in endeavouring to provide some machinery for prohibiting the conveyance of voters, it was found to be a question of great difficulty, and upon the intervention of the hon. Member for the Tower Hamlets (Mr. Ayrton) a miserable compromise was adopted. But the subject was one which had an important bearing upon the present Bill. Unless you provided some means by which voters could poll in their own parishes, how could you prevent the conveyance of voters? Such conveyance gave rise to great evils, but on none of these points—polling-places, registration, electoral expenses—did the Bill offer any provisions whatever—and it was so framed that he considered it to be impossible in Committee to render it efficacious for the attainment of the objects proposed. Then the scheme of grouping proposed was in many instances most objectionable. Representing the constituency of North Hants he could not omit to refer to the case of Andover and Lymington. The Chancellor of the Exchequer had cut the ground under his own feet when he said that in the grouping of boroughs geographical considerations should not be violated. He (Mr. Sclater-Booth) would refer to the proposed grouping of boroughs in which

Hampshire was interested — namely, to what was called the Horsham boroughs. The grouping of Andover and Lymington was the most flagrant case that had been brought before the House. Then there was the grouping of the Horsham boroughs. He saw below him the right hon. Member for Petersfield (Sir William Jolliffe). Petersfield was not properly a town, but it was an agricultural district comprising several parishes, yet it was proposed by this Bill to combine it with three towns in Sussex. The great portion of the electors who would be enfranchised as borough voters by this Bill were already voters for the county. He protested against this act of flagrant injustice on behalf of his constituents, who would much rather retain their privileges of voting as county electors than of being empowered to vote for the borough of Arundel, Midhurst, and Horsham. Was it conceivable, putting all those circumstances together, that the House could go into Committee with the hope of passing a Bill that would redress all those anomalies? He had not put himself forward as an advanced Reformer, or as one who was particularly anxious to see that question raised at all; but he had always held himself out as unprejudiced with regard to any measure which might be proposed for the real amendment of the representation. The question of Reform was exceedingly unpopular with his own constituency (Hampshire), and that quite as much, if not more, with those electors who opposed him as with those who supported him. He believed that the same was the case throughout the whole of the South of England. There a strong dislike existed to any great transfer of power and shuffling of seats throughout the kingdom; and even if it were true that among the population of the North a somewhat different feeling prevailed, yet he maintained that no settlement of the question of Parliamentary Reform could be satisfactory which was distasteful to so large a proportion of the country. He would only add, in conclusion, that that measure for the re-distribution of seats had been proposed in an inverted order. Instead of beginning by grouping all the small boroughs they could lay hold of, and thus obtaining as many seats for disposal as they could find, the proper course for the Government to have pursued, if they wished to produce a Bill of a conciliatory character and which was likely to pass, was first to have ascertained how many seats were absolutely necessary to make the representation satisfactory, and having discovered that, then to have obtained the requisite number of seats by taking as many of the second Members from the small boroughs as were actually needed. The Government, however, had not adopted that course, and no alternative was open to him but to support the Amendment moved by the hon. and gallant Gentleman opposite, which was based upon a common-sense view of the subject, and which he believed would meet with the approval of the House.

The SOLICITOR GENERAL said, he was not surprised at the opposition offered to the further progress of the measure by the hon. and gallant Member for Wells, because Wells was one of those boroughs which must appear in every Re-distribution of Seats Bill as a place to be either wholly or partially disfranchised. It was to be regretted, however, that the hon. and gallant Gentleman's opposition should have taken the form of the present Motion; for of two things, one—either his objections to the Bill were such as might be met in Committee, or such as could not be so met. If they were not such as could be met in Committee, then the hon. Gentleman's proper course was to have opposed the second reading. If they were such as could be met in Committee, then when they got into Committee was the proper time at which to raise them. It was impossible for the hon. Member for Wells to escape from that dilemma. It was to be observed that there was a considerable difference between the language of the Amendment of which the hon. Gentleman had given notice and that of the Amendment which he had actually proposed. The Amendment as it stood on the Notice Paper was—

> "On going into Committee on the Representation of the People Bill, to move, that this House, although desirous that the subject of the Franchise and of the Re-distribution of Seats should be considered together, is of opinion that the system of grouping proposed in the present Bill for the Re-distribution of Seats is neither convenient nor equitable, and that the scheme of Her Majesty's Government is not sufficiently matured to form the basis of a satisfactory measure."

Now, the actual Motion was, "That this House, while willing to consider the general subject of the Re-distribution of Seats"—omitting all mention of the subject of the Franchise—"is of opinion that the system of grouping proposed," and so forth. For some reason or other the hon. and gallant Gentleman had seen fit to adapt his Resolution to the Re-distribution of Seats Bill only, thus giving the entire go-by to the question of the franchise. But be that as it might, his Motion was substantially a Motion against the second reading of the Bill. That was, though not in terms, the real issue now before them, and as such it would be understood by the House and by the country. The House would see that it was absolutely impossible for the Government to accept that Motion. The hon. and gallant Member said it would be too late to raise those questions which were chiefly geographical when they went into Committee. Why, in Committee was just the place where they ought to be raised. To quote the memorable words of the right hon. Baronet opposite (Sir Bulwer Lytton), "If you have a complaint, prove your case in Committee." So if they had a geographical objection to make—for, after all, their objections were mostly geographical—let them make it and establish it if they could in Committee. The House had had the advantage of hearing from the leader of the Opposition an outline of the plan of re-distribution which he would propose if the Government should fall into his hands, and it might be well to contrast the present measure with what might be called the rival Bill of the Opposition. Any Government desirous of settling the question of Reform, and presenting to the House of Commons a practical measure, must have in view two considerations—the first was, how to effect the desired improvements with the smallest disturbance of our existing representative system; and the second was, not what might be the best conceivable Bill, but what was the best Bill which there was a reasonable prospect of passing. That was the very question which the noble Lord the Member for King's Lynn (Lord Stanley) said Lord Derby's Government in 1859 proposed to themselves. They were perfectly right in proposing it to themselves, although that they failed in solving it the result proved. But if these were the considerations which should guide any Government in dealing with that subject, it was obvious that any Bill they might introduce could not possibly do away with every anomaly. It must be open to the objection that it left this, that, and the other anomaly untouched. Why, if a measure were introduced that should propose to remove every anomaly, making a clean sweep of our present system and substituting a perfectly harmonious and a symmetrical system in its place, that might please abstract theorists and speculative philosophers, but it would not commend itself for a moment to the practical good sense of the House or of the country. The question, therefore, was not whether the Bill before them removed every anomaly; but whether it did not remove or, to a certain extent, lessen those anomalies which were principally complained of, and whether it did not effect a substantial practical improvement in our representative system. In dealing with that question the first consideration, he apprehended, should be enfranchisement rather than disfranchisement. The most pressing need was first to find Members for those great constituencies which had grown up of late, and which were now unrepresented; and next to provide additional Members for those great constituencies which were not adequately represented. As to the desirability of the first of those objects, he apprehended there was no dispute. The right hon. Member for Buckinghamshire agreed with the proposal of the Government —at least as far as it went—to enfranchise new boroughs; but both that right hon. Gentleman and the hon. Member who spoke last (Mr. Sclater-Booth) objected to giving additional Members to great towns and large constituencies. It was said that if the interests of Manchester were affected they would be defended by the Members for several other boroughs having similar interests. This came to the argument of virtual as against actual representation, which was adduced at the time of the great Reform Bill by Mr. Wilson Croker and others against giving Members to Manchester at all. They said that if Manchester was not actually represented, it was virtually represented by the Members for London and other large towns. That argument did not, however, commend itself to the authors of the Reform Bill or of the country at large: they insisted on actual as distinguished from virtual representation, and thought that Manchester and the large towns required to be represented not only by speeches in the House, but by votes in the lobby; and there were occasions, as they knew, when one vote in the lobby was worth a dozen speeches in the House. He concluded, then, that according to the principles of the Reform Bill, it was desirable to give actual increased representation to the larger constituencies. Well, if a certain number of Members were required for new constituencies, how were they to be obtained? It appeared to him that the Government had fixed about the right number of seats so to be distributed. If they had fixed upon a less number, it would not have been a satisfactory settlement of the question; if a larger number, it would probably be said that they had proposed a revolutionary measure to Parliament. There seemed to be a general agreement that it was not desirable to add to the number of Members of the House, and, if so, it was necessary to obtain seats for the larger constituencies by some such measure as that of the Government. They had heard from the right hon. Gentleman an elaborate defence of small boroughs, which he thought had been generally given up. The noble Lord the Member for King's Lynn had expressed an opinion against them, but the right hon. Gentleman endeavoured to defend them. His argument, however, if it proved anything, only showed how utterly hopeless the case of the small boroughs was. No doubt, his defence was very ingenious and plausible if it had been supported by facts. He said that the large constituencies mainly returned men engaged in manufactures, agriculture, and commerce, while the small boroughs were required in order to return professional men—men eminent in literature, or connected with our Indian and Colonial Empire. But the argument was not founded on fact—nine out of ten of the Members of the legal profession sat for large towns; the larger part of the literary men in the House also sat for large towns; and the Bill of the Government did not take a single seat which was at present filled by a man eminent for his connection with our Indian and Colonial Empire. So that the right hon. Gentleman's argument, although it sounded well in theory, was opposed to the facts. The right hon. Gentleman had flung over the Pitt, Fox, and Canning argument, but he rested his case on one equally untenable. The House was left to conclude that any scheme proposed by the right hon. Gentleman himself, if he returned to office, would retain the small boroughs. He said he would not group them, for to group them was to disfranchise them; but to group them with unrepresented boroughs would equally disfranchise them. The right hon. Gentleman would retain the small boroughs without grouping or disfranchisement, except so far as one Member was concerned, while the scheme of the Government was the non-retention of small boroughs by the process either of disfranchisement or grouping. Whatever merits these small boroughs might possess from being unconnected with agriculture, manufacture, or commerce, the same merits would appertain to the group. By the Government scheme, therefore, none of the advantages of the small boroughs were lost. But what were the objections to small boroughs? In the first place, the extent to which these small constituencies were represented, as compared with large and populous towns, was an anomaly in the Constitution. The second argument against them was, that they were liable to the influence of the adjoining landowner, who in some cases owned half the borough, and in others had a predominating influence, so that the nomination system was perpetuated in them. The third was, that where the landowner did not exercise a preponderating influence, a small clique in these boroughs really returned the Members. The fourth was, that the smallness of the constituencies gave facilities for the commission of acts of bribery and corruption. He would not say that every small borough was corrupt, and every large borough incorrupt; but, as a rule, the larger the number of people it was attempted to corrupt, the more likely the corrupt practices were to be found out; while, on the other hand, it was more easy to corrupt few than many, and detection was more difficult. He contended that the system of grouping adopted in this Bill would put an end to every one of these defects. ["Oh!"] At all events, it tended to lessen these evils. In the second place, would it be denied that the influence of the great landowners would be almost destroyed, and that very few nomination boroughs would remain? The hon. and gallant Member for Wells (Captain Hayter) told the House that Wells was the purest borough in the kingdom, and that Westbury was the next pure, and yet he argued that if they were grouped together a rotten borough would be created. Now that seemed a very extraordinary argument, for it was difficult to conceive how by putting two pure constituencies together a rotten borough would be created. Practically, there would remain scarcely a nomination borough in the kingdom if this Bill passed. ["Tavistock!"] Tavistock was not a nomination borough.

["Oh!"] At all events, there would not be a nomination borough in any of the groups created by this Bill. In the third place, the influence of a small clique would be destroyed and swamped by other cliques. Again, the work of corruption would be rendered more difficult. It was easy to manage a corrupt election from a single centre, but to carry out these practices from a distance would either be fatal, or would interpose great difficulties in the way. For these reasons the system of grouping proposed in the Bill, while embracing all the benefits which could be expected, would greatly lessen the evils of which there had been so much complaint. He would contrast the plan of the Government with that of the right hon. Gentleman the Member for Buckinghamshire, who proposed to group unrepresented towns. But to what extent would the right hon. Gentleman go in that process — for it was extremely important to know that? It appeared to him the right hon. Gentleman would proceed with his system of grouping throughout every county in England until he had entirely separated the urban from the rural population and left an agricultural constituency pure and simple for the counties. It would not be enough for that purpose to group comparatively few boroughs, as was proposed by the Government, for the whole number of groups which they proposed to make was only sixteen, and the number of Members to be returned by those groups twenty-two; but that system would be as nothing compared with the innovations recommended by the right hon. Gentleman. If they grouped on the principle of leaving purely agricultural constituencies they would enter upon a task perfectly endless, the issue of which they could not foresee and from which they would create the greatest confusion. And when they came to the question of boundaries he could not see how the scheme could possibly be carried into effect. The right hon. Gentleman appealed to Scotland as furnishing instances of grouping according to his plan, and denied that the Scotch system was in accordance with the plan of the Government. The right hon. Gentleman said that in Scotland they had grouped only unrepresented towns, and he appeared to have thought that the framers of the Reform Bill of 1832 proceeded upon that principle. But the very opposite was the fact. Every borough in Scotland that was grouped had been represented before. Therefore he ventured to say that if the ignorance of the Government was "double" —for that was the epithet applied by the right hon. Gentleman—triple, or quadruple, ignorance would scarcely express the state of the right hon. Gentleman himself. Had the right hon. Gentleman considered the extensive disfranchisement that would be required by his plan? It would be necessary to disfranchise twice the number of boroughs in order to carry out the right hon. Gentleman's plan; but if that were attempted it would be quite sufficient to insure the rejection of that or any other Bill. And what would be the effect of this scheme of the right hon. Gentleman? It would be that every county Member would represent a purely homogeneous constituency of farmers and farm labourers. The right hon. Gentleman complained of the "monotony" of the Government plan, and asked what could be so monotonous as having large constituencies represented by more than two Members? Well, he would tell him—it would be 200 Members sitting in that House representing only farmers and farm labourers. The right hon. Gentleman seemed determined to recur to the errors he committed in 1859, and which were then fatal to his party. In 1859 he sought to secure what he called this "homogeneous" constituency, and for that purpose he tried to disfranchise the freeholders in boroughs, and it was that which led mainly to the rejection of his Bill. The right hon. Gentleman sought to effect the same object now, when in fact he went further, for he endeavoured to confine the county constituencies to one class, and to one class only. Was that in accordance with the spirit of the Constitution? It was not for the benefit of the country that county Members should represent only the class of farmers and farm labourers; it would be far better that they should represent constituencies containing a number of elements and therefore represent wider views, and thus the scheme of the right hon. Gentleman would be subversive in a great degree of the main principles of our Constitution, and would be far more open to objection than the plan of the Government. The right hon. Gentleman's plan would be fatal to small boroughs, and from the counties it would eliminate everything urban, everything independent, and leave the representation entirely in the hands of the great landowners. In fact, it might be shortly described as a scheme for giving a preponderance to the Conservative party, and could not possibly obtain the sanction of Parliament. If that were so, in what position did this question now stand? If this Motion were carried, it might be supposed it would result in this, that the settlement of the question would be transferred to hon. Gentlemen opposite. Now, he would venture for a moment to appeal to the anti-Reformers in the House, and they were many. There was, and everybody knew it to be true, a certain amount of latent hostility in that House to Reform, and that hostility did not show itself in opposition to the second readings of such Bills, but was always on the alert to defeat every measure of the kind, proposed by whatever Government, by some general Resolution or other indirect means. He would venture to put it to those who were opposed to Reform, that by carrying this Motion they would not get rid of the question. Reform could not be disposed of in that way. The question would recur Session after Session, demanding each time more loudly and imperatively to be solved. He would put it to those, on the other hand, who desired to settle this question, whether hon. Gentlemen opposite would be able to settle it. The House had had the plan of those hon. Gentlemen before it, and if their scheme of 1859 had brought about their overthrow, the plan which the right hon. Member for Buckinghamshire had recently sketched would lead to a fall still more precipitate and disastrous. What, then, should happen? They would of necessity be succeeded by another Government, and then it might happen that the country would not be quite so patient as it was now, and it might not be possible to carry a measure which would now be gratefully accepted by the people. He sincerely hoped that Members on both sides of the House who sincerely desired to see the question settled would not allow this opportunity to pass by. We were now living in times of tranquillity, but how long they would continue it was impossible to say. Times of dissatisfaction, trouble, and disquiet might again recur, when this, or a larger measure, if conceded, would be conceded without grace, and accepted without thankfulness. In conclusion he would say, in the language of Burke, an early Reform Bill is an honourable arrangement with a friendly Power; a late Reform Bill is a dishonourable capitulation with a conquering enemy.

The Solicitor General

Mr. SANDFORD said, it was not at all a complimentary fact to the Government that not a single independent Member had risen to defend their Bill—though perhaps, when they considered what it was, that was not very surprising. At last a Law Officer of the Crown had been found to hold a brief and make a speech on behalf of Her Majesty's Government; and, singular to say, that speech contradicted the expressed convictions both of the noble Lord at the head of the Government and of the right hon. Gentleman the Chancellor of the Exchequer. The hon. and learned Gentleman the Solicitor General stated that small boroughs were an anomaly. He might be permitted to tell the hon. and learned Gentleman that the British Constitution was an anomaly. Was there no anomaly in the Bill of the Government? Did they not propose that boroughs with 8,000 inhabitants should return the same number of Members as Marylebone with its 400,000? Well, then, he would tell the hon. and learned Gentleman that his speech if good for anything was good for this—a system of electoral districts. Now, though the hon. and learned Gentleman might not be able to appreciate the advantage of small boroughs, he could quote the opinion of the noble Lord at the head of the Government, who had not had seven years, like the Chancellor of the Exchequer, to change his mind to the opposite effect. For what did he find? In a book published last year, and with notes made up to the latest period to support his conclusions, Lord Russell said—

> "But there is another class who ought to form a part of any good representative body whose election is not so sure. I mean those who are distinguished by their learning or their talents, but not by their fortune or their commerce with the world; men who have devoted their youth to the acquirement of English law—laws of nations, history of the Constitution, political economy, but who are excluded by their want of pecuniary means, their temper or their habits from popular contests. For it is not to be denied that a body of 10,000 farmers or tradesmen will choose no man who is not known to them either by his station in the country or by a course of popular harangues. If then you make none but elections by large bodies, you either shut out the aristocracy of talent from your assembly, and constitute them into a body hostile to your institutions, or else you oblige them to become demagogues by profession—things both of them very pernicious and dangerous to the State."

These were not only the views of the noble Lord at the head of the Government, but the right hon. Gentleman the Chancellor of the Exchequer expressed similar opinions in 1859, and if the sentiments of the right hon. Gentleman had undergone a change since that period, the only consolation that he in common with hon. Gentlemen sitting on that side of the House possessed was the probability that in 1873 they would find the right hon. Gentleman coming forward, and in the turgid language of the Schools, denouncing the opponents of the small boroughs as the opponents of those constituencies which formed the most important portions of our Empire. The words used by the Chancellor of the Exchequer in 1859 were—

> "Practice has proved that the real paradox lies with those who will allow of no ingress into this House but one. If that ingress is to be the suffrage of a large mass of voters, the consequence is a dead level of mediocrity, which destroys not only the ornaments but the force of this House, and which, as I think, the history of other countries will show, is ultimately fatal to the liberties of the people. Allow me, in explanation of my meaning, to state the case of six men in one line each:—Mr. Pelham, Lord Chatham, Mr. Fox, Mr. Pitt, Mr. Canning, and Sir Robert Peel. Mr. Pelham entered this House for the borough of Seaford in 1719, at the age of 21; Lord Chatham entered it in 1735 for Old Sarum at the age of 26; Mr. Fox in 1764 for Midhurst at the age, I think, of 20; Mr. Pitt in 1781 for Appleby, at the age of 21; Mr. Canning in 1793 for Newport, at the age of 22; and Sir Robert Peel in 1809 for Cashel, at the age of 21."—[3 *Hansard*, cliii. 1056.]

Now, however, the right hon. Gentleman entertained a different opinion, for, according to the right hon. Gentleman, "small boroughs no longer have any special utility in the working of our system." The House had, therefore, to consider the sudden change which had taken place in the small boroughs in the short period which had elapsed between 1859 and 1866, and it was to that that he desired to call the attention of the right hon. Gentleman. Did the right hon. Gentleman remember the size of the borough which was represented by his late chief, whose death they all regretted, and whose death was probably never more regretted by the Government, than it was at the present moment? Did he believe that the borough of Tiverton, in returning Lord Palmerston, was of no special utility in the working of our system? He would call the attention of the right hon. Gentleman to the purposes of special utility served by small boroughs since 1859 in another respect. Another illustrious statesman, who, when rejected by a large constituency, found refuge in the small borough of Dorchester, was the late Sir James Graham, and he would ask if there was a single man now upon the Treasury Bench who could be compared to the late Sir James Graham in point of eloquence or ability. Looking into the Cabinet as at present constituted, he found that the right hon. Gentleman himself owed his introduction to Parliament to the borough of Newark—but it was quite possible that the right hon. Gentleman might think that that borough had exercised no special utility in the working of our system. In the same way the right hon. Gentleman the Secretary for the Colonies (Mr. Cardwell), who had been set up the other night with singular infelicity to speak against small boroughs, had been first elected for Clitheroe; while the Secretary of State for the Home Department (Sir George Grey) was at present the representative of Morpeth. When the right hon. Gentleman the Chancellor of the Exchequer had said that lawyers found no difficulty in obtaining seats in that House, he was perfectly willing to admit that many inferior lawyers had been elected by large boroughs; but the right hon. Gentleman had apparently forgotten that the Treasury Bench would have been deprived of the services of one of its most valuable Members had there not been a Richmond in the field. Turning to the Opposition side of the House, he found that the hon. and gallant Gentleman the Member for Huntingdon (General Peel) was the representative of a small borough; that the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole) was introduced into that House by the electors of Midhurst; that the right hon. Baronet the Member for Hertfordshire (Sir Bulwer Lytton) was in the same way first elected by St. Ives; that the right hon. Baronet (Sir John Pakington), a late First Lord of the Admiralty, at present represented Droitwich; and that the noble Lord the Member for North Leicestershire (Lord John Manners) owed his introduction to Parliament to the borough of Newark. Turning to the independent Members of the House he would select three as illustrating. There were the right hon. Gentleman the Member for Calne (Mr. Lowe); the right hon. Gentleman the Member for Stroud (Mr. Horsman), who formerly represented Cockermouth; and his noble Friend (Viscount Cranbourne), who still sat for Stamford. These instances showed that the small boroughs had not been unmindful of the high duties which the Constitution intrusted to their care, but that they had been the nurseries in youth and the refuge in age of our public men, and it was to them it was due that the House still possessed among its body men who added lustre to their Assembly and who brought intelligence and information to bear upon their discussions. Again, if small boroughs were destroyed, where would they find representatives for the minorities? Where, otherwise, would the 3,824 electors who polled for Mr. Smith at the late election for Westminster, or the 4,197 who voted on the same occasion for Mr. Fowler for the City of London, be represented? Turning in a fresh direction, and glancing at the list of Bank Directors, he found that one (Mr. Thomas Baring) occupied a seat for the borough of Huntingdon—a fact which, to his mind, was rather an indication of the special utility of small boroughs. Another hon. Gentleman (Mr. Cave) represented the agricultural constituency of Shoreham; one ex-Governor of the Bank (Mr. Kirkman Hodgson) was Member for Bridport, and another (Mr. Hubbard) represented Buckingham; while, last, but not least, another hon. Gentleman (Mr. Hankey), whose personal popularity and general aptitude for business no one, he thought, would dispute, was sent to the House by the electors of Peterborough. He believed, therefore, that he had a right to ask the Chancellor of the Exchequer in what respect the character of the representatives of small boroughs had changed since 1859? When the Bill was introduced he had expressed his conviction to a friend that it would contain no sweeping changes in reference to small boroughs, and he had referred to the speech of the Chancellor of the Exchequer in 1859 in confirmation of his opinion. His friend replied, "Don't you know him better than that? That is the very reason why he will propose them." He was now compelled to bow to the opinion of his friend, and confess that his friend had better divined the character of the Chancellor of the Exchequer than he had. In the Bill before the House no precaution was taken for the representation of minorities, and that was no small constitutional drawback. In the United States they had seen minorities rising in arms against the intolerable oppression of majorities; but, in spite of the changes which had taken place in our own country, while dynasties had been changed and monarchs overthrown, no shot had ever been fired against the justice of our Parliamentary system. The right hon. Gentleman had charged the small boroughs with corruption; but upon that point they had no other test than the petitions presented to the House. Of Great Yarmouth, Totnes, and Wakefield ["Nottingham"], one only could be regarded as a small borough, and that borough was a nomination borough—under the nomination, too, of a member of the Liberal Administration. Although small boroughs might have a small population themselves, yet they virtually represented other towns, and the aggregate population thus represented was large. With respect to the boroughs of Essex, he found that the electoral statistics gave the population of unrepresented towns as 36,000. That was one of the many inaccurate statements in those Returns. The hon. Member for Somersetshire (Mr. Neville-Grenville) pointed out the other night many particulars in which the statistics were erroneous, or incomplete; and with reference to Essex he (Mr. Sandford) had found them so inaccurate that they had omitted West Ham with 38,000, Romford with 6,000, Waltham Abbey, with 5,000, and Walthamstow with 7,000. With what object could the Government cause such inaccurate Returns to be made? How was it they had 36,000, as the population of unrepresented towns in Essex, and omitted to return the towns which he had mentioned, containing a population of something like 60,000? But what would be the consequences if representation were taken from small boroughs? The House would be made up of wealthy manufacturers, representing the large towns, and squires representing large local constituencies. Nothing could be more fatal to the constitution of the House, which would in that case be divided into two hostile camps, extreme in their opinions, and bitter in their feelings towards each other, while moderate men would be wanting to soften down the differences between them. The great objection to the present franchise was its uniformity. He had the authority of Lord Russell for saying that the great objection to the Reform Bill was, that it destroyed the variety of franchises formerly existing. How was it proposed to meet that objection? By substituting the uniformity of £7 for the uniformity of £10; no provision whatever was made for the protection of minorities; and he therefore thought it right to assert that both with respect to the distribution of electoral power, and also the distribution of the franchise, the measure was hastily considered and ill-judged. Much had been said with respect to the expense of elections; but what, he asked, would the system of grouping entail upon candidates? None but the very richest would be able to stand for any one of the proposed groups. He asserted, moreover, that the Bill would be fatal to the intellect of the House, and that the system of grouping would prevent the small boroughs from fulfilling the purpose for which they were intended. What group of boroughs in Wales had been the political birthplace or harbour of refuge for any public man of eminence? They all returned a squire of local influence or a great manufacturer. These were not constituencies that would have returned Canning, or formed a harbour of refuge for Sir James Graham. But the right hon. Gentleman who introduced the Bill, and the right hon. Member for Kilmarnock (Mr. Bouverie), had pointed to the Scotch boroughs and said how pure they were. No one would charge the Scotch with indifference to money—he would as soon think of charging them with tolerance in religious matters—but he believed he could give the reason of there being so few petitions from Scotch boroughs: it was that the electors were all of one way of thinking, and consequently there were no close contests. In large and small boroughs alike, when there was a close run and a poor constituency, there electoral corruption would be found to prevail. Then the principle on which the grouping was arranged was unfair. Groups were proposed having an aggregate population of 12,000 or 13,000; three Members were taken from them and one only left, while boroughs of 8,000 in population were permitted to retain their two Members. If the Government had fairly applied their own principle they would have put their minimum of population for two Members at 10,000, which would have given nine additional seats, and they could have been divided among the groups of boroughs having 12,000 or 13,000 inhabitants. That would, at all events, have been logical, but it would have taken a Member from Tavistock, one also from Malton, and one from Lewes; and there was to be found the reason for being illogical. Then, why was Ludlow to be joined with Leominster, since they were in different counties; while Bridgnorth was near to Ludlow, and in the same county? He believed the reason the consistent course had not been proposed was to be found in the fact that the framers of the measure would have found that group more difficult to carry. Why, too, was Petersfield joined to Midhurst, and not to Lymington and Andover? He believed it was from a similar reason. The whole Bill was full of unfair dealings of that character, and he appealed to hon. Gentlemen opposite—yes, even to the Member for Southwark — whether it was not fair to support the Motion of the hon. and gallant Member for Wells? Another objectionable feature of the Bill was the proposal to give three Members to towns. That proposal implied the recognition of numbers only, and on that account it was objectionable. The principle had been tried in counties and had signally failed; another objectionable proposition in the Bill was that of giving seven Members to Scotland; and he thought that he might trace the hand of the master in the mystic number seven which pervaded its details. £7 for the boroughs, £14 for the counties; forty-nine seats taken away, seven Members given to Scotland. He was only surprised that the right hon. Gentleman had not proposed to increase the number of Members in the House to 666—the number of the Beast. But he knew the reason why seven Members had been given to Scotland, it was in order to bribe the Scotch Members. And because it was thought that the addition of seven puritanical semi-republicans to the House could not be otherwise than distasteful to the Roman Catholic Members of Ireland, it was sought to purchase them by bringing in a Bill for the confiscation of the property of the owners of the soil. In short, the measure was an organized system of confiscation and corruption; and it only showed that there were Bismarcks in other places besides in Prussia, who, to gratify their own inordinate and unscrupulous ambition, did not hesitate to lay their hands on the property of their neighbours. But he had faith in the good sense and good feeling of the constituencies of the country; and if it should be found necessary by the Government to appeal to them, as he trusted it would, he was sure their verdict would be one of sweeping condemnation on both their policy and themselves.

Mr. LOCKE said, he was bound to admit that the earlier part of the speech of the hon. Member (Mr. Sandford) was effective; but he supposed it was because he spoke from paper, and the copious way in which he appealed to his notes almost forced him to the conclusion, notwithstanding the stormy eloquence the hon. Gentleman was known to be master of, that he was indebted to some one else for all the effective part of his speech. The hon. Gentleman had alluded to the fact of his (Mr. Locke's) having had his dinner; but he perceived from the hon. Gentleman's garb that he was in the same state himself. Now, with respect to the hon. Member's argument — it happened that he represented a small borough himself. The hon. Member represented one of the unfortunate boroughs which were to be grouped, and the House owed to that particular circumstance the eloquence with which it had been favoured. It was certain, however, that such eloquence, and this assertion would be endorsed by Members on both sides of the House, had not been by him displayed before. It had, nevertheless, been entirely lost. The hon. Member had stated that the small boroughs had been the cause of the salvation of the country, though he had not put himself forward as an exemplification of that proposition. He alluded to bygone days, when Fox, Pitt, Burke, and other great men sat in that House by virtue of the small boroughs. But, as he (Mr. Locke) had told hon. Members on a former occasion, the patron of a rotten or small borough no more concerned himself about the qualifications of the person he determined should represent it than did the patron of a living. It was a friend or a relative who was fixed upon, not in order that the country might be benefited, but simply because he was a friend or a relative. So it was with regard to patrons of livings. Why was it that there were so many bad preachers? [" Question!"] That was exactly the Question; and perhaps some hon. Member opposite would get up and give him an answer. Why was it that there were so many bad preachers and so many bad Members of Parliament? The answer was, as stated by an hon. Member opposite, because their selection was so largely left to patrons. There were, however, some exceptions to be made, and of course he made an exception in the case of such a man as his right hon. Friend the Member for Calne (Mr. Lowe). He did not wish to say anything in condemnation of that right hon. Gentleman; but he would tell the House what was said of him at a public meeting by one of his (Mr. Locke's) constituents. Some person spoke disrespectfully at that meeting of the right hon. Gentleman; whereupon a working man got up and said, "You have no right to abuse the right hon. Member for Calne, for he has had a brick thrown at his head, and, therefore, he does not admire the working classes." The opinion of the country he believed at the present time was this, that a great extension of the franchise should be made. That question, however, had been disposed of by the second reading of the Franchise Bill. [" No, no!"] Hon. Members said "No, no;" but why did they divide upon it? Why did not hon. Members opposite boldly avow that they were opposed to an extension of the suffrage? He did not see, however, that they could do so when they reflected upon the Bill introduced by the right hon. Member for Buckinghamshire (Mr. Disraeli) in 1859. He deeply regretted that the hon. and gallant Member for Wells (Captain Hayter), a Gentleman connected with the party with which he had the honour to be identified, had brought forward the Resolution under the consideration of the House. It was a sinister Resolution, and he could apply no other term to it. Members for small, insignificant boroughs might wage war against the interests of the country, and the Bill might be defeated; but upon the next occasion when the question of Reform should be discussed the House, strengthened by the voice of the country, would not accept the infinitesimally small measure now before it. Before long they would have a decisive measure—one by which these small boroughs would be swept away altogether.

Colonel BARTTELOT said, that he would not take upon himself the task of replying to the speech of the hon. Gentleman who had just sat down, but would simply observe that if he did not enlighten the juries whom he had the honour to address in the large town of which he was the Recorder with greater clearness than that exhibited in his speech that night, he was afraid they could derive but little assistance from him in the performance of their duties. It was time that the question before the House should be considered with great care. The speech of the hon. and learned Gentleman (the Solicitor General) who had addressed them that evening, did not in any way answer the arguments of the right hon. Member for Buckinghamshire (Mr. Disraeli). The hon. and learned

Member said that the Amendment ought not to have been brought forward by the hon. and gallant Member for Wells at this period of the question; and that if it was to be brought forward at all it ought to have been submitted to them for the purpose of ensuring the rejection of the Motion for the second reading of the Bill. Now he (Colonel Barttelot) thought that if the hon. and learned Gentleman had endeavoured to answer the speech of the right hon. Gentleman the Member for Buckinghamshire when he addressed the House on the second reading of the Bill, it would have had a much better effect than the lame attempt to answer it he had made that night. That address, indeed, reminded him of two men going out hunting, the one well mounted and the other upon a horse which he was not accustomed to ride. It was generally found that a man could ride a pet horse in his stable better than another, but the hon. and learned Gentleman evidently did not ride the horse "Reform" either with ease or satisfaction to himself. When the Franchise Bill was introduced, the Chancellor of the Exchequer said it would take the whole Session to pass it, without a Seats Bill at all. They had been told by the hon. and gallant Member for Westminster (Captain Grosvenor) that the speech of the noble Lord who seconded the Amendment on the first reading of the Bill was unanswerable; he firmly believed that it was unanswerable, and the only answer attempted to be given to it by the Chancellor of the Exchequer was the introduction of the Re-distribution of Seats Bill. Let them look back to the Reform Bill of 1859. The Chancellor of the Exchequer had no share in the deliberate plan for the rejection of that Bill—a plan the object of which was to eject from the Government Benches those who now sat opposite. He believed that the Amendment which overthrew that Bill was proposed by the noble Lord who was now at the head of the Government—not for the sake of passing a Reform Bill, but simply for the purpose of regaining the seat on the Government Benches which was so much coveted by him. Had the Government had any intention of passing a Reform Bill, why had not one been introduced since 1860 until the present time? No sooner, however, had the statesman who had held the chief post of the Government for so many years with such satisfaction and advantage to the country passed away, than they found the right hon. Gentleman the Chancellor of the Exchequer, assisted by the hon. Member for Birmingham, endeavouring to carry a measure of Reform, the advantage or disadvantage of which for the country remained to be proved. He wished to call the attention of the House to the difference between the state of the county representation as it was at present and as it would be if altered as proposed by the scheme before them. The operation of the Bill would simply be to group boroughs, and to leave the agriculturists unfairly represented, and adding to the anomalies of the present system by making the leaseholders and copyholders of the large unrepresented towns voters for the county constituencies. Taking the Eastern Division of the county of Sussex—which was not the division he represented—it would be found that its total inhabitants were 254,370 in number, but it was not proposed to give that county an additional Member. He believed that it was a bad system to have a unicorn county; still, he thought that if an additional Member was to be given to counties having a population exceeding 150,000, the Eastern Division of the county of Sussex was entitled to one. It was also forgotten that the large boroughs exercised a very great influence on the county constituencies. Thus, at the last election for East Sussex, 6,670 electors voted for the four candidates. The hon. Gentleman the Chairman of Committees (Mr. Dodson), who stood at the head of the poll, obtained 2,821 votes, of which 950 were from Brighton. The gallant and noble Lord who was second on the poll (Lord Edward Cavendish) obtained 2,647 votes, of which 897 were from Brighton. Mr. Walter Burrell obtained 2,463, of which 424 were from Brighton; and Mr. Abbot obtained 2,408, of which 386 were from Brighton; thus, out of a total of 6,670 votes for the county, 1,743 were derived from the single borough of Brighton, and he understood that if the Bill passed the number would be increased to 3,486. It was very hard upon the county constituencies that they should thus be swamped by the voters in large boroughs, whose interests were directly opposed to those of the agricultural districts, the one being a consuming and the other a producing population. The counties required a distinct representation from that of the boroughs, which the present Bill did not provide for. Turning to the proposed grouping of the boroughs, he found that Horsham, Arundel, Midhurst, and Petersfield were grouped together, the latter being thirty-four miles from Horsham, the returning borough. The whole of those boroughs represented agricultural interests, and by thus taking them away from the county the latter would lose a portion of its strength. He understood the right hon. Gentleman the Member for Buckinghamshire the other night to propose that one Member should be taken from each of the small boroughs and given to the largest unrepresented towns; but by the proposed scheme the smaller boroughs were grouped, and the seats so obtained were not distributed among the unrepresented towns. Thus, the town of Croydon was not to have a representative, while Reigate still returned a Member. The Chancellor of the Exchequer, in moving this Bill, had observed that the hon. Member for East Surrey (Mr. Locke King) had once carried his £10 Franchise Bill, and suggested that the present Bill was founded upon that assumption. But, in truth, the hon. Member for East Surrey had since altered his views, and would now be satisfied with a £20 instead of a £10 franchise in counties. In his nomination speech on July 18, 1865, the hon. Member said he was not tied to a £10 franchise, but that he would take £15 or £20, and that he was not in love with Mr. Baines' Bill. Subsequently, at Kingston, the hon. Member said that the difference between £50 and £10 was too great, that he was not pledged to £10, and that if the general feeling was in favour of a £20 franchise, he would bring in a Bill proposing that amount; and a voice in a crowd said, "And quite low enough." It was to the right hon. Gentleman and the hon. Member for Birmingham that the House was indebted for this Bill. He begged to call the attention of the right hon. Gentleman to a portion of his Lancashire speech that had not yet been remarked upon, but which showed a lamentable ignorance of agricultural matters. The right hon. Gentleman in that speech said that the House of Commons was like an estate worth £1,000 per annum, which by better management might be made worth £2,000 per annum; but supposing a man had vastly improved his estate by draining it, would a sensible man say that by draining it twice as deep the value of the estate would be doubled? Then there was the hon. Member for Birmingham (Mr. Bright), who was constantly telling them that there were 5,000,000 of their fellow-countrymen who were unrepresented; but this he (Colonel Barttelot) begged to say was not the fact; but even were that the case, was the hon. Member for Birmingham the proper person to tell them so? The hon. Member for Birmingham had invariably supported the interests of the masters as opposed to those of the men; and some years ago, when taunted by the late Mr. Muntz with having once signed a petition in favour of the Ten Hours' Bill, he stated that that was one of the acts of his boyhood, and that he regretted to find that the follies of his boyhood appeared to attach themselves to Mr. Muntz' mature age. The hon. Member predicted ruin to the manufacturers from the passing of that measure; but his prognostications had been signally falsified—they were better off than they ever were before. Speaking at Birmingham before the opening of the present Session, the hon. Gentleman alleged that the Conservatives supported the Factories Act out of revenge for having lost the Corn Laws; but this was quite contrary to fact, for the limitation of the hours of labour was mooted so early as 1784, at Manchester, and in 1815, at Stockport, the magistrates came to a resolution not to employ apprentices more than ten hours a day. As to the oft-repeated assertion of the working classes being without the pale of the Constitution, he maintained that that phrase, applicable originally to Ireland, where the class so described were liable to be shot, was inapplicable to the labouring men of this country, to whose grievances Parliament always extended willing and careful consideration. The hon. Member for Westminster (Mr. Stuart Mill) said that females were unjustly left out of the pale of the Constitution—were they going to admit them? Even, however, if the statement with regard to the working classes was true, this Bill would only admit a portion of the excluded to the suffrage, the only person who proposed to admit the whole being the Chancellor of the Exchequer, who, on a memorable Wednesday came down to the House and declared that universal suffrage was the only thing for this country. That (the Opposition) side of the House were quite prepared to consider any fair measure of Reform in a proper spirit, and to extend to the working classes a reasonable share of political power, but they objected to this Bill as one which would settle nothing and unsettle everything.

MAJOR JERVIS moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Major Jervis.*)

THE CHANCELLOR OF THE EXCHEQUER: The Government have no disposition to prevent a full discussion upon this question; but I cannot help expressing my regret at the Motion for adjournment, because having listened to the debate from the commencement, it does not appear to me that it has been a debate on the principle of this Bill, but almost entirely on points of objection that ought rather to be discussed in Committee. If, however, there is a desire for the adjournment I trust we shall be able to proceed with the debate to-morrow, for as all parties profess to be agreed on the great importance of this question, all parties, I hope, will be prepared to testify their sense of that importance by facilitating arrangements which are intended to bring it speedily to an issue. At all events that is the view of the Government; and in that view I shall presume to make an appeal to my hon. Friend the Member for Glamorganshire (Mr. Hussey Vivian), who has a Motion on the paper for to-morrow with reference to bribery at elections. It stands alone on the Notice paper at present, but I understand that two or three Motions have been added in the course of the day, and of course my hon. Friend cannot be asked to postpone his Motion unless other Gentlemen do the same. [It appeared that Mr. HUSSEY VIVIAN was not in the House.] I suspect my hon. Friend has been misled by the early hour at which the Motion for adjournment has been made, because I believe he was prepared to entertain the question so far as to say that he would withdraw his Motion provided other Gentlemen would do the same. Of course I am not authorized to commit him to anything in his absence, but I would ask whether Gentlemen who have notices for to-morrow are willing to withdraw them if my hon. Friend does the same. ["No, no!"] If they are not, of course the Government are in the hands of the House, and I must in that case fix the adjourned debate for Thursday.

MR. DISRAELI: I think it will be for the advantage of both sides that some general understanding should be come to on this matter. The House, I hope, will allow me to express not my views only of the position in which the House has been placed on this important question. I have no wish to indulge in recrimination of any kind, but only to ask the House to consider what is the best course to pursue. From the remarkable manner in which the measures for the improvement of the representation of the people have been brought before the House, there really has been no discussion on what may be called the principle of the complete measure. A partial measure was brought forward by the Government. The propriety of the course was noticed and contested; and after considerable discussion—although a discussion limited to the partial measure—another course was adopted by the Government, and another half of the measure was brought forward. From the manner in which this measure was introduced, and from the peculiar circumstances attending the discussion that arose, we were obliged to take the second reading of the partial measure, and a general understanding existed on both sides that that having been done the other moiety should be placed in the same position that the first part of the measure found itself in—rather by good luck than good guidance. The case was one of difficulty, and involved a considerable sacrifice on the part of many hon. Members. Still, on the whole, bearing in mind the very complicated and perplexed position in which the House was placed with reference to what may fairly be described as the most important subject that could come under its consideration, it was, I think, the best course that could be adopted. The House acted with perfect good faith in that spirit; and therefore, when the question of the second reading of the second moiety of the measure was brought forward, I on the part of my friends expressed our intention to place it in the same position as the first moiety. We have thus succeeded in having the complete measure placed before us. But while I will not say it was a condition that we should read it a second time, yet from circumstances over which, perhaps, we agree, that no one had any control, it so happened that the House was really obliged to agree to the second reading of a measure which never was discussed as a whole. After nearly three months, therefore, from the introduction of the first Bill, we have had no opportunity until to-night of considering the complete measure. Now, whatever influence I may possess with my friends I certainly exercised to induce them to agree to the second reading of the Re-distribution Bill, in order that it may be put upon the same level as the Franchise Bill; but I did so by assuring them—for I thought I could repeat the assurance I had received from the Government—that the House should have a fair opportunity of discussing the whole measure before we went into Committee. I was most anxious not to embarrass the Government on that occasion; but, at the same time, I was so anxious that the House should have an opportunity of expressing an opinion upon the complete measure that I should have been satisfied if I had succeeded in my attempt—which was to have a discussion though not a division on that occasion, because a discussion on the second reading of the Re-distribution Bill would have enabled the House to consider the complete measure of the Government. The House knows that I did not succeed in that object. It was not my fault. I gave every opportunity to the Government, if they had chosen to avail themselves of that occasion, generally to consider the subject. A right hon. Gentleman a Secretary of State (Sir George Grey) did me the honour, certainly, to reply to the observations I made; several Gentlemen, however, rose on this side and offered their views to the House, but they were not responded to, and it appeared—I do not know whether the omission was accidental; but whether it was accidental or not it was most unfortunate—that the Government and their supporters were not prepared to take the debate on that occasion. In what position do we now find ourselves? To-night a very important Amendment has been at length proposed to the Question that the Speaker do leave the Chair. It has been proposed in a speech of considerable detail, and seconded in a speech of great ability, and entering very much into the details and merits of the scheme of the Government; but really, so far as the Government are concerned, no notice has been taken of it. No notice has been taken of the Amendments or the speech either of the Mover or Seconder. Several Gentlemen on this side of the House had continued the debate for a considerable time without the slightest evidence being given to the House that Her Majesty's Ministers and their supporters were even conscious of the subject which was before them. At length it became absolutely necessary that something should be done. It became absolutely indispensable that some individual on the Treasury Bench should rise. And what took place? An hon. and learned Gentleman rose, and, instead of addressing himself to the Amendment of the hon. and gallant Member for Wells, or to the speech of his Seconder, the hon. and gallant Member for Lichfield, he offered to the House what I suppose he considers an answer—and if it tends to promote the easy slumbers of the hon. and learned Gentleman to indulge in that dream, I will not dispel it—but which was, in fact, no more than an answer to some observations I made a week ago—in fact, before the holidays. Well, Sir, I cannot for a moment suppose that Her Majesty's Government are not conscious of the importance of the subject, or of the merits of their own measure; and I can only draw this inference, that they are not prepared for the discussion which the House seems very anxious to proceed with. It appears to me, Sir, that the best course for us will be not to interfere with the business for to-morrow. I should say, let it take its course, and as with the Tuesday so the Wednesday. I take it for granted that the Chancellor of the Exchequer has no engagements on Thursday. [*A laugh.*] It seems that I have disturbed some arrangement? But I should say that we have a very good chance, on Thursday, of Her Majesty's Ministers or their principal supporters being capable of taking that part in the debate on this subject which I think both the House and the country require of them. Therefore, the Amendment not having been noticed to-night either by the Government or their principal supporters, and on a previous occasion Ministers having avoided any discussion when it was offered to them under circumstances that showed it was offered with no intention of embarrassing them, and the House having had no opportunity until now of viewing as a whole the scheme of the Government, I think the best and most discreet course for us is to let the debate be adjourned till a future day, in order that those who ought to take a leading part in it may be able to address the House with that deliberation which may be expected to result from further reflection, without which no debate can be conducted with advantage to the country, and without which, I think, we should occupy a position which would scarcely be creditable to us in the eyes of the public.

SIR GEORGE GREY: Hon. Members having notices for to-morrow will, no doubt, take what course they think proper—the Government have not attempted to dispute their right to proceed with the Motions standing in their names—but I must say all that has fallen from the right hon. Gentleman with regard to the importance of this Motion is new to the House. We now learn for the first time from the leader of a united party that they were anxious to proceed without interruption with the debate on the Re-distribution of Seats Bill. I thought they had assented to the second reading of the Franchise Bill, and also to the principle of the Bill for the Re-distribution of Seats ["No, no!"]; but now we find that they merely assented to the second reading in order that the opinion of the House might be taken on the combined Bill. Yet from that time no hon. Gentleman on the other side of the House gave any notice of Motion on which the opinion of the House was to be taken. He says we are now to discuss the principle of the united Bill on the Amendment of the hon. and gallant Member for Wells—a Motion which was changed in the course of the delivery of the speech by which it was prefaced, omitting all reference to the Franchise Bill, and confining itself exclusively to the consideration not even of the Bill for the Re-distribution of Seats, but to the details of the different boroughs grouped. We are asked by the hon. and gallant Member for Wells to go into a consideration of these details, which might be dealt with in Committee. He did not even object to the principle of the Bill, but we are now told by the right hon. Gentleman that there is no wish to place the question on this narrow issue—whether Wells shall retain its present share in the representation. ["Oh, oh!"] I understand that is the sense in which the right hon. Gentleman accepts the Amendment and speech of the hon. and gallant Member. We are willing to meet him on that issue—although it is now distinctly understood that no hon. Gentleman opposite had the courage to give notice of any Amendment to that effect. No Member has ventured in terms to move, according to ordinary Parliamentary usage, that the Speaker do leave the Chair this day six or this day three months, and we are left to deal with this ambiguous Motion, placed on so narrow a basis, but which, we are told, if carried, will involve the whole scheme of the Bill, and that is a mode resorted to by the right hon. Gentleman to get rid of the Bill altogether. We are quite ready to meet the right hon. Gentleman on that ground; indeed, we are most anxious to do so.

SIR HUGH CAIRNS: Sir, the Secretary of State appears to have been slumbering, and his slumbers must have begun at a very early period, for he could not have heard the observations of the Chancellor of the Exchequer at the commencement of the proceedings this evening. What did he tell us? He took up the Notice paper, and going over the various Notices, he came to that under the name of the hon. and gallant Member for Wells. And what did he say of it? The Secretary of State says that the Government now knows for the first time the importance of the question at issue. But the Chancellor of the Exchequer told us at the commencement of the evening that there was one Notice of Motion which went to the root of the whole matter. [The CHANCELLOR of the EXCHEQUER made an observation.] I am very sorry I cannot carry on a conversation with the Chancellor of the Exchequer. I am afraid it would be out of order. [Sir GEORGE GREY: The notice was altered.] The Secretary of State says the Notice of Motion has been altered. How altered? It was not moved as it originally stood, because it was decided that it could not come in order as an Amendment to the Instruction of the right hon. Member for Kilmarnock. But, as I heard the Notice moved by the hon. and gallant Member for Wells, it was almost in the very words, and certainly in sense, the same with what I have now before me. It stated the desire of the House that the two subjects—[The CHANCELLOR of the EXCHEQUER: No, no!]—it is better that there should be no mistake. The Motion was in these words—

> "That this House, while ready to consider the general subject of a Re-distribution of Seats, is of opinion that the system of grouping proposed by Her Majesty's Government is neither convenient nor equitable, and that the scheme is otherwise not sufficiently matured to form the basis of a satisfactory measure,"

—words almost more explicit than those upon the paper before. Those words were—

> "That the scheme of Her Majesty's Government is not sufficiently matured to form the basis of a satisfactory measure."

The introduction of the word "otherwise" points, therefore, to every part of the scheme other than the re-distribution of seats. And then, forsooth, we are told by the Secretary of State that the Amendment deals with nothing but the re-distribution of seats, and that the Government, for the whole evening, have been under the impression that it was the only Question before the House. If that had been the Question before the House, I should still have thought it worth attention and worth some answer from Her Majesty's Government. Yet the Chancellor of the Exchequer says the Government are anxious to encourage discussion. "Encouraging discussion" apparently consists in allowing Member after Member to get up and state objections, not merely to the proposed re-distribution of seats, but to various other parts of the measure, and to sit down again without any response from the Treasury Benches, though in the course of the evening we did certainly hear what I will not call a response, but observations from the learned Solicitor General. After all this, it is rather too much for the Secretary of State to get up and tell us that the Government for the first time are alive to what the question at issue is. I will not attribute to them any particular motive or object; but I will say that, in point of fact, by the course they have pursued, they have done their best to stifle discussion. Every one knows that a very convenient way to stifle discussion and to end a debate is by not replying to the speaker. Those out of doors will judge of the course which has been taken in this debate, but I say that it certainly does not tend to promote free discussion of a question that the House is anxious to have fully sifted. With regard to the course taken at this side of the House, I assert that it has been free from ambiguity, and is not open to reproach. My right hon. Friend the Member for Buckinghamshire, upon the second reading of the Bill for the Re-distribution of Seats, expressly stated his objections to the measure, and called attention to this fact, that as the House had required the complete measures of the Government to be laid before it, in order that these might be discussed on a whole, it was impossible to discuss the general merits of the scheme upon the Motion for the second reading of the Re-distribution of Seats Bill. It is literally the case, and the Secretary of State cannot dispute that this is the first night on which we have the opportunity of discussing the scheme of Parliamentary Reform as a whole. I trust that discussion will proceed at both sides of the House with the energy and ability that this great and vital question requires, and that we shall not again be told by Members of the Government that they are discovering bit by bit what is really meant by the Motion submitted to the House.

Mr. CARDWELL: We are charged with endeavouring to stifle discussion, our desire being that the discussion shall proceed at the earliest possible moment, and that it shall not be indefinitely or needlessly delayed. I appeal to the judgment of the House whether the charge just made of endeavouring to stifle discussion is properly attributable to those who desire immediately and promptly to proceed with the discussion, or to those who seek to overlay the discussion with extraneous and unimportant matters leading to tedious and unprofitable delays. If the Motion was of importance, as hon. Gentlemen say, they ought to be as anxious to proceed with the measure as Her Majesty's Government. No objection has been offered by the Government to the Motion for adjournment; their only objection is to not proceeding with the Bill at the earliest possible moment.

Mr. HUSSEY VIVIAN said, he had an abstract Resolution on the paper for next night, relating to the important subject of bribery at elections; but he was willing to waive his right in favour of the more important subject of Reform. He believed that the Government were in earnest to force this measure through the House, and he would postpone his Motion if the hon. Gentleman opposite, the Member for Honiton (Mr. Baillie Cochrane), would postpone his Motion. [Mr. Baillie Cochrane: No, no!] Well, then, if the hon. Member would not yield, neither would he give way, and the right hon. Gentleman (Mr. Disraeli) who was speaking with the hon. Member for Honiton could no longer say that the Government were not prepared to discuss the question. He would not take the responsibility of standing between Her Majesty's Government and the discussion of this measure, and he put it to other hon. Members to stand up and say what he had stated—that they were prepared to withdraw their Resolutions, and allow the Government to proceed with this great measure.

Lord ROBERT MONTAGU said, that

notwithstanding the taunt that had been thrown out to the hon. and gallant Member for Wells, the delay had arisen from the Government; for three Motions that were on the paper might have been disposed of on Friday if the Government had made a House; they would then not have now stopped the way. [MR. HUSSEY VIVIAN: My Motion was not down for Friday.] He did not say that the hon. Member's Motion was down for that day, but Motions were on the paper for Friday, these might have been discussed and disposed of if a House had been made on that day; but the Government, being anxious for delay, did not then make a House, and the Motions therefore still stood in the way. The taunt against the hon. and gallant Member for Wells by the Home Secretary was equally misplaced. The right hon. Gentleman had charged the hon. and gallant Member for Wells with having altered the terms of his Motion during the debate. Notice of the Motion was given on Thursday; it became necessary to re-model it on Friday, and the hon. Member intended to have placed it on the books in its amended form. The House did not sit, and the hon. and gallant Member had no opportunity of doing so. He must retort on the Home Secretary the charge of sinister designs on that side of the House.

MR. BAILLIE COCHRANE said, that as his Motion had been pointedly alluded to, he must recall to the attention of the House the state of the case. He had given way once before on this Franchise Bill. The right hon. Gentleman the Chancellor of the Exhequer then said that he did not intend to introduce the Re-distribution of Seats Bill because there were only twelve nights for discussing the Franchise Bill, and he did not calculate that private Members would postpone their Motions to suit the convenience of the Government. The right hon. Gentleman had since changed his mind, the whole of his policy with it, and introduced the other Bill; and was the whole business of the House to be postponed night after night to suit the pleasure of the Chancellor of the Exchequer? The Opposition was not interfering—nor did they wish to do so—with the progress of the measure, or its free discussion; but it was not right that private Members should be called upon to postpone Motions of great importance, simply to carry a measure which he considered the most mischievous that had ever been introduced into that House. So far as he was concerned, he had not the remotest intention of postponing his Motion.

SIR MATTHEW RIDLEY was at a loss to conceive why Her Majesty's Government should be so anxious to press this measure on for discussion. He was unable to appreciate the observations of the right hon. Gentleman the Home Secretary when he said that the Motion had not been given in sufficient time to allow the Government to meet it with a direct negative. Now, the reason why it was not done rested with the Government, and not with hon. Members on the Opposition side of the House, inasmuch as no House was made on Friday last. He concurred in the propriety of adjourning the debate.

THE CHANCELLOR OF THE EXCHEQUER: I move the adjournment of the debate to Thursday next.

MR. EARLE said, that after what had occurred at an earlier hour of the evening, he was not surprised that the hon. Gentleman the Member for Glamorganshire (Mr. Hussey Vivian) should be ready to withdraw his Motion, because that Motion was superseded by the Instruction moved by the hon. Baronet the Member for Northamptonshire (Sir Rainald Knightley). No doubt, as the result of that Instruction, they would have another Bill from the Government, for he could not concur in the present opinion of the Chancellor of the Exchequer that it was incumbent on the hon. Baronet to move clauses to carry out his Instruction. It might as well have been said that it was the duty of the noble Lord the Member for Chester (Earl Grosvenor) to introduce a Re-distribution of Seats Bill. The Home Secretary complained that no legitimate Amendment had been moved to the propositions of the Government. In the opinion of the right hon. Baronet the only legitimate Amendment would have been, "That the Speaker leave the Chair this day six months." But he (Mr. Earle) would remind the Home Secretary of the Amendment moved in 1859 by the present Prime Minister. The notice which now stood in his name related to the Danubian Principalities, a question which he believed every hon. Member would admit to be important, and which he (Mr. Earle) believed to be urgent. In his opinion the affairs of the people of those provinces were at present under what the hon. Member for Southwark (Mr. Locke) would describe as "a sinister influence," by which, however, he did not mean the influence of the hon. and gallant Member for Wells. He thought that those Provinces had some claim to the sympathy of the House of Commons, for they represented that they had already been disfranchised by a Conference, and that they were in hourly apprehension of being grouped by a Congress. Under those circumstance, he must decline to postpone his notice.

Question put, and *agreed to.*

Debate *adjourned* till *Thursday.*

CUSTOMS AND INLAND REVENUE BILL—[Bill 145.]—COMMITTEE.

(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Childers.*)

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Bill *considered* in Committee.

(In the Committee.)

Clause 1.

Mr. HUBBARD complained that the Chancellor of the Exchequer had not dealt frankly with him in respect of the Bill. When the subject of the Bill was first brought forward his right hon. Friend appealed to him not to delay the passing of the Resolutions in Committee of Ways and Means, as his doing so would delay the collection of Customs duties. He gave way; but on several subsequent occasions the order was placed in such a position on the paper that he had no opportunity of introducing the Motion of which he had given notice. The 24th instant was the first time he had an opportunity of saying anything on the subject, and then his right hon. Friend taxed him with making the Motion on the second reading of a Bill with which it had no connection, and accused him of obstructing the public business. He would not go on with the Motion now, but would make it another time.

The CHANCELLOR of the EXCHEQUER said, he could not concur with his hon. Friend in the view which he took of the circumstances of the Bill. He took quite a different view of the matter. He did not want to interfere with his hon. Friend, who, of course, would exercise his own discretion.

Mr. Earle

Mr. H. B. SHERIDAN hoped the hon. Member for Buckingham would not go into the question, but would leave it to be discussed on his Motion when the Terminable Annuities Bill was again under discussion.

Clause *agreed to,* as were the other Clauses and the Preamble.

House *resumed.*

Bill *reported;* as amended, to be considered *To-morrow.*

STANDARDS OF WEIGHTS, MEASURES, AND COINAGE BILL.

On Motion of Mr. Childers, Bill to amend the Acts relating to the Standard Weights and Measures and to the Standard Trial Pieces of the Coin of the Realm, *ordered* to be brought in by Mr. Childers and Mr. Milner Gibson.

Bill *presented,* and read the first time. [Bill 166.]

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, May 29, 1866.

MINUTES.]—*Took the Oath*—The Lord Churston

Public Bills — *First Reading* — Labouring Classes' Dwellings (Ireland)* (128); Naval Savings Banks* (129); Fishery Piers and Harbours (Ireland)* (130).

Second Reading — Public Schools (110); Pensions* (47).

PUBLIC SCHOOLS BILL—(No. 110.)

(*The Earl of Clarendon.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of CLARENDON, in rising to move the second reading of this Bill, said, he should not trespass at any length on their Lordships' time. It would be unnecessary for him to advert to the labours and inquiry of the Royal Commission of last year; but he would take the liberty of reminding their Lordships that both in and out of Parliament there had been a general concurrence of opinion that some reform in several of our great public schools was needed; and a feeling also was general that in a national point of view the importance of these schools being made to fulfil their duties in the best possible manner could not be over-estimated. By that was meant that the area of education should be extended, that that which was taught should be thoroughly taught, and that the training of the boy's mind in those foundations should be such as to fit the man for the great walks of life, by developing and cultivating to the utmost the faculties, moral and mental, with which he was endowed. Now, it was unfortunately too well known—though the discovery was generally too late—that in many cases these duties had been but imperfectly performed, and that the best years of life had not been turned to the best account. It was often observed that the manly, honourable, straightforward, unselfish character which was formed in these schools lost half its influence and half its value through the accompanying ignorance, which unfitted the man to take an active part in the competition of an intellectual and progressive age like the present, or to prove as useful a member of society as he might have been. It was very important that our public schools should be made to keep pace with the requirements of the age, and that whatever was inefficient in their present system should be amended. He should not allude to the merits, which were many, and to the shortcomings, which were not few, of the schools that were the subject of the inquiry of the Royal Commission, for he thought any reference to that part of the subject would be irrelevant on the present occasion. Their Lordships were aware that various measures of Reform were recommended by the Commissioners in their Report, and that many valuable suggestions had been offered by them. It would also be in the recollection of their Lordships that last year a Bill was introduced into their House founded on the Report of the Commissioners, which, after undergoing considerable discussion, was referred to a Select Committee, who took evidence, heard counsel, and, as he was bound to state, made important amendments in the measure. The Bill so amended would have been at once proceeded with had not the impending dissolution of Parliament rendered it impossible to expect that it could be carried through the Lower House that Session. It was this Bill as it came from the Select Committee of their Lordships' House of which he now proposed the second reading; and he should very briefly point out its leading features. The Bill, as originally framed, proposed to confer new and enlarged powers on the existing governing bodies of these schools, and to give to those bodies so renovated full power to introduce and carry into effect what measures of reform they might consider advisable; which reforms, however, were not to become valid until they had received the approval of the Queen in Council and had afterwards been submitted to Parliament, so as to give every opportunity for discussion and consideration. This active exercise of power was to be limited to a certain period of time, which, however, might be extended by the Queen in Council or by Parliament. Now, these provisions granting enlarged powers to the governing bodies had been struck out by the Select Committee; and had nothing been substituted such a step would have been very unwise, because though the powers already vested in the governing bodies would have been continued, it would, he thought, require a large amount of charity to expect that they would have been efficiently exercised. The Select Committee, however, did not stop at omissions; but they provided in this Bill for the appointment of Special Commissioners without whose approval no alteration in the statutes of the schools could be submitted for the sanction of the Queen in Council. This provision would obviously be a security against any improper or ill-directed innovations. But, at the same time, it would afford no guarantee against another contingency—namely, that no reforms at all, or reforms only to an infinitesimal extent, might be proposed by the governing bodies. It was accordingly provided, that after a limited time the powers of reform now vested in the existing governing bodies should pass into the hands of the Special Commissioners, who would thus be enabled to remedy any defects or shortcomings, and their Lordships would, he thought, be of opinion that this machinery would work better than that proposed in the original Bill. In one respect the powers for effecting reforms would be materially strengthened, because it was provided that in all cases the Head Masters should be appointed by the governing body, and hold their office at their pleasure, while the under Masters were to be appointed by, and hold their office at, the pleasure of the Head Master. He hoped that if this measure should pass the governing bodies would so bestir themselves in introducing the reforms which were unquestionably required, and which were made imperative by the statute, that the task of the executive Commission would be comparatively light. As to the composition of the Commission, much anxiety had been displayed by the best friends of our public schools, and he believed that the names of the Gentlemen whom it was proposed to place on the Commission would be a guarantee that while everything would be done to protect the interests of the public schools, every needful step would be taken to render the education given more complete and suited to the demands of the time.

Moved, "That the Bill be now read 2ª."—(*The Earl of Clarendon.*)

Earl STANHOPE said, the noble Earl who had just sat down was well entitled to the thanks of the House both for his labours as Chairman of the Commission of Inquiry, whose labours had extended over several years, and for the Bill which he had now presented to the House. He regarded the Bill with great satisfaction as the result of the Select Committee which sat last Session, because the more he considered the subject the more he was convinced that the Bill as brought in last year by the Government would not have fulfilled the objects with which it was introduced. That Bill proposed to deal with the governing body of every school, and provided specially for certain reforms which were deemed desirable. Now, considering the great variety of details, the very different terms of foundation of the several schools, and above all, the varying circumstances as they arose from time to time, he thought any attempt to deal with the subject by absolute enactment would in the first place have produced almost interminable debates in that and in the other House of Parliament, and could not after all have led to any very satisfactory conclusion. He thought from the first that the most satisfactory course would be to create an executive Commission to act in conjunction with the heads of schools in the introduction of such improvements as should be thought desirable; and he was confirmed in that opinion by the success which had attended the Commissions issued in reference to the Universities of Oxford and Cambridge. It was quite natural that at the outset these two Commissions should have excited, as they did, both at Oxford and at Cambridge, some jealousy on the part of the existing authorities; but now the experiment had been tried, he would put it to any one of their Lordships acquainted with the results whether in each case they had not effected very great improvements without impairing the independence of the University, which above all things it was desirable to preserve; and this being so, he thought they might be encouraged to look for similar success in the case of the public schools. In this point of view it was a pleasure to him to find among the Commissioners named in the Bill a Member of their Lordships' House whom he might name, not seeing him in his place—he meant Lord Harrowby—who had been the Chairman of the Oxford University Commission to which he had just referred—and he had no doubt that in this case, as in the former, every effort would be made to carry out the reforms and improvements which were considered necessary, without impairing the independence of the authorities of the schools, but rather in conjunction and concert with them. He was also pleased with the manner in which some of the minor details of the Bill were to be worked out. He might mention the 13th clause, which provided that no preference should be given in the selection of Head Masters to candidates who had been educated at the particular school; and this he thought a wise provision. It had been said by those who held the contrary view that the case of the schools was analogous to that of the Universities, who always chose as their representatives in Parliament gentlemen who had been educated within their walls; but there was no analogy in the two cases. In the University representation entire congeniality of sentiment and perfect acquaintance with the rules and habits of the place, so as to be able to state either in debate, could scarcely be expected, unless in one who had been trained up together with those of the same age whom he came to represent in the House of Commons. On the other hand, as regarded the Head Master of a public school, superiority of attainment and the power of imparting knowledge were the sole and the esssential requisites. He approved also of the 14th clause, which declared that no candidate for the foundation at Eton should be entitled to any preference by reason of his place of birth or abode. He believed both those clauses would be found to work well and give satisfaction. While giving his support to the Bill and expressing his strong approval of those who had consented to act on the Commission, he thought it very important that there should be Members of it in both Houses of Parliament to give any explanations which might be required from time to time. Their Lordships would have the benefit of the presence of three Members of that Commission — the most rev. Primate the Archbishop of York, the Earl of Harrowby, and the Earl of Carnarvon; but the only member of the Commission in the other House of Parliament was Sir William Heathcote; and attaching, as he did, great importance to explanations given at the moment, he thought it unwise to depend solely on one Member, who might perhaps be absent when those explanations were required. He hoped, therefore, that a second Member of the House of Commons would be placed on the Commission. He did not mention this in any captious spirit or with the view of impairing the effect of the Bill in any possible way; and he could only repeat his full conviction, as well as his earnest hope, that the measure would lead to most satisfactory results.

THE EARL OF DERBY said, that although he estimated, perhaps, more highly than the noble Earl (the Earl of Clarendon) the great advantages derived from the education given in our public schools, and did not take so disparaging a view of the disadvantages attending it, at the same time he was far from denying that in those schools there were matters which very well deserved serious consideration, and which in the altered circumstances of the time required some amendment. He cheerfully agreed with his noble Friend who had just sat down (Earl Stanhope) that the noble Earl opposite (the Earl of Clarendon) deserved the thanks of all who were interested in public education in this country for the very useful labours he had performed as a member of the Commission over which he presided, and for the valuable materials which they had collected. He also agreed with his noble Friend that considerable advantage had resulted from the labours of the Select Committee which sat last year. The Bill, as it came out of that Committee, was a very material improvement on the measure as originally submitted to them by the Government. Having been a member of that Committee, having taken a somewhat active part in it, and having concurred in all its recommendations, he need hardly say that he did not object to this Bill, as it was identical in terms with that which received the sanction of the Committee. Indeed, it was so identical, that it copied some clerical errors of the former measure. He thought the Bill would prove useful and satisfactory; and he had already received communications from two schools stating that the names of the Commissioners selected by his noble Friend were deemed entirely unobjectionable to them. Indeed in his (the Earl of Derby's) opinion, it would be impossible to frame a body of Commissioners better qualified to perform the duties confided to them. He should have no Amendments to suggest in Committee except two. The object of one of these would be to prevent any misapprehension arising as to those who were entitled to free education at Harrow. It was stated in the clause of the Bill which defined who were "Boys on the Foundation," that the boys who were entitled to free education at that school had the right by reason of their being "sons of inhabitants of Harrow." Now, according to the original will of the founder, the sons of the inhabitants of Pinner had also an equal right. Pinner adjoined Harrow, and at the time the Founder made his will formed part of the ecclesiastical parish of Harrow, though now distinct from that place. If, therefore, the "sons of inhabitants of Harrow" only were mentioned in the Bill, the question might be raised whether the sons of inhabitants of Pinner were not excluded from the benefit of free education. He should, therefore, propose in Committee to add the words "and Pinner." He agreed in what had been said with regard to Clause 13. Clauses 14 and 15 referred to Eton alone, and he had had a request conveyed to him from the authorities of Eton to ask that these clauses might be excluded from the Bill. This was not because it was desired to object to the intention of the clauses, but because at a meeting of the Provost and Fellows last year, they entered into an agreement precisely in accordance with the terms of Clauses 14 and 15, and therefore they desired, not unnaturally, that they should be left to carry out *proprio motu* that which the Bill would compel them to do. It appeared to him that the principle of laying down what was expected to be done, but at the same time leaving to individual bodies to effect that by their own action and not by the compulsion of Parliament, was a principle pervading the whole Bill, and he therefore hoped and trusted that there would be no objection to expunge the 14th and 15th clauses from the Bill. This was the sole desire of the Provost and Fellows, and not that they should be exempted from the operation of the Bill. There was one other question which he wished to raise, and that was whether the power given to the Commissioners ought to be so unlimited as it was proposed by this Bill in reference to the composition of the governing body. This power was objected to last year, but it still remained in the Bill. He must say that if the governing body were perfectly satisfied with their own composition, and did not think that there was any amendment possible, there would be no prospect of any improvement. There were large powers to constitute the governing body anew, and to make statutes according to their own views, and he did not see the difference between the power which had been exercised by Parliament and that to be vested in the Commissioners, except that the power of the latter would be more absolute, because the exercise of them would not be subjected to so much discussion. He had great confidence in the discretion of the Commissioners, but the power which they would have to make alterations in the governing body seemed to go much further than prescribing certain rules under which the schools were to be managed. He should have no Amendment to propose; and he only wished to call attention to the subject. In conclusion, he wished to say that he gave his hearty assent to the Bill, and he earnestly hoped that no pressure of public business that might be considered of more importance would prevent the passing of this measure, which he was persuaded would be hailed by the country and by Parliament with great satisfaction, and would be productive of great public good.

Lord HOUGHTON observed, that there was no one among the Commissioners named in the Bill who might be taken as representing Science, and he gave notice that in Committee he intended to move that some person distinguished for his scientific attainments should be added to the number of Commissioners.

The Earl of CLARENDON joined in the hope that the Bill would pass this Session. He should prefer not to answer at present the observations of the noble Earl (the Earl of Derby) as to the constitution of the Commissioners, as the question raised was a very wide one. He had no objection to the omission of the two clauses adverted to by the noble Earl, for he would much sooner see the reforms carried out freely by the governing bodies of schools than by the compulsion of Parliament. With regard to Pinner, he believed the circumstances were as stated by the noble Earl; but before adopting the noble Earl's suggestion, he should like to look into the statutes to see how the matter stood.

The Earl of DERBY, in reference to to the 25th clause, which gave power to remove the Charterhouse and Westminster Schools to other sites, said, he would suggest that in the event of these schools having power to sell their property, power should be given to other educational institutions to purchase it. For instance, the Merchant Taylors' School might desire to purchase the buildings of the Charterhouse, if it were decided to remove the latter. The introduction of such clause would greatly facilitate any such arrangement, and would save the expense of private acts.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

LANCASTER ELECTION.—JOINT ADDRESS FOR A COMMISSION OF INQUIRY.

Earl RUSSELL, in rising to move that the House do agree with the Commons in the Address to Her Majesty to appoint a Commission to inquire into the existence of alleged corrupt practices at the last election for the borough of Lancaster, said, that the Election Committee which had been nominated to try the petition complaining of an undue return for that borough had agreed to a resolution stating that they had reason to believe that corrupt practices had extensively prevailed there. The question now raised was, unfortunately, no new one. At various times Parliament had taken steps to check bribery and corruption at elections. At a former time they had disfranchised the offending boroughs, as in the case of Grampound, Sudbury, and St. Alban's; and in the case of East Retford, although they had refrained from disfranchising the borough, they had sought to check the evil there by extending the Parliamentary boundaries. In more recent times the House of Commons had not taken such summary steps for checking the evil; for although by the Act 15 & 16 *Vict.* c. 57 it was provided that in the event of any Committee appointed to inquire into the matter of any petition complaining of undue proceedings at the election for any place or borough, reporting that there was reason to believe that bribery had extensively prevailed at the last election for that borough, a Commission should issue on a Joint Address of both Houses to inquire on the spot into the existence of such corrupt practices; and although several Commissions had been subsequently issued, and Bills had been introduced into Parliament founded on their reports, the Bills had been withdrawn and nothing had been done. But although there had been complaints of the inefficacy of the steps taken to repress those evils, yet it could not be altogether denied that the inquiries set on foot by Parliament with regard to corrupt practices in various boroughs had been followed by some beneficial consequences. On these grounds he asked their Lordships to agree with the other House of Parliament in an Address to the Crown for the appointment of a Royal Commission to inquire into the corrupt practices which prevailed at the last election for the borough of Lancaster. It was quite true, as expressed in the Resolutions of which his noble Friend (Earl Grey) had given notice, that in some recent cases the House of Commons had not adopted those efficient measures which it had taken in former years with respect to electoral corruption; and at the late general election there had, he believed, been a great deal of expense, and, he feared, corrupt expense incurred. In former times Parliament had steadfastly set its face against those proceedings; and if the inquiries now proposed took place, he thought it would again be found that the House of Commons would not be backward in applying a remedy. But that did not depend upon the House of Commons alone. The Act now under discussion contemplated that the House of Lords as well as the House of Commons was interested in the purity and integrity of the representation; and if they found an instance in which the existence of extensive corruption had been clearly proved, but in which the case had not been taken up by the House of Commons, it was perfectly competent for their Lordships to introduce a Bill to disfranchise the particular constituency in question; and then, he thought, the other House would scarcely refuse to pass such a measure. In that way a remedy as efficacious as that applied to St. Alban's and Sudbury might, if the circumstances warranted it, be adopted. The Resolutions of which his noble Friend had given notice not only condemned the present Motion, but went to the extent of saying that the House ought to express to the House of Commons its readiness to concur in recommending a general inquiry over the whole kingdom as to the existence of corrupt practices. His own opinion was that the institution of such a general inquiry would not be so expedient as the course now proposed.

Moved, That this House do agree with the Commons in the Address to Her Majesty, and do fill up the Blank with ("Lords Spiritual and Temporal, and.")—(*The Earl Russell.*)

EARL GREY said, he could assure his noble Friend and the House that if he opposed his noble Friend's Motion, it was not owing to any indifference on his part to the prevalence of bribery and corruption at elections. On the contrary his strong feeling was, that the course now proposed was not one that was likely to be effectual for its object. Corruption in the Parliamentary constituencies was a great, and he was afraid a growing evil. It was impossible to deny that of late years more and more money had come to be employed at elections, or that the return of Members to the other House of Parliament was more and more swayed by corruption. That, perhaps, was a consequence of the rapidly increasing wealth of the country, and of the increasing number of persons who desired to obtain a seat in the House of Commons, either as a means of social distinction or of political influence. At the same time, they must all agree in the opinion expressed on that subject some few years ago at a public meeting by a very distinguished gentleman, now one of the Members for Westminster (Mr. Stuart Mill), who said he thought there was a very great danger of the degradation of the representation from the readiness of those whom he called the vulgar rich to pay any sums that might be necessary in order to obtain seats in Parliament, and who were far more eager to do so than persons of more recognized station in society. Now, he held in his hand a list of all the inquiries which had been made since the passing of the Act under which they were now asked to concur with the other House in addressing the Crown to institute separate inquiries into the corruption which had prevailed in four more boroughs. First in that list stood the borough of Cambridge, the Address for a Commission in regard to which was agreed to on the 2nd of May, 1853. That Commission reported on August 9, 1853, that bribery and other corrupt practices had for a long time systematically prevailed. Next came the case of Canterbury, the Address with respect to which was agreed to on April 11, 1853, and the Report, made on July 28, 1853, was to the effect that corrupt practices had extensively prevailed at the last and at previous elections. Then came Maldon, the Address relating to which was agreed to on May 30, 1853, and the Report, made on August 12, 1853, declared that corrupt practices in various forms had long prevailed, and open and direct bribery at the last election to a greater extent than at any which preceded it. Next, in the case of Barnstaple, the Address was agreed to on June 27, 1853, and the Report of the Commission which was made on July 31, 1854, declared that corrupt practices had extensively prevailed at the last election. Then in regard to the borough of Tynemouth, the Address was agreed to on June 27, 1853, and the Report made on February 20, 1854, was to the effect that bribery and corrupt practices did not extensively prevail at the last election, but did exist among a portion of the class of publicans. Next, in the case of Hull, the Address was agreed to on the 21st of April, 1853, and the Report made on the 2nd of February, 1854, was that systematic corruption had uniformly prevailed at the elections, and systematic and extensive bribery at the last election. Again, in the case of the borough of Galway, the Address was agreed to on the 20th of August, 1857, and the Commission reported on the 10th of December, 1857, that for a long period corrupt practices had prevailed at the elections. Then, with respect to Wakefield, the Address was agreed to on the 11th of August, 1859, and the Commissioners reported on the 31st of January, 1860, that there had been an employment of non-electors as watchers and runners for corruption and intimidation; and that bribery on both sides was before the election a matter of common notoriety. In the case of Gloucester city, the Address was agreed to on August 12, 1859. The Report was made January 27, 1860, and stated, that with some exceptions corrupt practices had for a long time prevailed. He remembered having served upon a Berwick Election Committee the first year he was in Parliament. On the 10th of June, 1860, an Address was agreed to for a Commission for Berwick-upon-Tweed. They reported February 11, 1861, that bribery existed at and before the election of 1859; that there were certain cases of bribery, but the Commissioners did not report that corrupt practices generally prevailed. In eight out of ten of these boroughs the Commissioners reported that bribery had systematically prevailed, and in six of them that it was of very long standing. Was it possible to have stronger Reports or evidence? In 1854 the Attorney General of that day brought into the House of Commons a Bill for the prevention of bribery in one of those boroughs, the object being to disfranchise the voters who had been guilty of bribery. It was said, however, that this measure was inconsistent with good faith, as the witnesses had given their evidence under the indemnity assured to them by Act of Parliament, and the Bill was dropped without discussion. In a subsequent year a similar Bill was proposed with regard to Galway; and that also was allowed to drop. It seemed, then, that these inquiries by Commissions, prosecuted at a very large expense, although they established beyond contradiction the existence of gross and systematic bribery, had been barren of any result whatever. He ought not, however, to say that they were barren of results, because a Committee of the House of Commons was appointed in 1860 to inquire into the existence of corrupt practices at elections. Evidence was given before the Committee by gentlemen of great knowledge and experience that these inquiries were worse than useless. One witness stated that, although an indemnity from all criminal proceedings was sufficient to induce the lower classes of voters to tell what they knew, it was not so with regard to the classes above them, and led in their case to an amount of perjury which the witness held to be highly demoralizing. Another witness — Sir Frederick Slade — a gentleman who had been employed in conducting some of these inquiries — said that these Commissions were perfectly efficient to establish what every one knew before—namely, that bribery existed; but that they were quite at a loss to suggest any method of correcting the evil. That was the real difficulty in the case. His noble Friend (Earl Russell) had pointed out that in former times inquiries of this kind led to important results—that they led to measures being passed through Parliament by which the guilty places were either disfranchised or the boroughs so enlarged as to guard against the evil. That remedy was all very well as long as only small towns were concerned. But when the Commissions established that in great and important towns like Cambridge, where bribery had been long and systematically practised, and when it was proved that in newly enfranchised boroughs like Wakefield bribery existed more extensively than in any other town under investigation, that it extended to a higher class of society, and was practised in an unblushing manner, then disfranchisement ceased to be a remedy. If Parliament could not disfranchise a large town when it was proved to be corrupt, was it reasonable to say that they would inquire into the case of both large and small towns, and that where bribery was proved the large town should get off scot free, while if the little town was guilty, it should be disfranchised? That appeared to be an extraordinary mode of reasoning. What was really wanted was not a penal inquiry of this sort into the corrupt practices of these particular towns, but a more general inquiry with a view of ascertaining by what means bribery was habitually carried on, and how Parliament might prevent or render more difficult those devices by which the law was evaded. The moment they found they could no longer carry into effect, in cases where bribery was established, the old system of punishment by disfranchisement or the enlargement of boroughs the whole system, as it seemed to him, broke down. Sir Frederick Slade had said what was perfectly true, and he (Earl Grey) was at a loss to perceive how these Commissions were to enable the Legislature to deal with bribery in particular places. He thought that upon his noble Friend's own showing disfranchisement in some of the cases to which the Addresses referred would hardly be practicable. Would he propose to disfranchise Great Yarmouth, for instance, one of the most considerable ports in the country? That was hardly to be advised. With regard, also, to so large a place as Lancaster, such a remedy was scarcely appropriate. If Parliament really wished to put down bribery, it was time they gave up these special inquiries into the delinquencies of particular towns, which differed from other towns only in the accident of having been found out. In the worst cases of bribery, where both parties had been carrying it on equally, and the losing party could not hope to carry his seat, there was no petition—their Lordships knew perfectly well that the very worse cases did not come before the Election Committees, and, therefore, did not lead to such Resolutions as led to the present proceedings. It had been asserted no later than last night by a Member of the other House of Parliament, speaking from his own knowledge, that in a town of 1,000 electors, not less than 700 had taken bribes at the average rate of £35 each. Was it enough, when statements of this kind were made, that with mock virtuous indignation they should say they would inquire into three or four places which had had the misfortune to be detected, and not inquire whether it was practicable for Parliament to correct the evil for the future? His noble Friend (Earl Russell) said that several years ago the question was referred by him to the Law Officers of the Government whether it was expedient to provide measures of a more stringent character. [Earl RUSSELL: To the Law Officers of two Governments.] Their opinion, it seemed, was against such a measure. The noble Earl entirely concurred with that opinion, and so did he (Earl Grey); and it was on that account that he objected to these special inquiries as to particular towns, which were more or less of a penal character. He felt convinced that penal legislation would fail. If Parliament attempted to make the law more stringent, and to inflict severer punishment upon those guilty of bribery, the effect would be the very contrary of what was desired. It was scarcely possible, considering the strong motives which existed for the perpetration of the offence, and how deep the causes lay in human nature, that they could ever hope to extirpate the evil. But, although they might not do that, it was surely not too much to expect that Parliament might do something to check the evil and prevent it from spreading so widely. If they desired to pass any law to make bribery less easy, the first step was to institute a general and comprehensive inquiry into the manner by which bribery was generally carried on, the devices by which the law was evaded, and the measures by which they would defeat those practices. The inquiry should also go into the question whether they might not take measures to diminish the motives and the inclination to commit bribery on both sides—on the part of the briber as well as the recipient of the bribe. At present the Commissioners had no authority to suggest any general remedy. The Committee of the other House, in 1860, on Corrupt Practices did enter upon these questions, but they did it so very imperfectly that by their own showing they did not obtain all the information that might have been laid before Parliament. At the same time they brought to light several important facts. For instance, a most important Resolution was passed by the Committee to the effect that bribery in Parliamentary elections was intimately connected with bribery in municipal elections. Now, that fact seemed to indicate where great assistance might be found towards diminishing the evil. The statement was confirmed by witnesses, one of whom stated that one of the most common modes by which corrupt practices were now carried on in boroughs was by the Member for the place, or the person who hoped to become so, subscribing largely for the purpose of municipal elections. He was perfectly at liberty to give what money he liked to advance the interests of his party, and that was done with the understanding that he was to have a return for his money in due time by their support at the Parliamentary elections. One witness said that he knew that the pressure put upon Members of Parliament every November with a view to corruption at municipal elections was much greater than the pressure for charitable objects. He would suggest, therefore, for inquiry, whether the money contributed by Members of Parliament to municipal elections might not be made as fatal to the seat as money paid directly for the purpose of the Parliamentary election. Bribery at municipal elections was obviously extending itself very rapidly. He remembered having served with his noble Friend the First Lord of the Admiralty (the Duke of Somerset) some seven years ago on a Committee of that House appointed to inquire into the effect upon municipal elections of the clause in the small Tenements Act which superseded the necessity of burgesses being personally rated; and that Committee, after hearing a great deal of evidence, came to the unanimous conclusion that the effect of the clause which was passed, he believed, inadvertently by Parliament, had been greatly to extend corruption at municipal elections and ought to be repealed. Nor had corruption diminished since then. He knew persons of great experience who informed him that since the date of the Report of that Committee corruption in the municipal boroughs had become far worse than before. It appeared also from the Report of the Committee of the House of Commons that the means by which bribery was carried on, and the ways by which the law was evaded, were almost marvellous. For instance, one Member gave annually to his Committee £600 a year for what he called "maintaining his interest in the borough." By means of that £600 a year a full purse was made up, which at the time of the election came to be applied in bribery, while the Member for the borough could say, with a safe conscience, that he had not paid a single shilling illegally for his election. There was another practice also which was extremely wrong. Nothing was more common than for lands and houses to be let to electors below their value with the full understanding that those houses and lands could be retained only by the lessees voting according to the wishes of the landlord. Again, it was no uncommon practice for a solicitor who made electioneering a trade to get during the interval between one election and another a number of small electors into his power by advancing money as loans, and when the time came to sell his interest wholesale to a wealthy candidate under the form of a bill for agency or in some other way. Then there was another point which called loudly for inquiry, and that was payment for loss of time. A person of great experience stated distinctly with regard to this point that as a general rule, contrary to ordinary belief, bribery was suggested by the voters rather than the candidates; and it commonly took this form, "Who will pay me for my loss of time?" And after all that was not so unreasonable. The poor man found that he could not give his vote without loss of half a day's or a whole day's wages, and at a time when no great public question excited his interest he might be very reluctant to make a sacrifice of his wages in order to give his vote; and in such cases it became extremely difficult for a candidate to prevent an injudicious supporter from saying, "Never fear; I will make up for your loss of time." Many a Member of Parliament had got involved in bribery in that way by the action of his injudicious friends. And, unfortunately, when money was once given the matter seldom stopped with payment for loss of time, but large sums were given away. So common a cause of bribery was it that some persons had suggested as the only mode of putting a stop to it that, instead of the present system, voting papers should be left at the houses of the electors by a responsible officer, who should collect them next day. That would take away the excuse for payment for loss of time, and cut off one great source of expense at elections, the carrying of electors to the poll. He was far, however, from pledging himself to this system of voting papers; but he merely mentioned it as a suggestion of many experienced men with a view to decrease the temptations to bribery and its actual practice. Now, when it was an ascertained fact that bribery was becoming more and more prevalent, that partial inquiries had led to no result, and that there was no reason to despair that an investigation of a more general nature conducted by competent Commissioners might lead to changes in the law which would diminish the prevalence of this great evil, he thought he had made out a case for asking their Lordships to suggest to the other House of Parliament a general for these four special inquiries. And when his noble Friend remarked that such an inquiry would be attended with very great expense, and be of a very inquisitorial and odious character, he entirely differed from him in that view. The expense of a general inquiry if well conducted would not be so great as that of one of those special inquiries, and it would be much less than the expense of the special inquiries that were proposed, while it would be infinitely less invidious and inquisitorial. It would not be an inquiry into the abuses of the past but into existing abuses, with a view to such a reform in their legislation as might diminish the evil for the future. That being the object of the Motion which he had to make, he could not help expressing an earnest hope that his noble Friend at the head of the Government would not think it his duty to resist it.

An Amendment *moved* to leave out from ("That") to the end of the Motion, and insert the following Resolutions:—

1st. That the Address to the Crown in which this House is asked to concur by the House of Commons has for its Object to cause the Extent to which corrupt Practices have prevailed in the Borough of Lancaster to be inquired into by a Commission in the Manner provided for by the Act 15th and 16th Vict. Cap. 57.:

2nd. That since the passing of the above Act Inquiries have been instituted under its Provisions as to the Prevalence of corrupt Practices in Ten Boroughs:

3rd. That the Commissioners by whom these Inquiries have been conducted have reported that in Eight out of the Ten Boroughs to which they related, corrupt Practices have been extensively and systematically carried on, and that in Six of these Boroughs such Practices have prevailed for many Years:

4th. That in consequence of the Reports so made by Commissioners of Inquiry Bills were introduced into the House of Commons in the Year 1854 for the Prevention of Bribery in Barnstaple, Canterbury, Kingston-upon-Hull, and Maldon; and in the Year 1858 a Bill for the Disfranchisement of the Freemen of Galway was also brought into the House of Commons; but none of these Bills were proceeded with:

5th. That these Inquiries have thus failed to lead to the Adoption of any Measures for the Prevention of Bribery in the Boroughs to which they related; they have also failed to elicit Information calculated to assist Parliament in passing any general Act for the Prevention of Corruption; and it was stated in Evidence before a Select Committee of the House of Commons in the Year 1860 that they have occasioned much Perjury and Demoralization:

6th. That although these partial Inquiries as to the Prevalence of Corruption in particular Boroughs have produced no useful practical Results, even when gross and systematic Corruption in these Places has been established, there is Reason to believe that a comprehensive Inquiry into the various Methods by which Corruption is practised in Elections, and into the best Means of checking it, might afford useful Assistance to Parliament in legislating on a Subject on which its Interference is urgently required:

7th. That this House is not therefore prepared to assent to the Address in which it is asked by the House of Commons to concur, but would be ready to join that House in praying Her Majesty to cause a general Inquiry on the Subject of Bribery at Elections to be instituted by means of a Commission:

8th. That the above Resolutions be communicated to the House of Commons in reply to their Message inviting this House to concur in addressing the Crown for an Inquiry into the alleged Prevalence of Bribery in the Borough of Lancaster.—(*The Earl Grey.*)

Lord LYVEDEN felt he could not acquiesce in the observations of the noble Earl who sat on the cross-benches (Earl Grey), as to the means he proposed for the remedy of bribery and corruption.

But though he did not agree with the noble Earl on the cross-benches, he would express his decided objection to the Motion brought forward by the noble Earl the First Lord of the Treasury. The Act for these Bribery Commissions had failed, for there had been ten Commissions issued under it, and in not one of them had there been any result.

EARL RUSSELL said, that was because they had not done their duty.

LORD LYVEDEN wished to know who had failed in their duty. Was it the House of Peers or the House of Commons? Whose interest was it to bring forward a Motion on the subject? It was not the interest of an independent Member, and it was not the interest of any Government after the experience of the failure of the many Reform Bills they had brought forward. In fact, the Reports of the Commissions had slept, and that was because there was but little feeling about the matter in the country. Neither the bribed nor the bribers would take up the question, and there was no independent person to take it up; and, in the result, there was no punishment for the offence. The noble Earl the First Lord of the Treasury said he saw a difficulty in a criminal punishment. But neither was there any social punishment, for the man who gave a bribe walked about the town without losing caste, and although the Member lost his seat for the time, their Lordships met him on the same terms as before, and he might stand for an adjoining borough. Thus there was no result. The inquiry which had resulted in these Commissions arose in a private contest for the seat between two candidates, and it was difficult to understand upon what principles the Committees acted who inquired into the matter. They seemed to be at a loss to prove agency, and rarely was it brought home to the candidate himself. The only consequence of a Member losing his seat for bribery was that he could not stand for the same borough for the same Parliament; but he might stand for another borough, and if a young man, even although convicted of personal bribery, he might well wait for his seat in the following Parliament. It might be hard to say that a man should be for ever shut out from Parliament if he was once convicted of bribery; but unless they were prepared to deal strictly with the evil they would be unable to effect any good. The truth was that a candidate, if he wished to put an end to bribery could do so, if he made it known that he discountenanced bribery on his part there would be none; but in most cases this was not done, and in this wealthy country men were willing to spend any amount of money to get into Parliament. Some were of opinion that if they were to declare canvass illegal they might put an end to bribery; but again it was said that this would destroy all opportunities of intercourse between the candidate and his constituency. Another proposition was that the Member on taking his seat should declare that he had not been guilty of bribery; but this declaration would lead to the same result as the declaration of qualification, which was notoriously only transferred for the purpose. The only remedy he saw for the evil was an Act brought in by the authority of the Government to put an end to the corruption of voters. The noble Earl on the cross-benches (Earl Grey) proposed to issue a Commission to inquire into corruption all over the country. The noble Earl called that a comprehensive scheme—and undoubtedly it would be too much so. What was that Commission to inquire into? Was it into how corruption was practised? Was it into corruption of custom? Was it into corruption between landlord and tenant? Was it into corruption of boroughs as well as of counties? Counties regarded themselves as being free from corruption on account of their size; but how were the large sums of money expended which were necessary for the return of county Members? He thought such a Commission would extend itself over such a surface and over such a length of time as would render it useless for any effective result. The difficulty at present was in collecting evidence; but such an unlimited Commission would not meet the difficulty. He did not see why their Lordships should not adopt the same conclusion as they arrived at in the Clitheroe case in 1853, and declare that they did not agree with the House of Commons in addressing the Crown for the issuing a Commission, because they did not feel that any satisfactory conclusion would be arrived at. The probability was that if they did issue such Commissions they would delay the passing of more valuable measures which might otherwise be passed. And, in fact, the previous evening the Commissions had been made an excuse for not introducing a measure for the prevention of bribery. It would be unjust to propose that the general disfranchisement of a borough should be the punishment in the event of ten, twelve, or fourteen individuals being convicted of bribery—it would be unfair that the pure men should be involved for the punishment of the guilty. He could not believe that the majority of the constituencies were corrupt.

THE EARL OF HARROWBY agreed with the noble Lord who had just addressed their Lordships (Lord Lyveden) that the proposed inquiry would lead to no result. He thought that the noble Earl on the cross-benches (Earl Grey) had made out a satisfactory case against the proposition of the noble Earl the First Lord of the Treasury. He could not conceive a more demoralizing process than that of sending down a Commissioner who began by offering plenary absolution to all the offenders, the consequence of which was that the most unmitigated scoundrels in the place came forward and actually boasted of their iniquities. A more demoralizing process could not be desired; for the people became accustomed to it, and the issue of a Commission was looked upon as mere *brutum fulmen*. The only way to create a moral sentiment on the subject was not the disfranchisement of a borough, which would lead to a struggle between the two great political parties, but the disfranchisement of the individuals who had been convicted of bribery. Parliament could not disfranchise a large and important town merely because an inconsiderable number of the electors had taken bribes, but surely they might impose this penalty on the twenty, or fifty, or 100 individuals who were at fault. This would hold out a standard of electoral purity, and would stigmatize corruption not as a mere political but as a moral offence. He thought their Lordships were much indebted to his noble Friend (Earl Grey) for calling attention to the subject, though it might be that the course he proposed would lead to no better results than had been obtained by these Commissions.

EARL FORTESCUE said, he could testify from personal experience to the worse than failure of these Commissions, for he had himself suffered from them. In a credulous moment, desiring to see the constituency purified, and confiding in the professions of the other House of Parliament, he refused a compromise which would have given him a seat. But the only result of the Commission which was issued was that a number of persons made superfluous confessions of corruption—superfluous, because lists of the names had previously been handed in and proved. And these persons were subsequently, on the strength of these confessions, exempted not only from all legal penalties, but also from disfranchisement. He was present during part of the inquiry; loud laughter was a frequent accompaniment of these revelations, and at subsequent public meetings and elections the bribers, so far from being ashamed, actually boasted of their performances, and one of the Members who was unseated afterwards sat for the same borough at a subsequent election. Instead of diminishing bribery, these Commissions had increased it, for they had given a feeling of security and boldness to the agents of corruption which was before unknown. If they led to the disfranchisement of the guilty individuals something might be said in their favour, but the only prospect held out by the noble Lord (Earl Russell) was that additions might be made to the area of the boroughs in question. As his kind and lamented Friend the late Lord Lansdowne had said, in reference to the effect of the Corrupt Practices at Elections Act in his (Earl Fortescue's) case at Barnstaple—

> "The result was that the only losers were those who acted in compliance with the law, and the only losers those who set defiance to the law."

The only thing certain, however, was the expenditure of a certain amount of public money, those Commissions having cost from £1,800 to £2,000 each. It had been objected that the inquiry proposed by his noble Friend (Earl Grey) in his able speech would be too wide, would last too long, and would lead to no practical result; but this objection only referred to the 6th and 7th Resolutions, and to the preceding Resolutions every noble Lord who had addressed the House might be considered as agreeing. He ventured to hope they would not again see so much public money expended in these separate Commissions of Inquiry—they would cost each £1,800 or £2,000, or £18.000 or £20,000, in the aggregate, and their only result seemed to be to give impunity to the offenders, and to lead the corrupt to glory in their shame. Whether or not they suggested to the other House the appointment of a Commission of a more comprehensive character, he hoped their Lordships would not concur with them in an Address which would only lead to a waste of public money without the prospect of obtaining any remedy for one of the greatest blots on our existing electoral system.

THE EARL OF DERBY: My Lords, I am not disposed on the present occasion to enter at large into the very important question brought under the consideration of your Lordships' House by my noble Friend on the cross-benches (Earl Grey), and by the Resolution moved by the noble Earl at the head of Her Majesty's Government. The question is one of very great difficulty and delicacy, and one that requires our most serious consideration with regard to its practical result. On the one hand, we have the House of Commons desiring our concurrence in a Resolution to carry into effect the only remedy hitherto suggested for meeting the great and growing evil of general bribery and corruption—and I am afraid I must agree with my noble Friend on the cross-benches that so far from diminishing it is an evil that is on the increase, and has perhaps been practised more generally at the last than at any other previous general election. On the other hand, we have in the first five Resolutions moved by my noble Friend, a statement of facts which no one pretends to deny. No one pretends to deny that whilst these inquiries have caused a very large amount of public expenditure, they have also caused a great amount of perjury and demoralization, and have really secured impunity for those most guilty, they at the same time have effected nothing whatever towards putting down the evil by punishing those who have been engaged in these corrupt practices, or of deterring others in other parts of the country. This, therefore, leaves us in great embarrassment how to deal with this question. On the one hand, we are desired to concur with the House of Commons in a matter which peculiarly belongs to that House, and on the other hand there is a clear conviction placed before your Lordships that the remedies proposed (the only mode which the law provides) have been found useless, or worse than useless; therefore you are asked to concur, out of respect to them, in that which reason does not commend, and which you know to be utterly ineffectual and illusive. This question has been brought before us rather suddenly. The noble Earl opposite (Earl Russell) only gave notice yesterday of his intention to move the concurrence of this House with the House of Commons, not in this single case, but in four cases—and possibly two or three more may come up to us.

EARL RUSSELL said, he had given notice of his Motion immediately before the holidays.

EARL GREY said, that he stated the day before the Whitsun holidays his intention to bring this subject before their Lordships' House, but he was only able to put his Resolutions on the paper yesterday.

THE EARL OF DERBY: The first day on which my noble Friend on the cross-benches could put his Resolutions on the paper was yesterday, as he has stated, and consequently they were not in your Lordships' hands until this morning, and it is not to be expected that your Lordships are in a position to come down prepared to discuss so large and important a subject. I have no wish to embarrass the noble Earl opposite or Her Majesty's Government, nor have I a wish to stand in the way of anything that might have a tendency to check the great and growing evil of bribery; but in consequence of the shortness of the notice, I do not think that the House is in a position to come to a definite conclusion on so large a subject; and therefore I would suggest—not for the purpose of defeating the object which the noble Earl has in view, but of enabling him and his colleagues to consider more carefully than they have been able to do, the result of the adoption of their proposal, and the negativing the noble Earl's Resolutions, and whether some more practical course might not be more likely to attain the object in view; instead of adopting the course of issuing these Commissions, which are encumbered with serious disadvantages and an expenditure which leads to no good whatever. I do not wish to express any opinion on the general question. I cannot, however, say that I am sanguine of its leading to any practical or beneficial result, because all the circumstances connected with the practice and evasion of the law are known to all the Members of your Lordships' House, and any further inquiry will not give us a more perfect knowledge of how the law is evaded. The question is, how can we meet the evil? How can we make the law more stringent—I do not mean more penal, but more effectual than it is at the present moment. Look at the system of Parliamentary Election Committees. Two gentlemen go down to a borough—one with a perfect determination not to expend 1*s.* beyond the legitimate expenses. Possibly he is fortunate enough to secure a committee and agents so prudent and careful as to keep within the law; but he has the misfortune to have an over-zealous friend who may still destroy all chance of defending himself. He knows to a moral certainty that the other side are not so scrupulous — that they are expending money, and will be able to command a number of votes to prevent his return, and defeat the cause of purity of election. What is the remedy? A Committee of the House of Commons?—the remedy being worse than the disease. He spends more money in defending his seat with greater difficulties of success; and the question is whether he should not submit to the chances of being compromised by some over-zealous friend rather than submit to a reference to a Select Committee, where he will have to spend three times more money on lawyers than he had spent on the election. I do not say where the remedy is, and as it is a subject which it is desirable should have the general consideration of your Lordships' House, I earnestly press on the noble Earl opposite the expediency of the Government acceding to an adjournment of the debate for about ten days, so that we may have an opportunity of more materially considering the subject and of coming to a more matured and final determination.

Earl RUSSELL said, he desired to pay every respect to the opinion of the noble Earl. No doubt some noble Lords had not had sufficient opportunity for considering this question. At the same time, he must take that opportunity of saying that, if he consented to an adjournment of the discussion, it was not because his opinion had been in the least altered by anything he had heard from the noble Earl (Earl Grey), or by any other noble Lord who had addressed them on the subject. The censure which the noble Earl had passed upon the House of Commons was not deserved. Where had the failure taken place? Not in the working of the Act—not in the Commissions—not in the House of Commons. This Amendment rather looked like a censure on the House of Commons for neglecting their duty.

The Earl of DERBY asked if, in the case of large towns, it had not been found impossible to follow up the Report of the Commission with disfranchisement.

Earl RUSSELL said, that at the beginning of the reign of George III., the electors of Sudbury used to advertise that if any Gentleman wished to have a seat in the House of Commons if he would pay a sufficient sum of money they would return him, and from 1761 up to 1850 or 1860 he believed they continued the same practice. When they disfranchised Sudbury, St. Alban's was also disfranchised upon the Report of a Special Commission, and the seats were transferred to the counties of York and Lancaster and the borough of Birkenhead. And could their Lordships say that that was not an efficient remedy for the bribery, corruption, and intimidation that had been practised? He could not think that a general inquiry would meet the evil. He was quite willing to adjourn the debate till Friday week.

Further Debate adjourned to *Friday* the 8*th of June* next.

House adjourned at a quarter before
Eight o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, May 29, 1866.

MINUTES.]—Select Committee—On Controverted Elections; John Bonham-Carter, esquire, *discharged*, Hon. Edward Frederick Leveson Gower *added*.

Public Bills—*Resolutions in Committee*—Carriage and Deposit of Dangerous Goods; Pier and Harbour Orders Confirmation (No. 2.)

Ordered—Oyster Fisheries*; Carriage and Deposit of Dangerous Goods*; Pier and Harbour Orders Confirmation (No. 2)*; Marriages (Sydmonton).

LONDON GAS BILL—[*Lords*] (*by Order*).

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."

Mr. AYRTON, in moving that the Bill be read the third time that day fortnight, said, he desired to bring under the notice of the House that the question of the supply of gas to the metropolis, had been the subject of inquiry by a Select Committee appointed so recently as the 6th of March, and which had only just reported. A few Sessions ago an Act was passed by Parliament entitled the Metropolitan Gas Act, having for its object to regulate the supply of gas to the metropolis. In consequence of the dissatisfaction prevailing amongst gas consumers at the conduct of the Gas Companies, notwithstanding the existence of that Act, the City of London were driven to the expedient of proposing to construct gas works to supply gas at the cost and charge of the corporation of London. That proposition was felt by many Members to be a very inconvenient remedy for the evils complained of, and it was thought much better to inquire into the operation of the Metropolitan Gas Act, and see whether, if defective, it could not be improved in such a way as to secure the benefits contemplated by the City of London. A Committee was accordingly appointed, and had carried on an investigation over a great number of days. On the 15th of this month they made a very able Report, and the House ordered the evidence to be printed. At the present moment, however, the House had only the Report before them; the evidence would not be out of the hands of the printer until Saturday, and without that evidence it was impossible to proceed. They were not in a position to decide what to do with the Bill, with a due regard to the previous step they had taken in appointing the Committee. Until they had read the evidence they could take no safe action in the matter. The Report recommended that the minimum illuminating power should be increased, and the maximum price of gas diminished. On that Report only it would not be prudent to act. Therefore he moved that the Bill be postponed for a fortnight.

Mr. Alderman LUSK seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day fortnight."—(*Mr. Ayrton.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. KINNAIRD said the Bill did not ask for additional powers; it was merely a finance Act, rendered necessary to comply with the wishes of Parliament.

Sir JOHN TROLLOPE, Chairman of the Select Committee appointed to inquire into the operation of the Metropolitan Gas Act, said, this Bill was entirely in accordance with the Report of the Committee—namely, that the illuminating power should be greater and the cost of the gas much less. He saw no objection to the Bill passing. The House of Lords had carefully examined its provisions, and the Committee passed it without opposition in the state in which it came down from the House of Lords.

Mr. Alderman LUSK said, the gas monopoly was the greatest monopoly in the world, and its supply ought to be put under very stringent regulations, and this was a good time to commence it. No new Gas Company should be allowed to divide 10 or even 7½ per cent. The Bill ought to be postponed on the grounds asked.

Mr. DODSON said, that while he concurred in thinking that great caution should be exercised in granting increased powers to Gas Companies, yet they should take care not to deal harshly or unjustly towards those Companies. The Bill had been treated in a somewhat unusual manner. Though an unopposed Bill, it had been sent to an hybrid Committee upstairs, where it was delayed for many weeks, and it would be a very hard measure to refuse the third reading when they had the assurance of the Chairman of the Committee that its clauses were not opposed to the recommendations of the Committee. It was simply a Bill to raise capital to carry out the wishes of Parliament, and any objection to it ought to have been raised at an earlier stage. If any general legislation were found necessary on the Report of the Committee with regard to Gas Companies in the metropolis, the Company promoting this Bill, like other Companies, would become subject to it.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read the third time, and *passed.*

HARBOURS OF REFUGE.

QUESTION.

Mr. PEASE said, he would beg to ask the President of the Board of Trade, Whether Her Majesty's Government propose to take any action in the construction of Harbours of Refuge, having special reference to the Report of the Commissioners on Harbours of Refuge, 1859, and to the annual Returns of wrecks presented to this House?

Mr. MILNER GIBSON replied that he could only say that the Government did not propose to take any course different from that which they ordinarily pursued with regard to harbours of refuge. Money had been advanced, and was being advanced, to promote the construction and improvement of harbours, several of which would fulfil the purpose of harbours of refuge. As far as the Wreck Returns were concerned there was nothing in them to show that any large proportion of the casualties arose from want of harbours of refuge.

NAVY—THE "BELLEROPHON."

QUESTION.

MR. HENRY BAILLIE said, he wished to ask the Secretary to the Admiralty, Whether it is true, as reported, that the *Bellerophon*, with only six guns on board out of her complement of fourteen, was eighteen inches below her proper and estimated draught of water?

MR. BARING: Sir, it is not correct that the *Bellerophon* upon a recent trial without her full complement of guns was eighteen inches below her estimated draught of water. On the contrary, the trial in question showed that, with the rest of her armament on board, she will probably be within half an inch of her mean estimated draught of water.

RE-DISTRIBUTION OF SEATS. GROUPED BOROUGHS.—QUESTION.

COLONEL C. LINDSAY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, in the event of the Redistribution of Seats Bill becoming Law, he would make the constituency of Abingdon the principal town of the proposed new Electoral Boroughs, considering that Abingdon is the central town of the proposed group, the county town of Berkshire, and possessing a Borough-proper population more than double that of the Borough-proper populations of either of the two Boroughs included in the same group?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said the hon. and gallant Gentleman proceeded upon the supposition that when the Re-distribution of Seats Bill became law it would be for the Government to arrange the terms on which the towns would be grouped together. He did not think that would be the case. The provisions of the Bill would fix what places should be grouped, and also, he apprehended, the principal town in the group. It was fair to discuss whether Abingdon should or should not be the principal town in its group, but it would be hardly fair without knowing what could be said in behalf of the other boroughs concerned to dispose of the matter by a question and answer. The same course might be pursued with reference to other groups if it were permitted in reference to the Abingdon group.

COLONEL C. LINDSAY said, that Abingdon had been inserted in the principal place in Schedule A; and that had induced him to put the Question.

POST OFFICE SAVINGS BANKS, ANNUITY AND INSURANCE OFFICES.

QUESTION.

LORD EUSTACE CECIL said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is the intention of the Government to establish Savings Banks, Annuity, and Insurance Offices wherever Money Order Offices or Savings Banks Offices already exist in the United Kingdom; and whether it is the intention of the Government to raise the remuneration of all Postmasters who are willing to undertake the management of Money Order, Savings Banks, and Insurance Offices, with a view to an increase of those Offices throughout the Country?

THE CHANCELLOR OF THE EXCHEQUER, in reply, said he was not aware that necessity existed for the adoption of any special measures in order to procure an increase in the number of insurance and savings banks offices in connection with the Post Office. The establishment of these offices required much consideration. Their extension, however, had been very rapid. For instance, in the course of last year, 1865, the number of new Money Order offices was 300, and the new Post Office savings banks, 240; while 1,500 Money Order offices and 2,000 offices at which the business of insurance and annuities was transacted had been opened. The total at the close of the year stood thus: The Money Order offices numbered 3,500 and the savings bank offices 3,300. It would, therefore, be seen that the process of increase in the number of these offices had been a rapid one, and he saw no reason for departing from the present system of dealing with them. Again, with regard to the remuneration of Postmasters, that question as it affected Post Offices and savings banks was held in suspense for a certain time, till sufficient experience had been gained to enable the Government to arrive at a conclusion in respect to the system. It had now, however, been settled.

COLLISION AT THE CATERHAM JUNCTION.—QUESTION.

Mr. BUXTON said, he wished to ask the President of the Board of Trade, What the result has been of the official inquiry respecting the railway accident that occurred at the Caterham Junction, April 30, by which three lives were lost and several persons were seriously injured?

Mr. MILNER GIBSON: Sir, Colonel Yolland, the Railway Inspector, who inquired into the accident that occurred at the Caterham Junction, states in his Report, a copy of which will be laid before Parliament in a few days—

> "That the collision was evidently the result of the system of starting trains by hand-signals, and it is satisfactory that this system is to be given up on the London, Brighton, and South Coast Railway."

A copy of Colonel Yolland's Report has been sent to the Company to-day.

BANK RATE OF INTEREST.

QUESTION.

Mr. AKROYD said, he would beg to ask Mr. Chancellor of the Exchequer, Whether his attention has been called to the difference in the rate of interest at present charged by the Bank of France, now 4 per cent, and that charged by the Bank of England, now 10 per cent, and to the prejudicial effect which this difference of no less than 6 per cent in the value of money has upon British mercantile and manufacturing enterprize, both in the Home and Foreign markets; whether he is aware that, by an Imperial Decree passed in January, 1865, an inquiry was instituted into the operations of the Bank of France, more especially as to "the causes which at frequent intervals, and at almost periodical epochs, have brought about the rise in the rate of interest;" and whether, seeing that the variations in the rate of interest have been more frequent and more extreme on the part of the Bank of England than on that of the Bank of France, he is prepared to institute a similar inquiry into the operations of the Bank of England, and into the causes of the excessive fluctuations in the Bank rate of discount, as also into the effect thereby produced on the trade and industry of this country; and furthermore to extend the inquiry into the cause and effect of the present monetary panic?

The CHANCELLOR of the EXCHEQUER: Sir, the question which has been put by the Member for Halifax is one of very great importance, and divides itself into three branches. The first has relation to the difference in the rate of interest at present charged by the Bank of France and that charged by the Bank of England—the one 4 per cent and the other 10 per cent. The second has relation to the inquiry instituted not very long ago in France, into the operations of the Bank of France, and the causes which led to a rise in the rate of interest; and the third is, whether we are prepared to institute a similar inquiry into the operations of the Bank of England. As regards the first of these points, I am cognizant, as the world is cognizant, of the difference in the rate of interest charged by the Bank of France and that charged by the Bank of England; and we might go further, and observe the condition of other banks in Europe, one of which, the National Bank of Prussia, charges at the present moment very nearly the same rate as the Bank of England. I am aware that an inquiry was instituted some time ago into the working of the system of currency in France; but I am not aware whether the object of that inquiry has yet been completely attained. But as regards the principal part of the question of my hon. Friend, whether we are prepared to institute an inquiry into the operations of the Bank of England, and the causes of the excessive fluctuations in the Bank rate of discount, I would simply say these two things. I think there are some obvious reasons why the rate of discount must be expected to fluctuate in this country in a greater degree and with greater frequency than in other countries, as, for example, in France. In England we transact a far greater mass of business, with a much greater equality of our currency, than they do in other countries, and therefore we have a much smaller reserve. The holders of money in England likewise turn their money to account much more uniformly than is done in other countries. I do not say that these are reasons why from time to time the working of our monetary system should not be made the subject of inquiry; but in reference to the circumstances of the present time we are still in a position more or less analagous to that which prevailed two or three weeks ago when the Bank Charter Act was suspended. Therefore, until we have more completely emerged from those circumstances it would not be desirable to enter upon the consideration of the question whether, or when, another should be added to the various inquiries which have taken place at different times in reference to the condition of our currency. Limiting my answer to the present time, I say that it would be inconvenient just now to institute any such inquiry.

NAVY—CHAPLAIN OF THE "BLACK PRINCE."—QUESTION.

MR. WHALLEY said, with reference to a statement which appeared in a public newspaper on Saturday, the 26th instant —*Church Times*—that on the paying off of Her Majesty's ship *Black Prince* last week, the communicants amongst the crew presented to

> "Their Chaplain, the Rev. H. Marshall Jackson, a chasuble of white silk, with white and gold orphreys, accompanied by a written address expressing deep thankfulness to their Lord and Saviour for giving His Flesh and Blood in that Eucharistic Sacrifice, for the more worthy celebration of which the Church has appointed special vestments to be used; and also respect and affection for the priest through whose teachings they had been led to embrace the Catholic faith."

He wished to ask the Secretary to the Admiralty, Whether this statement is correct; and also, whether Chaplains in the Navy are permitted to use such vestments and to teach such doctrines as are therein described?

MR. BARING: Sir, no information of any present having been given to Mr. Jackson has been received at the Admiralty. Lord Frederick Kerr, who was captain of the *Black Prince*, had never heard of the alleged present until I showed him the Notice given by the hon. Member. He informed me that Mr. Jackson was most attentive in the performance of his duties, that he used no remarkable vestments, and that his sermons were not controversial.

BRIBERY AT ELECTIONS.

RESOLUTIONS.

MR. HUSSEY VIVIAN rose to move the Resolutions of which he had given notice. The hon. Member said, that the Notice he had placed upon the paper was the result of convictions he had formed during the various Election Committees on which he had sat. It must be admitted on all hands that the law as it at present stood with respect to bribery was utterly ineffectual, and he believed it was also generally admitted that probably at no previous time had bribery existed to a larger extent than it had during the late election. It was always an expensive and an invidious task to petition against a Member's return — it was mostly done on personal grounds; and he ventured to say, that in a large portion of contested elections bribery took place in some form or other, of which that House never heard. Probably some 150 Members of the House had had experience in Election Committees, and they were well aware that though in the larger number bribery had been proved to have been practised, yet in very few instances only could it be brought home to the Members. Those who sat on those Committees must have been struck by the demeanor of the witnesses who did not seem to have any feeling of having done anything positively wrong in receiving bribes. Possibly in most instances it was not known by the person bribed that he himself was liable to a prosecution for receiving a bribe, for prosecutions for this offence were exceeding rare. On whom did the effect of the present law for the most part fall? On Members of that House who were called on to defend their seats at very great expense, though in most instances they were not in the slightest degree aware that any corrupt practices had been perpetrated in their behalf. An instance of that kind came before him in the present Session. In that instance the late sitting Member had done his very best to prevent any corrupt practices taking place, and yet, from the low character of many of the voters, and from the over-zeal of some of his agents, he unfortunately lost his seat. From his experience on Election Committees he had become convinced that the old saying that "the briber was worse than the bribed," was not correct in every instance. The voters frequently seemed to have determined to be bribed, and if they were not bribed or promised, not to vote. In several instances the voters did not hesitate to say such was the case; and in one instance the voter went so far as to decline to vote unless the money was paid down: and this man, he regretted to add, held a somewhat respectable position. Then, how was it possible to guard against such a state of things? It was exceedingly hard that a gentleman who had been elected by a very large proportion of the constituency, should lose his seat because a comparatively few of the very low class of voters had, from the over zeal of his agents, been induced to vote for him, although he might not have required their votes. What was really wanted, it struck him, was the power to eliminate from the constituencies those voters who at former elections had shown themselves willing to be bribed. He did not agree with the right hon. Gentleman the Secretary of State for the Home Department that we ought to pass some measure and then proceed in the most stringent manner to disfranchise every place found guilty of bribery. The persons who received bribes were generally those of the lowest class of voters, while the greater part of the constituency might consist of voters of a most respectable character, and it seemed most unjust to disfranchise the respectable voters because the low voters were guilty of bribery. The proposal which he had the honour to make to the House would have the effect of purifying the constituencies by lopping off the voters who were prepared to receive bribes. He knew it would be objected that people would not give evidence because they would consider the punishment excessive. He thought differently. In the case to which he had alluded a large number of the respectable inhabitants of the borough came forward and petitioned for a Commission of Inquiry into corrupt practices alleged to have taken place in their borough. Their petition was signed by the mayor, by the high bailiff, by every magistrate in the place, by every clergyman, and by a large portion of the respectable inhabitants. It should be remembered that people would not very readily come forward to propose a proceeding likely to lead to the disfranchisement of their borough; but in this instance the petitioners rose superior to any consideration of that kind, and they did petition the House for a Commission of Inquiry. This being the case, if such a proposition as he submitted to the House were carried he thought that the respectable inhabitants of a borough would come forward voluntarily and offer such evidence as might be required before a Commission. There was a certain local pride in every borough, and nobody liked to see the finger of scorn pointed at his own locality—and the same desire would exist to cleanse the borough morally as to carry out sewerage or other local improvements. He thought undue severity could not be urged against his proposition. Whole bodies of freemen had been disfranchised at once—for instance, the whole of the freemen of Yarmouth were disfranchised at once, and he thought most properly. There might have been some amount of injustice in a case of that kind—there were doubtless good among the bad. In his proposition he said, "Let a voter convicted of malpractices be disfranchised." If that proposition were passed he thought there would be numerous petitions for inquiry, and that in a short period we should get rid of bribery. This exclusion from political emancipation would cast a stigma upon the man who was guilty of the offence; his conduct would be known to his neighbours; they would know that he had been disqualified from voting: and this, he thought, would be a strong deterrent from the commission of the offence. It might be said that a Royal Commission would not be a proper tribunal before which to investigate cases of this kind; that the voter would not have a proper chance of defending his franchise, and that injustice would not be done him. But there was already on the statute book an enactment, 17 & 18 *Vict.*, directing that the Revising Barrister should expunge from the list the names of all persons convicted of bribery, treating, or undue influence at elections. Here, then, was an analogous case. Surely there could not be much difference between three men selected as a Royal Commission to make a solemn inquiry into an important matter and empowered to sit in judgment on a charge of bribery, and a Revising Barrister sitting in judgment for the same offence. Rather, he would say, that the judgment of the three would be superior to the judgment of the one. After the expression of opinion which had been given in the House the previous night with reference to bribery, and the universal expression of opinion that some steps ought to be taken to check what had been so aptly described by the hon. Member for Nottingham (Mr. Bernal Osborne) as the "plague-spot of our constitution," he expected to receive support from all sides of the House in carrying this Resolution, which, in his firm conviction, would do more than anything that had ever been proposed for the suppression of bribery.

COLONEL SYKES seconded the Motion.

Motion made, and Question proposed,

"That it is the opinion of this House that any person found by a Royal Commission to have been guilty of offering or giving a bribe to any elector, in order to induce him to vote, or to abstain from voting, or on account of his having voted or abstained from voting for any candidate at an election of a Knight of the Shire or Burgess to serve in Parliament, should thenceforth and for ever be disqualified from exercising the Electoral Franchise or from sitting in Parliament."—(*Mr. Hussey Vivian.*)

Mr. BUXTON said, that if the Resolution of the hon. Member for Glamorganshire should be agreed to, he intended to move the following addition:—

> "That in every case where any voter is reported by any Election Committee as having received a bribe for voting or abstaining from voting for any candidate at any election of a Knight of the Shire or Burgess to serve in Parliament, the Attorney General shall be required to examine the evidence in such case, and to prosecute the person who has offered or given the bribe, should the evidence, in his opinion, be sufficient to render a conviction probable."

He proposed that Resolution in the firm belief that if it were carried and acted upon nothing would have so powerful an effect in diminishing bribery. At present, although he believed it was competent to any one who pleased to prosecute the person who gave a bribe at elections, they knew that such a thing was never in fact done. It was nobody's business, it was nobody's interest to do so; and, as might have been anticipated, nobody would be at the considerable expense of undertaking a purely invidious and unpleasant task. The consequence was that the persons who were engaged in election contests had no restraint upon them of any sort or kind; they had practically nothing whatever to apprehend from anything that they might do. That manifestly was not as it should be. Here was an offence committed against the law of the land which yet in all cases was committed with absolute impunity, and that although its consequences were of the most disastrous kind. No one contended that bribery at elections was not a most grievous mischief to all concerned. Its effect not merely upon the character of the few who might accept the bribes, but upon the whole tone of feeling, upon the whole *morale*, of the borough in which it prevailed, had always been felt to be ruinous. The receipt of these sums of money coming in this way, not as the natural reward of industry but as a kind of god-send on a few exciting occasions, was an unmixed evil to those who received it. It was almost invariably spent in drunkenness and debauchery; it lowered the moral standard of the people; while its political effect was most pernicious as teaching the people to look upon elections, not as the performance of a grave duty and the discharge of an important trust, but merely as a time for wild and reckless self-indulgence. Nor did the evils of bribery stop there. Many and many a man singularly fit for Parliamentary life—men of thought and principle—were debarred from venturing to come forward as candidates because of their detestation of these practices; and many and many others who would be an honour and advantage to that House were unsuccessful in their attempts to enter it simply because they would not debase themselves and do such grievous injury to others. Not only that, but the great and uncertain increase of expense which such corruption at elections caused in many boroughs necessarily deterred many other excellent candidates from coming forward. The real danger to the Constitution at the present time was the tendency of elections to become more and more costly as population increased. The danger was that ultimately a seat in Parliament might become a luxury—as indeed it was far too much already, only enjoyed by the wealthy to the exclusion of men whose abilities and patriotism would well fit them for its possession. However, he need not dwell at any length on the mischiefs which bribery engendered. Plainly it was a most serious offence against society; but then, the question was, how was this offence to be suppressed? What remedies would be really telling? Why should not the same means be used in suppressing it as those employed in suppressing other crimes? Why was this one crime against society to be allowed to pass with absolute impunity to the man who committed it, and only to bring down penalties upon a third person who might, perhaps, have been utterly unconscious of its commission? At present, when this offence was committed, the whole of the punishment fell, not on the man who performed it, but on a third party who was unconscious of it. That was a preposterous state of things. Every one who had had to do with electioneering knew how impossible it was for a candidate to keep a check upon all the persons who might belong to his committee or might be in some way connected with his party; and yet if a single one of these persons committed the offence it was upon the Member, and the Member alone, that the penalty would fall, although he might have done his utmost to restrain his friends from any such proceedings. Why should it not be provided that when the commission of this offence had been proved, the offender should, as a matter of course, be punished as well as the candidate on whose behalf he professed to have acted? Were this done, the agents or other parties who were engaged in electioneering would be infinitely more reluctant than they now were in their attempts to bribe. As it was, they were in many cases carried away by the vehement excitement of the time; they were passionately desirous, not, perhaps, for the advantage of the particular gentleman who was standing as candidate, but for the victory of their party in the borough over their opponents, and they were perfectly ready to run a considerable risk of penalties that would fall upon other people in order to achieve their own triumph. In very many cases this acted in the cruellest way towards Members of that House. He himself was intimately acquainted with several cases in which Members of that House, who had an utter detestation of bribery, and had strained every nerve and had taken every conceivable precaution to prevent its being practised on their behalf, were yet betrayed by some rash or rascally fellow whose only title to be considered their agent was that perhaps once or twice he had entered their committee-room. He thought that, for the protection of the candidate as well as for the protection of the House of Commons and the country, they ought to insure that those who committed this flagrant offence against the law of the land—an offence which bore such disastrous fruits—should, in every case where it was proved to have been committed, bring down a severe penalty upon the offender. He had only met with two arguments against this proposal. One was that it would involve so much expense and labour; but he did not believe that any outlay or trouble could be better bestowed than in putting down the ruinous system which was doing such infinite harm to all concerned. The other argument was that perhaps the authority of Committees might be invalidated, because if they had unseated a Member upon the ground that bribery had been proved, and the Attorney General should state that there was no sufficient ground to justify him in prosecuting the offender, this might throw a cloud over their decision. But he (Mr. Buxton) thought the effect with regard to that would be simply wholesome, because it would make Committees more anxiously careful not to unseat Members, unless the evidence was such as in the opinion of competent lawyers was of a sufficient and solid kind. Upon the whole, he felt no doubt that a few such prosecutions would do more to put an end to bribery than any other means that could possibly be adopted.

Mr. POWELL said, he was not surprised that his hon. Friend the Member for Glamorganshire (Mr. Hussey Vivian), who had acted as Chairman of the Committee to inquire into the petition from the borough of Galway, should have brought the subject of bribery under the notice of the House. He was sure that if there was anything on the face of the globe which had proved itself to be wholly indestructible and uninfluenced by decay, it was the corruption of the town and borough of Galway. He himself (Mr. Powell) had served on that Committee—they had had witnesses before them in considerable numbers who described the occurrences which had taken place with a simplicity and an unaffected force which evinced that they were detailing circumstances which they did not consider in any degree unusual, but which they looked upon as the natural incidents of a contested election. It was true that in some cases they seemed to throw a thin veil of secrecy over their proceedings, but that veil appeared to be regarded by them rather as a custom of trade or a usage of business than as anything from which men ought to shrink as ashamed of what they had done. It would be in the recollection of the House that in the year 1857 a Committee was appointed to inquire into the election which had then taken place for the borough of Galway, and that Committee wrote down certain men as guilty of bribery, and the Commission which followed wrote down more men as similarly guilty. The Committee which had sat during the present Session had also written down men as guilty of bribery, and the Commission which would be appointed would no doubt write down more as guilty of the same offence; but the persons indicated did not regard this as a disgrace, for it brought upon them no shame and no consequences which they deemed inconvenient or damaging to their reputation. The mode in which bribery was conducted in Galway in 1857, as it appeared from the evidence, was as follows:—The voter went to the house of a gentleman, whose name he would not mention, and was instructed to put his hand through a hole in the wall. He did so, and something was placed in his hand; on withdrawing his hand he found he had received two £1 notes. He could see no part of the body of the person who gave him the money—not even the fingers—as the hole, which would just admit the hand easily, was high up. The method of bribing in Galway appeared to have altered in 1866. A gentleman of the same name as the one at whose house the bribery occurred in 1857—and he (Mr. Powell) believed him to be the same person—employed his clerk in the work of bribing, and supplied him with two lists, each containing twelve names, and as soon as the money had been paid to the whole of the voters in one list the second list was used, and the money paid to the voters upon that. The person who received the money for the voters was a witness, and he was a witness not of truth only, but of accurate and minute truth. He stated that he received £5 for each voter, and that he paid to each of them £4 15*s.* in money and the remaining 5*s.* in breadstuffs, he being a baker; except in one case, in which the voter being a baker himself, preferred to have the whole £5 in cash. In several cases witnesses who had acted as spies, and who had stood behind those who gave and those who received the bribes, retailed their conversations, and gave an account of the manner in which the proceedings were conducted. With the experience elicited by the Committees before them, it was impossible to doubt that the proceedings hitherto taken by that House to suppress bribery were wholly ineffectual, and that measures must be adopted—whether more stringent or not he would not say, but certainly very different in character—if this stain were to be removed from our electoral system. He was afraid it would be of no use to wait for the Reports of the Royal Commissions, and he wished to direct the attention of the hon. and learned Attorney General especially to that point. Parliament had tempered its justice towards both the bribers and the bribed with softening mercy by shortening the limitation of the period in which they could be punished, and he was afraid that before any Report could be made by a Commission that time would expire. If, therefore, any steps were to be taken or any proceedings instituted against those persons who were guilty of bribery, those steps must be taken at once. He was aware that there might be a difficulty in prosecuting those persons who had given evidence as witnesses; but a careful examination of the evidence given before the Committees would show that there was ample testimony to convict, not witnesses, but others, and he hoped the attention of the Attorney General would be directed to that branch of the case, and that he would carefully examine the evidence and see if there were not cases clearly proved against persons who were not witnesses, and who were not therefore under the shelter, whether real or merely formal, which shielded and privileged those who had given evidence. He thought the true remedy for bribery was to take the franchise from those who were guilty of it. He did not think it was now easy to procure convictions; but if a conviction were to result, not in imprisonment, but in the deprivation of the vote which the voter had made venal, a favourable verdict would become much more probable. It was, however, necessary to bear in mind that the charge of bribery was one which might be easily made, while in some cases it was not so easy to refute, and judgment and discretion must be exercised as to the mode in which this great evil was dealt with. He hoped the question would be dealt with courageously, and with firmness and ingenuity, and that before many years should elapse this degradation would be extinct in England. They might then have representatives of opinions and principles in that House who were not at the same time—however the fact might be unknown to themselves personally—the representatives of base, sordid, and unscrupulous gold.

MR. BERNAL OSBORNE: If I wanted any proof of the somewhat languid indifference existing in this House on the question of bribery and corruption, I do not think I need go further than the present evening. I would beg hon. Members who have lately been introduced into the House of Commons to mark the contrast between yesterday evening, when the subject of bribery was brought forward, and this evening, when we wish to deal practically with the question. The contrast is somewhat startling. But I must at the outset protest in the strongest language which a Member of Parliament is permitted to use against the insinuations which were thrown out by the hon. Member for Birmingham. When he said that any hon. Gentleman who voted and was very much impressed—

MR. SPEAKER reminded the hon. Member that he was out of order in referring to what had been said in a past debate.

MR. BERNAL OSBORNE: The hon.

Gentleman did not say what I am about to refer to in the debate—I think the passage occurred in the famous Primrose Hill letter. I am alluding to the passage in which he threw out an aspersion on all hon. Members who did not vote for his favourite project. Now, I voted for the Motion made last evening, because I am of opinion that the greatest evil in the Constitution of this country is the prevalence of bribery at elections of Members of Parliament. We are about to try a very problematical experiment, as far as England is concerned—I am speaking of the grouping of boroughs—I believe that to be highly problematical, especially as to what the future expense of elections will be; and I am fortified in that opinion by a quotation from a well-known man, a "whip" in this House for many years, Sir William Hayter, who thought that the grouping of boroughs would quadruple the expense of elections. That quadrupling he feared would take place in some measure by means of illegitimate expenses. There cannot then be a doubt that this House is bound, more particularly at the present time, to examine the whole of our electoral machinery, with a view to a complete alteration and revision of the laws relating to bribery. I do not want to go into the origin of bribery for Members of Parliament. An author who has written on the *History of Party*, Mr. Wingrove Cooke—attributes the origin of bribery entirely to the Whig party, and says very truly that at the time when bribery was instituted the Tory party held all the land, and the only way by which you could fight the intimidation exercised by the Tory party was by means of wealth which the Whigs possessed. We all know that Sir Robert Walpole used bribery to Members of this House. Every man had his price, and most men were paid. But now the system is changed, and the bribery is transferred to the constituencies—it is the constituents, instead of the Members, who receive the *quid pro quo*. The stanza of the satirist is still true—

> "He who would gain the votes of British tribes
> Must add to force of merit force of bribes."

How are we to stop this? It is well known that the Reform Act of 1832 failed to deal with the question of bribery. I am not going too far when I say that bribery has increased and is increasing; and the question is how it is to be diminished. Will this Motion or the Amendment diminish it?

I fear not; I fear they will affect it but superficially. It is really the policy of the Government—not of the present Government, but of all Governments—to make the election of Members of Parliament as expensive as they possibly can. There is on this question great insincerity on the part of public men and of Parliament, and the policy of the day is to keep this House of Commons as a Parliamentary preserve for rich men. Just look at the career of a capitalist. He goes to the hon. Member for Lewes or the hon. Member for the county of Dublin the respected and much-venerated whippers-in on one side or the other, and he says "I want a seat." They naturally say, "What money have you? [*Laughter.*] Hon. Members may laugh, but these are facts. The candidate says, "I am prepared for a good outlay." A borough is assigned to him and he goes down to work the constituency — probably with the meritorious wish to raise his fellow creatures in the social scale—a great many, no doubt, to raise their own families, and to get them into what is termed "good society." The candidate contests the place, and he probably debauches the whole borough by his lavish expenditure. [*Laughter.*] It is the case, although hon. Members laugh at it and treat it as a good joke. Till you make bribery infamous by Act of Parliament you will never stop the evil. If we, as rich men, laugh at these things, what will poor men do? Are we not guilty of palpable insincerity and hypocrisy when we come to talk of legislating about bribery and putting it down? There is another form of bribery besides that practized at elections. Many Members of Parliament subscribe to what are called local purposes; and look at the sums of money that are so paid. I know a Member who pays £2,000 a year for dinners, and to what he calls "charities;" and I know another Member who pays £800 a year in this way, and who says he should have no chance of being elected if he did not. Last night the hon. Member for Boston (Mr. Staniland) mentioned a borough on the east coast of Lincolnshire. [Mr. STANILAND: On the east coast.] True—the hon. Member said on the east coast; but I believe I have more distinctly indicated its locality—in which 700 voters received £35 each, or in the aggregate nearly £25,000. I believe I know the place, for there are not many boroughs on the coast of Lincolnshire, and there is one that has just the number of voters named. Turning to the published abstract of election expenses, I find that the return of the two Members for that place cost £2,199, and, to be particular, 7*s.* 11*d.* This is the career of the capitalist in England. And what is the case in Ireland? The hon. Member has mentioned the case of Galway. I know a gentleman, no longer a Member of this House, who said he was afraid to go near his constituents, because each time he did so it cost him £400 to repair the east window of a chapel. What is the use of Acts of Parliament? This morning there was put into my hands an Irish Act of Parliament, to which I call the special attention of the hon. Member for Dundalk (Sir George Bowyer), who, I believe, subscribes very liberally to the charities of that place. This Act of Parliament, the 35 *Geo.* III. s. 19, makes it illegal for a Member of Parliament to give any donations to a charity, to build chapels, or to do anything of the sort within the district he represents. Yet this sort of thing is going on every day; and although we are all lamenting bribery, and Instructions are being moved for it to be dealt with in the Reform Bill, I do not think you will find, when bribery comes to be debated, much ardour in the effort to put a stop to it. It is the policy of the Government—of all Governments—to encourage the outlay of money, to make a seat in this House as expensive as possible. Look, again, at the constitution of the other House. I want to know how Peers are made, and why they are made. Englishmen are in the habit of sneering at other countries, and particularly at some Italian States, because they say that in them titles are matters of purchase. It used to be the case that in Florence a man could be made a Marquess if he got a railway constructed. Is it not to some extent the same in this country? Many of the Peerages, from the time of Pitt down to that of Palmerston, were conferred for nothing more than this—that a man had been a good party-man and had spent a good deal upon elections. For what were the half of the Peers made during that interval? For distinguished ability? For great public service? Not at all, but for being true to party, and for private expenditure for the benefit of party. I can put my finger on the titles of those who have been pitchforked into the Peerage in this way, and I can name those who within the last ten or twelve years have been sent into the House of Lords for no other reason than their liberal subscription to the general party fund. What is to be the cure for all this? Recent Acts against bribery have been not only inefficacious, but positively mischievous. What is the use of the Corrupt Practices Act? It is of no use; the big fish break through it. When a Committee of this House sits, what does it do? If it be proved that a man has invested very largely in his seat, it invariably punishes the poor voter and acquits the rich man. Somehow it always discovers that the rich man who paid the money is not cognizant of the bribery. How can a man spend so large a sum of money and not be cognizant of the bribery? Every man knows that £500 is as much as could be spent properly in any election, and when you go a shilling above that we all know that the expenditure must be illegitimate. After the last general election there were petitions on the ground of bribery against fifty-four boroughs—only four of them, to the honour of Ireland, relating to that country; but half these petitions never came to a hearing; and why? We all know the system. Gentlemen meet behind the Speaker's chair; it is said, "That dirty business on our side is compounded by one equally dirty on yours;" and so the cases are paired off, and we hear nothing of them. That is the way things are carried on, and the Corrupt Practices Act is of no use, as it catches only the little fish and allows the big sinners to go scot free. What do you propose to do? I am personally of opinion that all this will continue as long as the tribunals for the hearing of election petitions are Committees of this House. Although the Members of Committees may be well-meaning men, it is impossible that they can be uninfluenced by party considerations. These things lower the moral tone of the country; we laugh at them in our private capacities, although we pull long faces and make long speeches in our judicial capacities. If the House be sincere in the wish to get rid of this rinderpest, it ought to change the form of tribunal, which deals with election petitions. You might have a Judicial Committee like that of the Privy Council. If you will keep the power in your own hands, appoint a permanent Judicial Committee, not of Members of the House, to try cases—not here, because that makes the cost of a petition as great as the cost of an election, and renders it impossible for any but a wealthy man to present and prosecute a petition—but let this Committee go down to the place and try the petition on the spot. There is an excellent article on the subject in *The Law Magazine*, by Serjeant Pulling, a man of great experience; and I think the House will like to hear a little from a looker-on upon these precious Election Committees which we are so anxious to retain because they are a House of Commons' privilege. He says—

> "The ordeal of an Election Committee has terrors for all except those whose lavish expenditure keeps up the system of corruption at elections, but it is at once the most costly and the most unsatisfactory of our tribunals. The right of freely choosing representatives is one which the electors enjoy by the law of the land; the question whether that right has been legally exercised is one for a purely judicial tribunal, and not a mere House of Commons' privilege."

He goes on to say—

> "Though the grossest bribery may be proved the Committee who declare the election void on that ground are always induced to add that there was no evidence that the unseated Member was aware of the bribery practised on his behalf."

In the teeth of all this, the House is called upon, year by year, to consider these tinkering Resolutions and Amendments that will not go to the root of the evil, but a proposal to take from the House the power of adjudicating upon election petitions provokes opposition from both sides of the House. But until you do that I am persuaded that you will do nothing in putting a stop to corruption. There is another question which should be considered by the House, and that is the necessity of making penal all canvassing of electors before and after the writ is issued. When you make it infamous in a rich man to give a bribe you may depend upon it the poor man will not take one; but until you do that you may be assured that the poor man will not refuse to renovate his pocket at the expense of the rich man. I have no faith in the Amendment, though I have in the exertions of my hon. Friend. I do not know what form to put my views in; but if I met with any encouragement, I would undertake to have a Bill drawn by which canvassing should be made penal, and by which the power of adjudicating on election petitions should be taken once and for all from the Committees of this House.

Mr. PAULL said, that all who had heard the hon. Member for Nottingham must be delighted that he had again found a seat in this House—he was always amusing and sometimes instructive upon any subject on which he thought fit to speak. But as to the desirability of adopting the proposals now made, he (Mr. Paull), although fully sharing the general wish to put down bribery, did not feel that he could support either the Resolution or the Amendment. The reason which would probably be alleged by the Attorney General for not initiating prosecutions for bribery more frequently was that it was only advisable to prosecute where convictions were likely to be obtained; and he (Mr. Paull) could not join in attributing to successsive Law Officers of the Crown remissness in the discharge of the duties which devolved upon them. The hon. and learned Gentleman could at present institute prosecutions for bribery whenever he thought it judicious to do so; but to impose upon him the duty of instituting proceedings perhaps when he was of opinion that they would probably fail would be to place that officer in a very unpleasant position. As to the substantive Motion of the hon. Gentleman for Glamorganshire (Mr. Hussey Vivian) it was of a highly penal character, and it was doubtful whether highly penal laws would bring about the object which the hon. Member had in view. Moreover, if they adopted the Resolution, it would be awarding a greater degree of punishment for the offence of bribery than for any other of the same class of crime. There were certain offences which were instinctively felt to be offences against society; but in receiving a bribe the poor man did not feel that he was more guilty than the Member of this House who received an equivalent for the support he had given to the Government. Every man at one time or another was open to blandishments. Some were won by honeyed words, some by a hope of social advancement, and he well remembered what had been said by the late Mr. Henry Drummond upon a Bill directed against corrupt practices — that "a few yards of riband given to a voter's wife or daughter was bribery and corruption, but a few yards of riband given in another place was doing service to the country." The proper mode of suppressing bribery was not by penal laws, but by elevating the standard of public intelligence and feeling. He would cheerfully confer the franchise on such members of the working classes as were fit to exercise it; but he could not help regretting that while attempts were being made to raise them in the social scale, the proposal before the House for increasing the constituencies would introduce a body of men who, from their position in life, would be peculiarly open to improper influences. Experience showed that penal laws against bribery had failed in preventing these influences from being exerted, and this being his belief, it would not be in his power to support either of the propositions before the House.

The ATTORNEY GENERAL: No person can be more alive than I am to the fact that corruption prevails in many places to an extent which makes it clearly the duty of the House to use the best means at their disposal for suppressing it, or to the importance of examining carefully such evidence as we have upon the subject. I hear, however, not only with something like pain, but with a feeling that it by no means tends to facilitate the end we have in view, that sort of wholesale denunciation of the constituencies with which we have just been favoured by the hon. Member for Nottingham (Mr. Bernal Osborne). I cannot agree with the hon. Member that the present extent of corruption in this country is at all equal to that which we have reason to believe prevailed in former times. Although there is much still to be lamented, and much room still for improvement, yet there are signs of progressive improvement in this particular, and a diminution upon the whole of the area of corruption. I do not think this denunciation is true of the counties generally. I do not think it is true of the larger constituencies in the country —the larger cities and boroughs; nor is it true of a very considerable proportion of the small but independent and honourable constituencies that bribery extensively prevails among them. I had the honour formerly of representing a large borough (Plymouth) where there was invariably a contested election; but never but once do I remember any signs or indications of bribery or corruption in that town; and I am perfectly sure that, on that one occasion, unless the tempter had gone out of his way to tempt that constituency, they would not have gone out of their way to solicit bribes. I believe that this is by no means an exceptional case, and therefore I protest against the universal and indiscriminate censure which seems to be cast upon all the constituencies by the hon. Member. [Mr. Bernal Osborne: No!] I accept with pleasure the hon. Gentleman's correction. [Mr. Bernal Osborne: I said it was the Members.] Well, but if Members are all open to censure on this score, I fear that most of the constituencies must be open to censure too. But the hon. Member comes himself from a constituency which, I hope, according to his own most recent experience, is free from the stain of corruption. [Mr. Bernal Osborne: I did not say that.] I feel that I am not mistaken in supposing that the experience of the majority of Members will bear me out in saying that these are exceptional vices, and that they do not fairly represent the general character of the constituencies. But the hon. Gentleman went on to say that the Government—meaning thereby not this or that Government but all Governments in general—dealt with this matter as if they were interested in increasing the expenses of elections. [Mr. Bernal Osborne: Hear, hear!] Well, I cannot agree with the hon. Gentleman; and all I can say is that though he is perfectly entitled to his own opinion upon the subject I am equally entitled to mine, and I totally disbelieve in the existence of any such interest on the part of any Government. As far as I am personally concerned, I should be only too glad if by any measure which the hon. Gentleman may take the expenses connected with the election for any place which I may hereafter represent can be reduced as low as those to which I have been acccustomed since I have had the honour to sit for the borough which I now represent, where they are already as low as possible. I cannot see the foundation for such a charge. It may be that our laws upon this subject can be improved and that expenses at elections may be diminished, and if this result were brought about no one would more rejoice than I should. But let us come to the practical proposals which have been made. My hon. Friend the Member for Glamorganshire (Mr. Hussey Vivian) proposes that we should adopt the following Resolution:—

> "That it is the opinion of this House that any person found by a Royal Commission to have been guilty of offering or giving a bribe to any elector in order to induce him to vote, or to abstain from voting, or on account of his having voted or abstained from voting, for any candidate at an election of a Knight of the Shire or Burgess to serve in Parliament, should thenceforth and for ever be disqualified from exercising the Electoral Franchise or from sitting in Parliament."

Now it is undoubtedly true, as my hon. Friend says, that there is nothing involved in this proposal which goes beyond the principle of the existing law, because by the Act of 1854 the Revising Barrister is required, upon proof being given him of any person's conviction on account of bribery, treating, or undue influence at elections, to strike the name of such person off the list; and, as the same duty has to be discharged every year, this amounts to perpetual disfranchisement. But the conviction must have been before a competent legal tribunal; and the Revising Barrister himself is not empowered to give any decision upon the conduct of a voter. I see no reason why any one who is by competent authority convicted of bribery should not be disqualified from sitting in Parliament; and, therefore, so far as the principle of the proposals of the hon. Member for Glamorganshire go, I am disposed to give my assent to it. A much more serious question arises, however, as to the mode in which that proposition is to be carried out. It would not, I think, be advisable for the House to accept the Resolution of my hon. Friend, because it could not take effect except by Act of Parliament, and before committing ourselves to any such plan it is advisable that we should see the Bill itself, and have the opportunity of considering the provisions by which it is proposed to be carried out. Whatever our opinions as to the plan recommended by my hon. Friend may be, it is certain that the Royal Commissions are not at present constituted with all the safeguards which would be necessary if such a plan were adopted. For instance, they are not at present compelled to take evidence in the presence of the person accused, and by Act of Parliament the Royal Commissioners have the power of compelling persons to answer questions which will criminate themselves, giving them at the same time an indemnity against penal consequences. Of course, if we were to give to a Royal Commission the powers of a Criminal Court with reference to such important questions as the right to vote and to sit in Parliament, it would be necessary to define the rules and safeguards under which the proceedings of that Court should be carried on, so as to make them conclusive against persons proposed to be disfranchised. For my own part, I do not feel disposed to dissent from the principle of the Resolution of the hon. Member for Glamorganshire, and I should be quite willing to consider any Bill which my hon. Friend may submit to the House on the subject. I wish, before sitting down, to add a few words upon the Amendment of the hon. Member for Surrey (Mr. Buxton.) The hon. Gentleman proposes—

> "That in every case where any voter is reported by any Election Committee as having received a bribe for voting or abstaining from voting for any candidate at any election of a knight of the shire or burgess to serve in Parliament, the Attorney General shall be required to examine the evidence in such case, and to prosecute the person who has offered or given the bribe, should the evidence, in his opinion, be sufficient to render a conviction probable."

Now, this power is not often exercised at present by the Attorney General, partly owing to the way in which the House deals with the evidence, and partly owing to the provisions of the existing Acts of Parliament. The House does not even think it necessary as a general rule to print the evidence taken before the Election Committees; and unless this is done or unless the Chairman of Committee calls the attention of the Government to the inquiry, the Attorney General is, I think, not wrong in assuming that the circumstances are not deemed by the Committee to be such as to call for his interference. Under these circumstances, the practice has been that a special Motion has been made or the matter has been specially brought under the attention of the Government in cases where the Committee have thought that prosecutions ought to be instituted; and the Acts of Parliament appear to recognize the same rule, because although they say that it is the duty of the Attorney General, when a Royal Commission reports that bribery has taken place, to look into the matter and see whether prosecutions ought to be instituted, there is no similar provision applicable to the proceedings which may have taken place before Election Committees. All I can say is that whatever the House thinks it expedient to do in this matter or whatever duties it may deem it advisable to impose, I, as a humble Member of the Government, will endeavour willingly and cheerfully to perform; but with regard to the institution of prosecutions, I wish the House to bear in mind that if juries should take a different view of these cases from that taken by the Election Committees the credit of the decisions of this House in the minds of the public may become seriously impaired. I think, however, that my hon. Friend would do better if he did not divide the House upon his Motion, but rest content with the service he has done by the discussion of the subject this evening.

Mr. SCOURFIELD said, that as he was the only Member now in the House who served on the Committee appointed to inquire into the operation of the Corrupt Practices Act, he desired to say a few words. He remembered a Parliamentary barrister of great experience saying to him at that time—now some thirteen years ago—"Depend upon it, all you will succeed in doing will be to raise the price of ingenuity in the market." He was not sure that there was not much truth in that remark; but he still felt that they ought to do something, though if the remedies they adopted were too severe nothing but failure could possibly be the result. As to public prosecutions for bribery, he was afraid that learned counsel would appeal to the feelings of juries, and point to cases amongst the higher classes which would be prejudicial to both Houses. The better remedy would be that suggested by his hon. Friend the Member for Glamorganshire, that the persons receiving and giving bribes should be disqualified from voting. He could not understand why, if persons should not vote at elections because they received parochial relief, they should not be struck off the register because they gave or received bribes at elections. In looking over the diary of Mr. Wyndham he had met with an extract upon this subject which, delivered, as it was, originally some sixty years age, he would read with the permission of the House—

> "How in countries where conduct is free men can be prevented from selling that which they will not consent to give, and how when law is formal and scrupulous and beset on all sides with guards and defences for the protection of innocence it can be made to retain in all cases sufficient celerity for the overtaking of guilt, is a problem with which the authors of these complaints never seem to trouble themselves."

Without pledging himself to the entire scheme suggested by his hon. Friend, he approved the proposal to adopt disfranchisement as a punishment for bribery, and to that extent would give him all the support in his power.

Mr. Alderman LUSK said, he did not think it would be of any use to increase the penalties against bribery—the true remedy was a very simple one—the ballot. [*A laugh.*] Hon. Members might laugh, but that was his opinion. After all, what was bribery? One hon. Member might go down to Nottingham and win everybody's heart by his jokes and smiles; another might gain the suffrages of another constituency by building them a chapel or a church. Well, some people might think that that was a species of undue influence. Why were hon. Members unwilling to try that remedy of secret voting? The only reason that he could see for that unwillingness was that they wanted to know what the voter did; but he (Mr. Alderman Lusk) thought it a perfectly reasonable arrangement that the elector should exercise his right in secret. He believed that if the constituencies were enlarged, and if voting took place by ballot, they would hear no more of that corruption which they had made so many ineffectual attempts to suppress.

Mr. SMOLLETT said, he was unable to support either the Motion of the hon. Member for Glamorganshire (Mr. Hussey Vivian) or the Amendment proposed by the hon. Member for East Surrey (Mr. Buxton). The former proposed that those who offered and those who received bribes should alike be disqualified from exercising the franchise or sitting in Parliament. That was a very simple proposal, and, if adopted, would prove by no means severe in practice. Candidates did not throw bank notes broadcast among the electors whose votes they wooed; they went with purity of election inscribed on their banners, and with professions of intense devotion to Reform which they hated in their hearts. They employed base tools to corrupt the electors. It did not matter whether those men were entitled to exercise the franchise themselves or not; in most cases they did not value the privilege in the least—all that they wanted was to be well paid for the job they had taken in hand, with power to secure a similar engagement when the next election occurred. Nor did such men ever aspire to the honour of a seat in Parliament; and if they did so aspire, it was very unlikely they would ever be returned, even to a Reformed Parliament. The Resolution, then, of the hon. Gentleman would only catch the small fry, and allow the rich sinner to escape through the meshes of the net. But he knew of a very simple way of stopping electoral corruption if that course were really desired. If the hon. Gentleman who had introduced the subject would devise a better court wherein to try charges of electoral corruption, he would better serve the end he had in view. He could not imagine tribunals less fitted to try cases of electoral corruption than those appointed by the House. The Members of Election Committees were, or affected to be, trammelled by the strict rules of evidence which prevailed in English Courts of Law; and under any circumstances they were in the hands of the counsel conducting the cases. Those learned Gentlemen never permitted more to ooze out respecting their clients than suited their convenience; and the Committees therefore rarely, if ever, probed the cases which came before them to the bottom. A flagrant example of the inefficiency of the present system might be found in the result attending the Galway Election Committee. The two sitting Members in that case were charged with corrupt practices; the evidence for the petition was heard, and then Mr. Morris, one of the sitting Members, went into the witness-box, and gave such a full and trustworthy account of his connection with the borough, that the Committee were quite satisfied; they declared that he had been duly elected, and that the petition against him was frivolous and vexatious. The case of the other Member (Sir Rowland Blennerhasset) was proceeded with in a different manner. The hon. Gentleman was not put in the witness-box; his committee-men were not called; his agents were not cited; the counsel of the hon. Member contented themselves with addressing the Committee in his behalf; and when they had concluded the Committee-room was cleared. The Committee thereupon reported to the House that a number of persons had been bribed to vote for Sir Rowland Blennerhasset, and that corruption largely prevailed at the Galway election; but, adding the usual salve, they declared that it was not proved to the Committee's satisfaction that the corrupt practices took place with the cognizance or consent of the sitting Member, who was declared to be duly elected. The proceedings of that Committee might be quite consistent with the law of the land; but, in his opinion, their conclusion was most unsatisfactory. In the case before them a gentleman perfectly unknown to the townsmen of Galway, uninvited by the constituency, sought their suffrages, and immediately after his arrival bank notes began to circulate very freely in places where bank notes were formerly unknown. Doubtless it was assumed that those bank notes had come from the Man in the Moon, or as godsends from Heaven. But disguise in such a case was idle. In his opinion the rule should be that whenever the election of a Member was in any degree tainted with corruption it should be declared void. If it were a rule that no man could free himself from the charge of corrupt practices unless he could prove that his election was not procured by bribery; that his agents had committed no corrupt acts; and that the bribery, if practised, was the corrupt act of one of his opponents, then he was convinced very few charges of corruption would be preferred. But, he asked, was the House of Commons itself so pure, and its Members, as a whole, so single-minded that they were justified in passing Resolutions which would bear upon the poor only? In his opinion, the House and its Members were not so. If there were considerable numbers of the constituent body ready to receive bribes, it must not be forgotten that those who had corrupted them sat in the House of Commons. He thought the House had among its 658 Members as many persons subject to corrupt influences as could be found in many constituencies. They should, then, deal somewhat tenderly with others. Not long ago the hon. Member for Montrose (Mr. Baxter), in an address to his constituents, told them that it would be a very difficult thing indeed to pass a Reform Bill in the House of Commons admitting the working classes to the franchise; the reason of the difficulty, he stated, being that there were a great many men calling themselves Liberals who yet detested Reform. The hon. Gentleman further observed in his address that, though there was a majority of seventy or eighty Members on the Liberal side of the House, a large number of them in their hearts were averse to a reduction of the franchise; but that there was a way of getting over the difficulty—Lord Russell had nothing to do but to call those Gentlemen together, and declare that, if they did not answer to the whip, and did not support him in his measures of Reform, he would hand over office, with all its emoluments and patronage, to his opponents. If the noble Lord were to do this, and show that he was in earnest, the hon. Member said he had not the slightest doubt that these Liberal men would close their ranks and go in and win triumphantly. These remarks were made at the hustings, and what did they amount to? To this — that there were a great many Members in the House open to undue influence, who in order that they might share in the patronage the Government had to dispense would vote against their convictions. What was that but corruption? A few days ago it was stated in a paper published in this city, among the contributors of which he understood were some hon. Members of this House—he meant *The Owl.* [*Laughter.*] He did not see why this observation should cause so much laughter, but he believed hon. Members contributed to that journal. Well, in that paper, it was stated that a noble Lord who was a Member of the House of Commons during the last Parliament, and who sat for a group of Scotch boroughs, was about to be deprived of the situation he held. He did not know what that situation was, nor did he much care. It was said that he was going to be deprived of it, not because he was disloyal to the Ministry—on the contrary, he appears to have been their most obsequious servant—but because he had failed to obtain a seat in that House; and it was said the position of the Ministry at the present time did not permit them to retain a man in such a high office if he was not a Member of this House. Now, what was the meaning of this? He imagined it meant that a place of £1,000 a year would induce some waverer to be staunch to the Ministry. When charges of this kind are openly promulgated, it would be of little use to pass Resolutions declaring that a man who took £5 for his vote should never be allowed to vote again, or be eligible for a seat in Parliament, for participating in corrupt practices. As for myself (said the hon. Member) I have never been offered a bribe of this kind. Perhaps, however, it is thought by the whips that we all great purists in Scotland, and that I being a Scotchman am inaccessible to a bribe. But if a place of £1,000 a year were offered to me for my vote for a whole Session of Parliament, all I can say is that I should consider the matter twice before rejecting it. At all events, if the offer was made, and if grace were given me to refuse it, I should thereafter pray more earnestly than I am accustomed to do night and morning that I might not again be brought into such a temptation.

MR. POLLARD-URQUHART indorsed the charge of his hon. Friend the Member for Nottingham, that Government—Government generally—were not really anxious to put an end to bribery at elections. Both in 1841 and in 1857 the Government took measures to convey money to certain constituencies in order to effect the objects they had in view. The policy of Governments generally seemed to be to do all that was possible to keep up the expenditure at elections, for the more costly they were, the more effectual would a threat of dissolution be. The present Acts were wholly inadequate for the purpose of suppressing bribery. Sir William Hayter who had been Secretary of the Treasury for so many years, declared before the Committee on the Bribery Prevention Act that he had long since looked upon the Act as nothing more than a mere farce. He sincerely hoped the right hon. Gentleman the Chancellor of the Exchequer would resolutely deal with this question, for by doing so he would secure greater claims to the gratitude of the country than he would by anything he could do to extend the franchise or effect a re-distribution of seats.

COLONEL SYKES said, it was too clear for denial that all previous legislation with regard to bribery and corruption at elections was ineffectual. To acquit parties of participation in bribery because it could not be proved that they were cognizant of it, was a mockery. If the money was not paid at the time it was paid afterwards, and hon. Members knew the obligation rested upon them to repay the sums which had been disbursed on their account. It appeared to him that there was a simple remedy for these evils, and that was to increase the constituencies. Past history showed that it was more easy to bribe small than large constituencies. If a man's pocket was long enough to bribe 300 or 400 voters it might not be long enough to bribe 4,000 or 5,000. If the House really wished to put at end to bribery at elections, he did not believe it was impossible to effect that object. If the House wished to take a step in the right direction, it should insist upon the smaller constituencies being increased to such an extent as to render it impossible for a single individual to bribe the voters.

MR. NEWDEGATE said, that no one who had attended to the discussion could suppose that any measure for the prosecutions of mere individuals for bribery would be attended with greater success in checking it than previous legislation had been. The true remedy was to make it a corporate offence, and to treat constituencies which were proved guilty of systematic bribery in the same way that Legislature had treated St. Alban's and Sudbury. The whole constituency must be enlisted in its suppression by the danger of the summary disfranchisement of their borough. He had voted for the Motion of the hon. Member for Northamptonshire (Mr. Hunt) yesterday in the sense in which Mr. Pitt had proposed a remedy for bribery. In 1783, Mr. Pitt proposed the following Resolutions—

> "That it is the opinion of this House that the most effectual and practical measures should be taken for the prevention both of bribery and expense in the election of Members to serve in Parliament. That for the future when the majority of voters for any boroughs shall be convicted of gross and notorious corruption before a Select Committee of this House appointed to try the merits of any election, such borough shall be disfranchised, and the minority of voters not so convicted shall be entitled to vote for the county in which such borough shall be situated. That an addition of knights of the shire and of Representatives for the metropolis shall be added to the state of the representation."—[*Hansard's Parliamentary History*, xxiii. 834.]

Suggestions like those which were submitted to Parliament by Mr. Pitt, and supported by Mr. Fox and Mr. Grey, he believed to be the best means of striking at the root of the evil. It was idle to prosecute some miserable individual when the constituency itself conspired to shelter offenders of position—threaten the constituency, and the constituency would be interested in preventing the evil. A notice of Motion had been given by the hon. Member for Northamptonshire, in the direction in which he believed Reform to be most needed; when these clauses, of which notice had been given, were submitted to the House it was his intention to support them, and therefore if the present Motion were pushed to a division he should not take any part in it.

Mr. HUSSEY VIVIAN said, that after the expression of opinion on the part of the Government by the Attorney General, which he interpreted to be an acceptance of the principle of the Resolution he had ventured to propose to the House, although the Government considered that in the form proposed it would be undesirable for the House to come to such a Resolution, he could have no hesitation in saying that he would not trouble the House to go to a division. He hoped, however, that the Government would deal effectively with the question. But, as Chairman of the Galway Election Committee, he felt bound to protest against the extraordinary doctrine, at variance with every principle of justice, which the hon. Member for Dumbartonshire (Mr. Smollett) had laid down, to the effect that where bribery was proved to have existed in a borough, the Member in whose favour the bribes were given must either lose his seat or prove that the money had been spent by his adversaries in order to vitiate the election. It would be quite impossible for a man to show that the bribery of those who voted for him had been practised at the instance of his opponents. Such an idea appeared to be wholly at variance with justice. It had been proved that bribery prevailed extensively at the last Galway election, and the Committee had reported that fact to the House. It was patent to the Committee that voters had been largely bribed to secure the return of one of the sitting Members, while at the same time the other of them had been elected as purely, he believed, as any man was ever returned to the House. And with regard to the other sitting Member, he invited any hon. Member to go over the evidence and discover, if he could, anything in it to connect him by agency with the giving of those bribes. The Committee had sifted that evidence with the greatest care and anxiety, and found not a single passage to sustain an adverse decision. It almost seemed as if the petitioners had designedly abstained from endeavouring to prove agency. The Committees of the House in such a case were perfectly helpless; they were in the hands of those who conducted the petition and defence, and could only take such evidence as came before them; they were bound by the strict law of evidence, and could only depart from it in a very slight degree. The Committees must do justice, and give their decisions in conformity with the law of evidence and of justice.

Mr. OTWAY regretted to say that very discouraging circumstances attended this discussion. The hon. Member for Glamorganshire (Mr. Hussey Vivian), professing the greatest horror and detestation of bribery and corruption, brought forward what he thought was a remedy for the evil; his hon. Friend (Mr. Buxton) followed, and in his opening remarks proceeded to disparage the merits of the plan proposed by the hon. Member for Glamorganshire, and every gentleman who succeeded him, while professing equal detestation of bribery and corruption, disparaged not only the efforts of the two hon. Members to exterminate that bribery and corruption, but all the efforts that had ever been made with the like object. Finally, to cap the climax, they had the hon. Member for Glamorganshire himself, who introduced the subject to the House, giving up his own proposition in consequence of some indefinite promise given for some indefinite period by the Attorney General, to the effect that something would be done if he received encouragement. What would the country think of this? They would say, as had been said by the hon. Member for Nottingham in his spirited speech, that they were not in earnest; that the whole thing was humbug and fudge. He (Mr. Otway) always understood that there were some constituencies against which no allegations of bribery had ever been brought —and more especially the Scotch constituencies. That night, however, they had been told that the constituencies themselves might be free, but the same claim for purity could not be made on behalf of some of the Members; for the hon. Member for Dumbartonshire (Mr. Smollett) had risen in his place and declared that he was not above corruption, and if offered a place of £1,000 a year that he should think twice before refusing it. Those, of course, were not the real sentiments of the hon. Gentleman, but they were likely to be much misapprehended out of doors, and to give weight to the false impression already existing, that the real sentiments of Members of the House of Commons differed from the professions which they thought it right to make in their place in Parliament. He (Mr. Otway) looked upon bribery as a great evil, and requiring immediate consideration more than any Bill for the Re-distribution of Seats. He was at a loss to understand how a Gentleman of the political experience of the Chancellor of the Exchequer could have committed such a mistake in tactics as to lead the great bulk of the Liberal party to show apparently their disinclination to deal with this subject by taking them into the lobby the previous night to vote against the Instruction of the hon. Member for Northamptonshire. He (Mr. Otway) was happy to say he did not form one of the body; but if he had been in the House he would most certainly have voted with the hon. Member for Northamptonshire. The House should give encouragement to every Member who proposed a remedy for this evil. He had read the other day in a Prussian newspaper an account, as was stated, "of the scandalous expenses incurred by the Members of the British House of Commons at the late election," and the journal remarked that it was idle to say that the House of Commons had been elected by the free choice of the constituencies when such enormous sums had been spent in the elections; and certainly the amount appeared something horrible when converted into florins. What they had heard upstairs in the Committee-rooms was by no means the worst part of the case; the worst part of the case was concealed. He had heard of a circumstance which showed how the system of corruption was organized throughout the country. In the case to which he referred, a message was sent from two candidates to the gentleman they were opposed to, to the effect that if their forces amounted only to a certain number naming £10,000, a contest on their part would be perfectly hopeless. He begged to call attention to the expenses incurred by Members beyond the amount which appeared in the public accounts. He had this simple proposition to make—that when a Member took his seat he should be called upon to make a declaration on his honour that the account he had handed in contained every shilling of the expenses incurred by him; that he was cognizant of no expense beyond it, and that he pledged himself that he would not only not pay anything beyond what was contained in that account, but would not allow any other person to pay for him directly or indirectly, and would make known to the House any payment not included in his account. He thought the hon. Member for Glamorganshire ought not to be afraid that the proposition he had made was too severe. If constituencies were made to disgorge the bribes they had received, by being saddled with the expense of the Commissions appointed to inquire into their corrupt practices, they would not be found offending again soon. He wished that that debate would convey to the public outside the impression that the House was in earnest to put down bribery. It was bribery and the general belief in the corruption of Louis Phillipe's Government that caused its overthrow, and this was one of the greatest dangers of a constitutional Government. He was unable to understand why the Government, instead of proposing measures that were not of urgent necessity, did not bring forward some plan for the effectual prevention of bribery.

SIR GEORGE GREY said, his hon. Friend the Member for Glamorganshire (Mr. Hussey Vivian) had been charged with insincerity because he had announced his intention of withdrawing his Resolutions; but though the Motion of his hon. Friend had given rise to what he hoped might be a very useful discussion, his hon. and learned Friend the Attorney General had shown that the Resolutions would have no effect unless they were embodied in an Act of Parliament, and that before this could be done existing enactments would have to be considered. Under these circumstances, his hon. Friend would not have been likely to receive the support of all those who concurred with him in his object if he had gone to a division; neither would he have promoted that object by such a course. He concurred in what had been said by the hon. Member for North Warwickshire (Mr. Newdegate) as to the advisability of applying the punishment of disfranchisement with an unsparing hand in the case of boroughs in which extensive bribery was proved to have prevailed.

Mr. WHITESIDE agreed with the right hon. Baronet that the true remedy lay in the corporate disfranchisement of the offending constituency. He thought that one of the best votes the House had ever come to was the vote for disfranchising the borough of St. Alban's. Every respectable man in the borough approved of the disfranchisement.

Mr. HADFIELD said, that power ought to be given to Election Committees in cases where bribery was proved to have been practised—in such cases as Galway, for instance, to trace the money to the source from whence it had come.

Sir GEORGE BOWYER said, he had listened to many discussions on the subject of bribery and it had struck him as a remarkable circumstance that no one had ever taken into consideration the actual difficulty of the case and assigned a reason for the existence of that difficulty. The fact was that bribery belonged to a class of offences, well known to all writers upon theoretical law, in which there was no one to complain except a third party, who probably would experience great difficulty in ascertaining the crime and still greater difficulty in proving it. This was shown by the circumstance that the only way in which bribery could be proved was by indemnifying parties to the offence. Another difficulty was this. Almost all other offences carried with them some kind of disgrace or slur; but it was a strange circumstance that the offence of bribery did not in public opinion bring any disgrace upon the persons who were guilty of it. He had heard it suggested that Parliament ought to make the offence disgraceful; but as Montesquieu had remarked, in his *Spirit of Laws,* You cannot make an offence disgraceful unless opinion goes with you. You cannot bring people to admit a thing to be wrong merely because an Act of Parliament declared it to be so. The consequences of attempting to make an offence disgraceful in defiance of public opinion would be, first, that the desired object would not be attained; while, in the second place, the persons who came under the operation of the law would be regarded with compassion, and not with abhorrence. In fact, there was considerable difficulty in proving to any mind which was not of the very first rate order that there was in bribery any moral turpitude at all; and it would be useless for Parliament to suppose that in the present state of public feeling on this point any legislative enactment could be effectual in the suppression of bribery. The only argument used to prove that bribery was morally a wrong act was that every man ought to exercise his privilege of voting in the most strictly impartial manner. That, at least, was the foundation of the whole argument. It followed, therefore, that no man ought to be asked to vote in a particular way on the ground of private friendship, or on account of his partiality for anybody. That was the theory which rendered bribery morally wrong, but it was very difficult to convince people of it, because it was necessary to assume that every indirect inducement was disgraceful, and not direct inducements only. There was the famous instance of the Duchess of Devonshire, who obtained a vote for Mr. Fox by giving a butcher a kiss. She got the vote, and though no doubt the butcher was bribed as much as if he had accepted a sum of money, no Election Committee would have held so. That was a good example of the difficulty of proving to the people that bribery was morally wrong. In the ancient Roman law there were many enactments against bribery, or, as it was called, *ambitus*—indeed, it was said that on no subject had more laws been made by the Romans, and that none of their laws had been so ineffectual as these. One of the best known was the *Lex Julia de Ambitu;* but this was directed not against the person who received a bribe, but against the person who gave it, and who was guilty of *ambitus*, or unlawful ambition, to obtain an office by his money and not by his merit. It appeared to him (Sir George Bowyer) that this was the right spirit in which to legislate, for the man who gave a bribe was much more criminal than the man who received it. It appeared to him, indeed, that no good at all was done by prosecuting an unfortunate voter who had been detected in taking a bribe. He was looked upon as indiscreet and unlucky, and his friends made a subscription and paid his fine, or when he came out of prison looked upon him as rather ill-used. The person who ought to be made an example of was the Member himself. But then the augmentation and exaggeration of penalties were perfectly useless, because the difficulty was caused by the detection, and not by the punishment of the offence. The suggestion that boroughs found guilty of corrupt practices should be disfranchised had apparently met with the approval of the Home Secretary, but it seemed to him that it was open to grave objection. It would punish the innocent with the guilty—the pure with the corrupt; it might deprive a large and important constituency of its representative; and it would inevitably follow that after a time boroughs so disfranchised would come and ask the House, and not probably in vain, to be re-admitted to the exercise of the franchise under some Re-distribution Bill. It seemed to him that a better proposal was that which emanated from the hon. Member for Chatham (Mr. Otway) to the effect that the expenditure of a candidate should be in itself a test as to whether the election had or had not been conducted in a legitimate manner. In ordinary life no man possessed of his reason spent £5,000 or even £1,000 without knowing how it had gone, and what he had received in return for it. Let it then be proved how much had been spent at an election, and let the Member be put on his oath and called upon to swear as to all his expenses. Then if it appeared he had expended anything beyond what was reasonable and fair, the conclusion should be that he had been guilty of bribery. The way in which Election Committees dealt with petitions, especially in regard to the proof required of the agency of a Member, in nine cases out of ten destroyed the possibility of proving bribery. He wished to have the question dealt with in a broader way, by testing directly the expenditure a Member had incurred. There might be a tariff of election expenses, which might be proportionate to the size of a town and to any exceptional circumstances. This would be the standard according to which the legitimate expenses might be regulated, and any expenditure beyond it ought to be held to be bribery, without proof of individual cases. The handing over of petitions to a tribunal other than a Committee of the House involved a serious constitutional question, and he would hesitate to consent to it; but he would entertain the suggestion made by the hon. Member for Chatham. They need not flatter themselves that they could prevent bribery, for so long as it was worth men's while to offer bribes, and there were men who wanted money and who had votes, there would be that relation between candidate and voter which must produce bribery, and it could not be entirely prevented; so that any plan designed to prevent it altogether must be Utopian. He was to some extent a believer in the ballot, not expecting that it would be a positive remedy for bribery, but believing that it would render bribery more difficult, wherefore he would like to see it tried. In the case of Wakefield, whose Member was unseated, he believe that the party who was convicted on a prosecution for bribery had not been called up for judgment, and nothing more had been said on the subject. Unless something more were done, it might be supposed that Parliament was not in earnest on the subject. In fact, there was in the House a great deal of insincerity about it, and when an unfortunate man had been found guilty of bribery and unseated, and people talked about it as if it were some offence of a horrible description, it was difficult to believe that they did not express more horror than they felt. The time had come when Parliament ought to deal with the question boldly and sincerely, and every proposal made for the diminution of bribery ought to be fairly considered by the House.

MR. M'LAREN said, that the question of how to prevent bribery had induced the hon. and learned Baronet opposite (Sir George Bowyer) to refer the House back to the Roman law, but he (Mr. M'Laren) was not obliged to go so far back, but only to an Act passed by the Parliament of Scotland three years before it was extinguished as a legislative body; and he was the more anxious to do so because the theory then acted on was altogether different from the theory at the present time. At present the whole desire seemed to be to fix the guilt upon the poor man who had accepted a bribe and to punish him for so doing. And, although the Resolution before the House proposed that any man who offered a bribe should also be punished, no one supposed that the Member of Parliament concerned would himself be the offerer of the bribe; and therefore no one could suppose that the Member of Parliament on whose account the bribe was given would himself be punished. Now, the theory in Scotland when the Act of 1704 was passed seemed to be altogether different The object then was to watch, not the electors but the Members—to keep them out of the way of temptation—and to punish them if they sinned. In order to accomplish that object the Act recited that—

> "It is necessary for the security of the nation that the Members of Parliament be at absolute freedom in their voting, and that all occasions of tempting them to be biased in voting be obviated."

And then the mode pointed out of preventing their being biased in voting was this: The Act prohibited all persons whatsoever to give, offer, or promise to procure to be given to them, any office, civil or military, or any other good deed, directly or indirectly, by themselves or others, &c., under the pain of infamy and loss of office, and to be for ever incapable of any public trust or office in time coming, and to be fined in the sum of £1,000, &c. And further statutes enact and ordain that no officer in the army, forts, or garrisons, or receivers of Customs or Excise revenues, shall be capable to be elected to represent any burgh. It appeared to him that this was laying the axe to the root of the tree. Parties at that time seemed to think that certain situations in the army and other Government positions were very desirable —that in order to obtain these situations candidates would resort to all kinds of illicit means to get into Parliament; and, therefore, in place of punishing the poor men who sent them there, the temptation was taken out of the way of Members by Parliament enacting that no officer of the army, or other person in Government employment, could sit in Parliament. He thought that it was worth while to take a hint from this old Scotch Act, and, leaving the small offenders alone, see whether they could not catch the big fish, letting the small ones go.

Motion, by leave, *withdrawn.*

MARRIAGES (SYDMONTON.)—LEAVE.

Mr. BEACH moved for leave to introduce a Bill to render valid marriages solemnized in the parish of Sydmonton, in the county of Southampton. He stated that the parish church had been pulled down, and another erected on the same foundation and on consecrated ground. It was, therefore, considered unnecessary to consecrate the new church, but a recent decision rendered it doubtful whether consecration ought not to have taken place. Under these circumstances, it was sought to remove all doubt as to the validity of the marriages which had taken place in the church between 1853 and 1865.

Motion *agreed to.*

Bill to render valid divers Marriages solemnized in the Church of Sydmonton, in the County of Southampton, *ordered* to be brought in by Mr. Beach and Mr. Sclater-Booth.

OYSTER FISHERIES BILL.

On Motion of Mr. Milner Gibson, Bill to facilitate the establishment, improvement, and maintenance of Oyster Fisheries, *ordered* to be brought in by Mr. Milner Gibson, and Mr. Monsell.

CARRIAGE AND DEPOSIT OF DANGEROUS GOODS BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for the amendment of the Law with respect to the Carriage and Deposit of Dangerous Goods.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Milner Gibson and Mr. Monsell.

PIER AND HARBOUR ORDERS CONFIRMATION (No. 2) BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for confirming certain Provisional Orders made by the Board of Trade under the General Pier and Harbour Act 1861, relating to Clynder, Hastings, and Newlyn.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Milner Gibson and Mr. Monsell.

LOTTERIES.—MOTION FOR PAPERS.

Mr. WHALLEY said, he rose to move for Correspondence on the subject of an alleged contravention of the existing Law by certain Roman Catholic Lotteries—

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at a quarter after Eight o'clock.

HOUSE OF COMMONS,

Wednesday, May 30, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Marriages (Sydmonton) * [167]; Carriage and Deposit of Dangerous Goods * [168]; Oyster Fisheries * [169]; Pier and Harbour Orders Confirmation (No. 2) * [170].

Second Reading—Elective Franchise [37], debate *adjourned.*

Considered as amended—Customs and Inland Revenue * [145].

Third Reading—Nuisances Removal * [164]; Belfast Constabulary * [159], and *passed.*

ELECTIVE FRANCHISE BILL—[BILL 37.]

(*Mr. Clay, Mr. George Clive, Mr. Gregory.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Clay.*)

THE CHANCELLOR OF THE EXCHEQUER: Sir, I am sorry that it falls to my lot to oppose the second reading of this Bill. At the same time, I must say I never rose to discharge a disagreeable duty with a more perfect conviction that the House will concur in my proposal that the Motion of my hon. Friend be rejected, should he persevere in pressing it upon the House. I think it better to move its rejection rather than to pick out from it, as might easily have been done, some invidious topics. It would have been easy for me to have pursued the course which is in fashion elsewhere—to have taken some of the provisions of the Bill of my hon. Friend and have exposed them in an invidious isolation; to have said that the whole measure was so ill-considered that it was much better not to proceed with it. Had I, however, adopted such a course, I should have deemed myself acting in a manner unworthy of this House, and justly offensive to my hon. Friend. I am sure, therefore, I may rely upon him to appreciate the motives which induce me—should he intend to proceed to a division on the Bill—instead of occupying any narrower ground, to meet the Motion for the second reading by the Amendment that the Bill be read a second time this day six months. I do not deny to my hon. Friend that there is something abstractedly good in an educational test, provided it could be reduced to a form of extreme simplicity. If some test, simple, definite, and unambiguous in its character, could be devised—some test capable of being applied to voters of all classes without raising odious distinctions between man and man according to the circumstances in which it may have pleased Providence to place them—I think that if all these conditions could be absolutely fulfilled, it might be wise to require that all classes of persons should conform to this educational test. The nearest approach to a condition of this nature that suggests itself to my mind is, that the voter should be required to sign his own name, and that nothing but the signature of the voter in his own handwriting should be admitted as making up the condition of a good and valid claim to the franchise. But it is quite plain, I think, upon consideration, that such a test would break down. It would be impossible to determine what should be the character of the signature required for such a purpose. Every kind of absurd and even painful conditions would arise. Some persons might labour under temporary disability, others might have lost the strength sufficient to guide the pen, and a great many signatures even of men of education are absolutely illegible. [*A laugh.*] I hope that the hon. and gallant Gentleman opposite does not imply by his laugh that the signature of the humble person addressing the House is illegible. I may, however, mention a circumstance illustrating my remarks. It occurred in the case of a gentleman who had the honour of being appointed Under Secretary of State for the Foreign Department under Lord Aberdeen—not Mr. Canning, for his handwriting, like the rest of his character, was of the most finished description. Almost the first act in the official life of this gentleman was to send to Lloyd's a notification of a blockade. This notification had to be inserted in the *Gazette,* and no doubt it was sent at the last moment. Its publication was absolutely necessary, and though the letter appeared in the *Gazette* perfectly correct in its terms, it ended, "I have the honour to remain, your obedient servant (name illegible)." It does not therefore, I think, require any very elaborate arguments to show that a test of the nature I have referred to could not possibly be applied with success. I think there is no such shape in which the educational test could be successfully applied; but, without committing myself to that as an abstract proposition, I may, at all events, remark that my hon. Friend in his Bill has not succeeded in discovering it. My first objection to the Bill is, that there is no presumptive or *primâ facie* ground for it whatever. At present our electoral system is totally devoid of any educational test, and no one finds that there is any serious necessity for such a test to the working of our system. I do not admit, when any enlargement of the electoral system is proposed, that such an enlargement arises from any such necessity. It does not arise on the ground that the persons proposed to be admitted to these privileges are unfit to exercise the functions. That the House has never declared. The House, on the contrary, has read a second time, without any objection being taken to its second reading, a Bill for establishing the £7 franchise in the boroughs of this country. That proposition has received the unanimous assent of the House, and I do not, therefore, think that my hon. Friend is in a position to say that, on the score of unfitness, it is necessary to invent an educational test by way of qualification to that Bill. But, then, where is the necessity? My hon. Friend does not propose to remove the present qualifications. He does not require gentlemen to pay a 1*s.* or 1*s.* 6*d.* to travel to a place to be examined to see whether they are fit to vote. He leaves all existing franchises in operation, and he proposes this as an addition which is required by the limit now put to the franchise. Is it to be supposed that the numbers it is now proposed by other Bills to admit to the electoral system are such that it is necessary to restrain their admission by an educational test? The only case in which I can conceive my hon. Friend would have a *primâ facie* warrant for introducing such a measure as this would be a case in which it was proposed to admit at a single blow the entire population of the country. It would in that case be fair for my hon. Friend to say, "This addition is so enormous that it amounts to an absorption of the present constituencies, and, without alleging any unfitness against the persons whom it is proposed to enfranchise, I would limit the number by an educational test." But, whether there would or would not then be ground for this measure, it is not necessary to express an opinion upon that proposition, because the persons whom it is proposed to enfranchise are very few in number compared with those who at present enjoy the privilege; and those of the working classes whom it is proposed to admit would form a comparatively insignificant minority of the whole constituent body. Then I might take exception to the Bill of my hon. Friend —an objection derived from the exactly opposite quarter — because it proceeds upon the principle of universal suffrage. Undoubtedly we desire to see the whole of the people educated; we hope that, if not we, yet our children may live to see attained that by no means Utopian object which embraces a state of things wherein every man shall be possessed of a certain amount of education. I take it for granted that if the franchise in America or Prussia were ordered according to the provisions of this Bill the result would be little less than universal suffrage in those countries. But I am not by any means disposed to enter upon discussions about universal suffrage, nor do I want to be committed to the principle asserted by my hon. Friend, that all shall be enfranchised who could pass the test he desires to impose by this Bill. That is very well for an individual opinion, and the introduction of the Bill is a safe way of indulging extreme Liberal views, because my hon. Friend may at once have the credit of all the philanthropy and enlightenment which can possibly attach to the most advanced school of opinion, and likewise the luxury of a corrective consideration that his Bill if it should pass —which he knows is entirely out of the question—and become law, it would be almost as inoperative as if it had never been introduced. But the measure of my hon. Friend does involve in that respect the placing of the representation on the wrong basis. It appears to me that the proper course for Parliament to take is this, that when the occasion has arrived for an enlargement of the constituencies, it should consider in what way, and the whole circumstances of the case; and I, for one, do not think it would be wise to pass a measure which proposes in this manner to admit the whole population at the present moment to the electoral franchise. I will now state a practical objection to the measure which, it appears to me, will entirely put it out of court. The Bill is not intended to touch any man who comes under the sanctifying influences of a £10 qualification. My hon. Friend does not think it necessary to extend to that region of virtue and intelligence his protecting and purging care. But how will the provisions of the Bill bear upon those who live in houses below £10 in value?

Their sons will be turned out from school with a fair amount of education. They will be able to read and write, and possibly able to do simple sums in arithmetic. They will thus be the best part of the labouring population, scholastically considered. But are they those whom it would be the duty of wise legislators to admit to the franchise? Undoubtedly they are not. They are young men whose characters are immature, whose spirits are high, whose views are strong, and who have given no pledges to society. Do not let it be supposed that I am going to apply the epithets which others have seen fit to apply to the labouring classes. I am simply speaking of those of scholastic attainments in comparison with the mass, and I say that they are not the persons whom you should select from the labouring class as a representative section. The labouring classes should be considered not in respect to their scholastic knowledge, but with reference to their habits of life, their settled character, and as fathers of families; and they should be presented with the franchise in proportion as they excelled in these respects. But suppose a young man of one-and-twenty should pass the examination and acquire a vote by virtue of his having retained sufficient of the learning he gained in school, it is not to be supposed that he will continue to retain the same amount of producible education at the age of thirty or fifty; yet he will retain the privilege of voting. The habits of his labouring life will cause his school knowledge to rust; and, judged by the Bill of my hon. Friend, he would in that case be a worse man at fifty than he was at twenty-one; yet all practical experience shows that as a general rule he is a more stable and trustworthy man at the latter than the earlier period of life. And although he may not have retained that knowledge which he gained at school, and which procured him the right to exercise the franchise, he cannot be re-examined —for I believe it would not be held a good objection by the Revising Barrister that the man could write once and could not write now, and that therefore he should not be permitted to remain on the register. The Bill, too, would enable all the sons of an illiterate father to exercise the franchise, while the latter would be debarred from attaining the privilege himself; and that, in my opinion, affords a conclusive reason against the measure. I have been obliged hitherto for the purposes of my argument to assume that a large number of the younger men among the labouring population would be able to attain the franchise. But is it so? I find that those young persons who desire to acquire a certificate of educational qualification would have, according to the third clause, to pass a satisfactory "examination in writing from dictation, and elementary arithmetic—that is to say, in simple addition, subtraction, multiplication, and division, and in addition, subtraction, multiplication, and division of money." Now, I wish to notice two points. My belief is that my hon. Friend positively requires by this Bill as conditional to conferring the franchise that the would-be elector shall do a great deal more than is required by the Civil Service Commissioners as a condition of attaining offices which give a secure maintenance during the whole period of able-bodied life, and a pension for the remainder; and my hon. Friend actually asks Parliament to say that before a man shall acquire a share, however limited, in the choice of the persons by whom he is to be governed, and a voice in the disposal of the taxes which he is called upon to pay, he must pass a more severe standard of examination than is required of men who desire to enter offices in the public service at salaries ranging from £80 to £150 a year, with the prospect of a pension as well. What is writing from dictation? It is a most severe trial, and one in which failure is the lot of myriads of young men who apply not for offices of manual labour, but for clerkships. Yet the House of Commons is asked to make satisfactory writing from dictation the condition of attaining the electoral franchise. Putting aside subtraction and multiplication of money, I should like to know how many of the labouring classes can pass an examination in division of money, or how many Members of this House can pass such an examination. If I give the sum £1,330 17*s.* 6*d.*, and tell the Members of this House to divide it by £2 13*s.* 8*d.*, I want to know how many would do it? [Mr. Hunt: 658.] There are not three or four in this House who could do it. I would say there are not thirty or forty without the least fear of contradiction. I will go further, and say it is not necessary that they should; and that they may be admirable Members of this House without being able to work such a sum. [Lord Robert Montagu: You cannot divide by £2 13*s.* 8*d.*] One illustration is better than a thousand arguments. The noble Lord is one of the more promising financial Members of this House, and he tells us positively that division of money is a thing that cannot be done. It is quite unnecessary for me in that case to pursue my argument with reference to that branch of the subject. In point of fact, then, it is apparent that the would-be elector would break down in the examination, and would not be able to pass. [Mr. CLAY: Yes, he would be able.] I will only say, then, that in my opinion he could not pass; but it does not matter. I am under the impression that it would be quite impossible to settle in Committee what should be the amount of this educational test, and I believe my hon. Friend would be quite unable to get over the practical objections which I have raised. Sir, I presume my hon. Friend intends this Bill to be a great boon to the labouring classes. Let us see upon what footing he puts them. In the first place, he requires of them a probation of about two years; before applying to be examined they must have resided for six calendar months in a given city or borough; before the period of examination a further period of four months would elapse; the journey and the arrangements connected with the examination must then be made, though no exact time is fixed for that; then two months is allowed for transmitting the certificate, and fourteen days for advertising:—then it is provided that the list for the Revising Barrister must be prepared before the 31st of July—so that there will be an average interval of six months between the presentation of the certificate and the Revising Barrister's acknowledgment of it; and four months more must elapse before the period of full registration arrives. Thus, a man desiring to get a certificate under my hon. Friend's Bill would be two years about it; and, not content with that, he actually wants the would-be electors to pay a price for the privilege. Now we are not liable in that way. As far as I recollect, we are not liable to pay a price—[An hon. MEMBER: Is anybody liable?]—for being put upon the register. I will not trust my memory with great confidence, but I rather think that at the passing of the Reform Bill a payment of 1*s.* had to be made for registration. In boroughs it does not now exist. Does it exist in counties? [Lord ROBERT MONTAGU: No!] Very well, then, it has been done away with for the wealthier part of the community; but my hon. Friend considerately requires that beside the mental purge of education, their purses also should be purged according to the following tariff:—He requires them to pay 7*d.* for a registered letter, 1*s.* fee for examination, and 1*s.* 6*d.* on the delivery of their certificate. He does not provide for the return of the money in the event of failure; but he kindly permits them to go up as many times as they please for examination, and *toties quoties* to go this round of payments. But this is not the whole of the expense to which my hon. Friend proposes to put those whom he professes to favour. In the Scotch Church there is the phrase "fencing the tables," used by way of describing the means taken to prevent persons not properly prepared from taking part in sacred rites. My hon. Friend, I must admit, has fenced his tables very well, and the sacred rite of the franchise is not likely to be intruded upon by too many labouring men. I think my hon. Friend has totally overlooked all considerations of human feeling. In my opinion the labouring classes—the mass of the English people, would rise with dissatisfaction—I will not use a stronger word—against those enactments which my hon. Friend proposes to establish in connection with what he calls a boon, but to which he has given a very different character by this Bill. My right hon. Friend proposes to burden the people with conditions of time and the observance of a multitude of forms from which the whole of us are free. And let us remember that the observance of minute particulars and dates with regard to notices and documents, and going backwards and forwards, are annoying even to such as are in our station in life, and would become almost impossible of observance by persons of a certain station. Many and many a poor person in receipt of £20 or £30 a year on account of invested property, from which the income tax has been improperly deducted, has never applied for its return, because he did not know how to go through the necessary form. The same difficulties would stand in the way of those who would otherwise avail themselves of the provisions of this Bill; and to so great an extent is this so that my hon. Friend might, for any use the Bill will be to them, put a cipher at its head and substitute a cipher for every one of its clauses. It is not only the payment of 7*d.*, and 1*s.*, and 1*s.* 6*d.*, but my hon. Friend requires the candidate for a certificate to make a journey to the place of examination; for the Bill does not require that the examination should be held in the place where the candidate resides.

Mr. CLAY said, the Bill contained provisions for that purpose.

The CHANCELLOR of the EXCHEQUER: Clause 9, I believe, is the one applicable to the case, if any is so, and that says that—

> "The said Civil Service Commissioners shall, with all convenient speed, after the receipt of any such application, appoint a day, being not later than four calendar months after the receipt thereof, for the examination of the candidate by whom the same shall have been made, and of any others whose examination may, in their judgment, be properly and conveniently held at the same time and place, and shall give written notice thereof to the town clerk of the city or borough for which the said candidate seeks to be registered as a voter."

Is there anything in that clause ordering where the examination should take place?

Mr. CLAY: The candidate for the certificate sends his residence with his application.

The CHANCELLOR of the EXCHEQUER: I know he must; but that is not sufficient. What course is to be pursued in the small places in the country where, perhaps, three men will apply for examination in the course of the year? Will my hon. Friend tell me that if one man in a population of 5,000 applies for a place to be examined, that he is to be examined in that place?

Mr. CLAY: The Bill says that the examination shall be made in cities and boroughs.

The CHANCELLOR of the EXCHEQUER: Very good. I beg pardon. With that provision my hon. Friend gets rid of the objection about journey-money; but he does not get rid of my objection, when viewed in respect to such a place, for instance, as the city of Wells—a very distinguished city in our Parliamentary annals it is likely to be. I say that three or four separate examinations may be required under the terms of the Bill to be held in the city of Wells for the purpose of admitting three or four voters. That may not be a burden to the people examined, but it will be a burden to the public so entirely out of proportion to the requirements of the case, that I really think my hon. Friend can hardly be serious in making the proposition. I think he would find it necessary to do in his case what is done in reference to the Civil Service examination. He would have to appoint places where examinations are to be carried on. But then he proposes examination lists for three or four days. It may seem to us a very small thing to lose 3*s.* or 4*s.* for one day's work, or 10*s.* or 12*s.* for two or three day's work; but what the Bill of my hon. Friend imposes is a very serious matter. The applicant for examination must pay of his hard-earned money something like 3*s.*; and I apprehend he must lose his time and pay for the time of his being examined. [Mr. Clay: An hour will suffice for the examination.] My hon. Friend says the examination will not occupy more than an hour. Well, applicants must be examined in dictation and also in reading; that is implied, although not stated. [Mr. Clay: No!] Applicants are further to be examined in elementary arithmetic, including the division of money; and I say that it is impossible to believe that these examinations can be conducted in a way to relieve a man at least from the necessity of losing a day's wages. My hon. Friend would not, surely, examine them like children in a school? He does not propose, I apprehend, that they shall stand in a class in the presence of the examiner. [Mr. Clay: They are to be examined by papers.] The examination in writing from dictation cannot be done by writing alone—it must be done *vivâ voce*, and that is an operation which will occupy considerable time. It is a matter on which a difference of opinion may prevail to a certain extent; but I fully believe that my hon. Friend will require a day at the very least for the examination itself, besides a great deal of time for performing all the other demands of the Bill. The practical fine in money putting it moderately, of from 10*s.* to £1, which my hon. Friend would impose upon the working classes, would of itself be a greater barrier to their attaining the franchise than the payment of £50 would be to Gentlemen occupying the position of those who sit in this House. This is not a just method of dealing with the matter. I will not say whether the Bill of my hon. Friend could have been framed in a manner so as to avoid the objections to which it is justly open; but, in my opinion, no method has yet been suggested of making any educational test practically available in regard to the franchise. Even if such a method had been suggested, there is no necessity whatever in connection with the present state of the representation, or in connection with any proposals before Parliament, to bring such an educational test forward in this House. The principle of the Bill of my hon. Friend is as much too wide as the practical operation of the Bill is too narrow. In my opinion, if there were no other objection to the Bill, it ought to be rejected on the ground of the aspect it presents to the better part of the population of this country, considered in respect to those feelings and that sentiment of self-respect which they entertain in common with ourselves, and which it is our interest not to depress, but to cherish. Upon grounds of a general character, and upon the particular grounds relating to the provisions of the Bill, I feel bound to oppose it. Regarding the amount of accomplishment and knowledge required, the cumbrous difficulty—practically, the almost impossible nature—of the process my hon. Friend requires these, I must say, unfortunate people to go through, I contend that his Bill is unsound in principle, and that it would be inoperative and even offensive in practice. I have spoken with great plainness about the provisions of the Bill now before the House. When my hon. Friend introduced it he spoke with such gravity, ability, and weight on the general position of affairs in regard to Parliamentary Reform, as to draw from me a feeble, but a willing and cordial testimony to the perfect sincerity of his intentions. Nor do I now wish to withdraw any portion of that testimony. I am certain no man would have used the words which were used by my hon. Friend unless he had felt that his case for the representation of the people was a case absolutely requiring solution. I ask, therefore, my hon. Friend to draw the distinction which I draw, and which I hope may be truly drawn, between the impracticable, the inexpedient, and, as I think, unjust nature of the provisions of the Bill, and my perfect admission that we have no right to impeach the sentiments of the Mover of it. We all feel the difficulties of the case—some feel them in one direction, and some in another. Where one man sees daylight, another sees nothing but darkness. We have no fears, no misgivings in proposing a £7 franchise. But, of course, whatever we may think of the proposals of others who do not see the difficulties in their way, though visible to us, it is our bounden duty to make the fullest allowance for their motives and intentions. I have not a doubt that it is the intention of my hon. Friend to propose a liberal and beneficial measure, and that he is actuated by a kind and generous spirit towards those classes now excluded from the suffrage. We find no fault with his motives. The position in which he stands is doubtless due to the difficulty of his circumstances, and, perhaps, the casual errors into which we are all liable to fall; and the measure he has produced, instead of bearing such a character as he wishes, bears a character in almost every respect directly the reverse. I now beg to move that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Chancellor of the Exchequer.*)

Question proposed, "That the word 'now' stand part of the Question."

Lord ROBERT MONTAGU said, that he certainly did not rise to object to the very Conservative tone of the right hon. Gentleman's speech. The right hon. Gentleman had expressed great horror of the Bill of the hon. Member for Hull (Mr. Clay) because it would admit so many working men to the franchise; to all that he (Lord Robert Montagu) did not intend at the present moment to demur. He could not, however, but think that the debates on the subject of Reform which had lately taken place in that House, especially of the speech of the right hon. Member for Calne (Mr. Lowe), and, above all, the speech of the right hon. Member for Buckinghamshire, (Mr. Disraeli), had had some effect on the Chancellor of the Exchequer, seeing that he had made a speech which had been welcomed by all on the Opposition side of the House. There was one thing, however, in the speech of the right hon. Gentleman the Chancellor of the Exchequer which was objectionable, and that was the tone of dictation which he assumed at the commencement of his speech. Before many hon. Members now in the House occupied their seats he said, "It is quite impossible to permit such a Bill as this to pass." [The Chancellor of the Exchequer: I did not say, "it is impossible."] It seemed to him that the Chancellor of the Exchequer had assumed a tone of dictation; but he would let that pass, as it would add nothing to his argument. The right hon. Gentleman considered this Bill—in its "invidious isolation," as he expressed it; adding that, perhaps, a greater number of his arguments might have had weight if the Bill had been considered alone. He (Lord Robert Montagu), however, refused to consider this Bill alone; for it seemed to him that it was a complement to the Bills which the Government had brought in, filling up the gap in the Government scheme. He therefore must express the hope that some hon. Member would move that this Bill, if it should pass the second reading, be referred to the Committee to which the two other Bills had been referred, and that it be an Instruction to that Committee to amalgamate the three Bills together. But the right hon. Gentleman said the hon. Member for Hull had not showed any ground for bringing in this Bill. Now, he (Lord Robert Montagu) contended that the hon. Member had very strong ground —namely, the omission of the Government to do so. The Government proposed to reduce the franchise to a very low degree, thereby admitting a number of persons to exercise it whom hon. Members on that side of the House thought would not be qualified to do so, at the same time excluding a number of others who were held to be competent to take part in the election of Members of Parliament. An instance might be taken. A young man might have passed his college life with great credit and attained a scholarship. He might have studied hard and become very learned. He then went home and dwelt in his father's house; but he would have no vote, although more qualified for the exercise of the franchise than the small shopkeeper who paid a rent of £7 annually. Young men entering upon any of the learned professions, although fully qualified to vote, because they had not left the parental roof, and were not paying house-rent, could not obtain the franchise. Here, then, was the gap which the Government had left, and which the Bill of the hon. Member for Hull proposed to fill. There were also many artizan bachelors hiring a single room each for which very little was paid. They probably spent much of their time at mechanics' institutes in intellectual studies; and were they not to have votes? He had seen artizans possessing all the intellectual qualifications for the franchise. When at Liverpool on one occasion he was accosted by a mechanic with a sack of tools on his back in the Latin language, and that man knew most of Virgil and Horace by heart. Now, that man was a poor man, and under the Bill of the Government he would not obtain a vote, while under the Bill of the hon. Member for Hull he might. The right hon. Gentleman objected to the examinations proposed because they were so severe, observing that they were more severe than the Civil Service examinations. Now, was it to be supposed that persons would be admitted to the Civil Service and other offices in this country if they were unable to write from dictation and perform the commonest sums in arithmetic. If such were the case, Civil Service examinations were a mere farce, and the sooner they were done away with the better. He (Lord Robert Montagu) had, however, looked upon the Civil Service examinations in another light, believing that those persons who had not studied the commonest rules of arithmetic and learned to write from dictation were excluded from public offices; for, indeed, every man in this country, whether artizan or tradesman, ought to attain that amount of learning. Then the right hon. Gentleman spoke a great deal about signatures, remarking that many would be excluded because their signatures were illegible; though the illegibility of a man's handwriting was not proof that he was unlearned. It would be easy to distinguish between the writing of an illiterate person and that of a scholar. The objection of the right hon. Gentleman to the Bill was, that by means of the examinations it required, a great number of persons would be excluded from the franchise; but the chief argument of the right hon. Gentleman, in the commencement of his speech against the Bill was, that it would bestow something like universal suffrage such as that in America and Prussia. But how did these arguments tally? It was true, no doubt, that by the examination proposed many would be excluded from the exercise of the franchise; but was not an educational test the true test, and by it was not a natural qualification acquired? Then the right hon. Gentleman's objection fell to the ground. If, on the other hand, it amounted to universal suffrage, it showed a very considerable Conservative advance in his views, which was, nevertheless, contrary to the arguments he had already used. With regard to the sum in division, which the right hon. Gentleman had suggested, it was quite possible to divide a sum of money, but not by money. How could any one divide money by £2 16*s*. 8*d*.? The question might be asked, "How many times 2*s*. will go into £1?" but that was not dividing by money; it was simply dividing twenty by two. He might be asked, "How many times will 6*s*. 8*d*. go into a pound?" but that was merely asking him to divide 240 by 80. If the right hon. Gentleman were to ask the hon. Member for Brighton (Professor Fawcett), or any other authority, he would receive the same answer—namely, that it was possible to divide by a sum, but not by money. Then, the right hon. Gentleman alluded to the shilling which was formerly imposed upon the registration of a vote. It was very true that that payment was after a time abandoned; but was it abandoned because a vote was of so little value that no one liked to pay a shilling in order to obtain it? If it were true that persons would rather retain a shilling in their pockets than pay it in order to get a vote—or 3*s.* 6*d.* under the Bill of the hon. Member for Hull—it showed that hon. Members were taking a great deal of trouble to bestow the franchise on people who concerned themselves very little about it. The right hon. Gentleman further said that if these examinations were to be required in order to obtain a vote the people would rather leave the country than submit to it. But if the franchise were so easy of attainment, only necessitating an expenditure of 3*s.* 6*d.* and a few hours' examination, surely the people could not care so much about it if they refused to take that small amount of trouble and pay that very insignificant sum? It had been argued that the franchise was a stimulus to education, and he believed this to be the case. If it were not so, a representative Government would be worse than a despotism, where the irresponsible monarch made the laws, and placed in office persons fit to fill them. If the franchise were not a means of education the people would lose their knowledge and cease to be educated; public matters would no more employ their minds, and, to borrow the most picturesque expression of the hon. Member for Westminster (Mr. Stuart Mill) the people would become like a "flock of sheep innocently nibbling grass side by side." That being so, if education was the end the House had in view, how could objection be taken to a test for the franchise, that test simply requiring a low educational qualification? If the franchise was to be given to the people in order to educate them, it ought to be placed before them as an incentive to acquire at least a qualification in the lowest branches of education. The franchise gave persons power over the property of others to a certain extent—was it not, then, perfectly reasonable to require that those who had power over the property of others should be qualified to administer their own affairs—that they should have learnt at least sufficient to perform their duties to their families? The right hon. Gentleman said, "No; give them the franchise; give them power over others, though they may be totally unable to look after their own affairs, and though they could not even give the lowest grades of education to their children." The right Gentleman further said that no necessity had been shown for an educational test under the present system. It must be remembered that in boroughs the present system required the tenancy of a £10 house, and was not at present flung into the dirt for anybody to pick up. A certain amount of restraint, industry, and energy was required before a working man acquired the franchise—thus qualified, he possessed a certain right to the suffrage. But the right hon. Gentleman desired to lower the franchise to such an extent that any one might have a vote in this country. ["Oh, oh!"] He did not understand the meaning of those inarticulate noises. What he maintained was that the franchise should be a stimulus to self-culture; and not only so, but that the possession of it should be the result of a certain amount of self-restraint and study. Without these conditions a man must be debarred from the exercise of the franchise. He contended that the only claim to the franchise consisted in intelligence, and that it must not be held as a right. If it was a right a man might dispose of it for his own advantage; he might accept a bribe; he might sell it, and no one could interfere. Neither was it a privilege. If it was, it would be said that the whole country was being governed by a privileged class. It seemed to him that the Bill of the hon. Member for Hull recognized the claim of intelligence to the franchise, and for that reason he would impose a test upon those voters who would come in under the low qualification of the Chancellor of the Exchequer. It was necessary to remember that the House of Commons was now all-powerful, and had not the same check which it had in former days. The whole policy of the realm was dictated by the House of Commons; the Prime Minister was virtually appointed by the House of Commons; the Administration must be pleasing to the House of Commons; and even the fate of our colonies depended on the votes of that House. Was it not, therefore, most necessary that those who were to select the persons to act in the House of Commons should be able to do so with moderation and with wisdom? Besides, constituencies exercised great influence over their representatives. Why, then, should not the voice of education and intelligence be heard in this country? As a sort of check to counterbalance the schemes of the right hon. Gentleman the Chancellor of the Exchequer, an educational test such as that proposed by the hon. Member for Hull was necessary, and therefore he trusted that this Bill would be referred to the same Committee as that to which the other Franchise Bill was referred, and that the two would be amalgamated. With that end in view he would give his vote in favour of the second reading of the Bill of the hon. Gentleman.

MR. CLIVE said, that as his name appeared on the back of the Bill, he might be allowed to make a few observations in reference to it. He held that the principle of the Bill was a sound one; but he must confess that he never thought so well of its provisions as he did after listening to the speech of the right hon. Gentleman the Chancellor of the Exchequer. The right hon. Gentleman had urged numerous objections to the details of the Bill; but they were all such as could be remedied in Committee. With regard to the expense of registration, his hon. Friend (Mr. Clay) had been unwilling to charge it upon the country; but amendments in this direction might very easily be made. Again, the Chancellor of the Exchequer made an objection to the plan of examination, which showed that he could not have read the Bill, while his observations with respect to signatures were too trifling to be noticed. The right hon. Gentleman seemed to have exerted himself to say all that was possible against the Bill, but his efforts only showed how little objection could really be taken against it. The Bill now before the House would impose a certain limit to the franchise; whereas if it were fixed at £7 it would soon come to £5, and at last to universal suffrage of the worst description. He objected to fixing the franchise at £7, for it seemed nothing more than a compromise between those who were struggling to reduce it to £8 and those who wished it to be £6. He believed that there were large numbers of people in the great towns qualified for the franchise, and his desire was to introduce the best men and keep out the worst. On this ground there could be no objection on the Ministerial side of the House, while on the other hon. Members were apprehensive lest they should go a little too far. Now, in the present Bill, at any rate, there would be some satisfaction in knowing that they had gone as far as it was possible to go. A great deal had been said about taking advantage of the season of calm in dealing with the matter of Reform, seeing that a storm might hereafter arise; but he thought very little of such arguments. One great evil to be contended with was the indifference of the working classes with regard to the franchise. At the present time the Committee-rooms upstairs were filled with working men. He did not say that they could read *Horace* and *Virgil;* but when questions were put to them he always received the same answer—namely, "Give us equitable laws and good wages, and never mind the franchise." With good wages they could secure the franchise themselves, and the House was quite ready to give them equitable laws. If the hon. Member for Birmingham (Mr. Bright) were to attend the Committees more frequently, and thus come in contact with the people in the rooms upstairs, he would doubtless see what erroneous opinions he entertained in regard to the working classes. They did not care so much about the franchise as the House had been asked to believe. The main point, after all, was to settle the Reform question. The limit of £8, of £7, or of £6, would not settle it; but the present Bill held out a prospect of a settlement. When once matters had arrived at such a point that every man, by a slight exertion of intelligence or industry, could obtain the franchise for himself there would be an end of those appeals to opinion out of doors with which at present they were so constantly threatened. These reasons had induced him to put his name upon the Bill. He wanted the question of Reform settled, so that the House might be enabled to devote attention to the practical business of legislation, now so greatly interfered with by perpetual struggles about the elective franchise. Both sides of the House might, he thought, agree in sanctioning the franchise contemplated by this measure as a supplementary franchise—whether to the existing £10 qualification which had excited the sneers of the Chancellor of the Exchequer, or to the £8, £7, £6, or any other franchise which might eventually be adopted.

MR. EWART, retaining the opinions

which he had expressed upon the subject three years ago, felt deeply obliged to the hon. Member for Hull for introducing this question to the consideration of the House. He did not altogether approve the machinery proposed by the Bill, thinking the simple test of writing, such as he had seen imposed at Florence last year, might prove sufficient. But he gave his hearty approval to the principle of the Bill, and thought it ought also to be viewed with favour by the Chancellor of the Exchequer; for, exposed as he was on the question of Reform to blasts from all points of the compass, the only wise course seemed to be to wait, to collect all the information and suggestions bearing upon the subject, and then at leisure to bring forward a measure carefully matured. All true friends of the country, and all true friends of the Government, must concur in recommending such a course. No harm could possibly result from its adoption; and of this he was persuaded, whatever policy the Government might now desire to carry out, it was the course to which eventually they would be driven.

SIR JOHN PAKINGTON: I wish to express as briefly as I can the view which I take of this question. No observations have yet been made upon the subject in which I am so disposed to concur as those we have just heard from my hon. Friend opposite. It is on the very ground advocated by the Chancellor of the Exchequer in the closing words of his speech—namely, the present position of this difficult and anxious question of Reform—that I am quite unable to concur in the sweeping censure which the right hon. Gentleman has thrown upon this Bill. I doubt whether there are many Members in this House—I do not believe there are many Members even on the Treasury Bench—who entertain any serious idea that the Bill proposed by the Government can pass in the present Session, even though we were to sit here during the month of September or the month of October—which I venture to think that we shall not do. I do not believe we have yet become submissive enough to accede to that most extraordinary proposal. Under these circumstances, I think we are deeply indebted to any hon. Member who in good faith and sincerity contributes materials towards the ultimate solution of this difficult subject; and I believe that that good service has been rendered by the hon. Member for Hull in placing this Bill before us. I listened attentively to the speech of the Chancellor of the Exchequer, but it seems to me that it was, from the beginning to the end, a minute criticizm of the details of the measure. I heard nothing in the observations of the right hon. Gentleman which appeared to me to grapple with the really practical question—the principle of the Bill. I was very much struck by one passage in the right hon. Gentleman's address, in which he told us to mind what we were about, and to pause before we adopted the principle of the Bill, because it would lead to universal suffrage. But why is it that we object to universal suffrage? It is because we believe that universal suffrage would admit to the franchise a large body of persons who, in the present state of things in this country, are not fit to exercise it. But if every man in the country were capable of going through a well-devised and satisfactory educational test, the view which many of us take of universal suffrage might be very materially modified. I am afraid, however, that there is little danger of our approaching universal suffrage in the way which the Chancellor of the Exchequer has shadowed forth. I am one of those who earnestly wish the day was approaching, or that we had any chance of seeing the day, when every man in this country will be able to pass through a satisfactory educational test; and I believe that one advantage of adopting some such principle as that on which the Bill of my hon. Friend the Member for Hull is founded is, that it would afford a very great stimulus to education. If the principle of the measure were to be adopted, I strongly suspect that the next time I or any other Member introduced into this House a proposal for the extension of education we should find much greater zeal employed in its support than we have hitherto witnessed. But what is the object which we ought all to have in view in dealing with this question of Reform? Our object ought to be to admit men to the franchise, as far as we can, on the ground of their fitness for its exercise; and I think the Chancellor of the Exchequer cannot deny that education is an element in that fitness. The right hon. Gentleman the President of the Board of Trade shakes his head; but am I to understand him to mean that education is not an element in fitness for the exercise of the franchise? I can hardly imagine that any person who has considered the question will deny that it constitutes such an element. With these views I cannot vote against what I conceive to be the principle of the Bill; but it is well known that in voting on the second reading of any measure we are merely deciding upon its principle. I am not prepared to assent to many of those details in this Bill which have been criticized by the Chancellor of the Exchequer; and I have no doubt my hon. Friend the Member for Hull will himself admit that if the measure should go into Committee many of its clauses might with advantage be modified. I think the Committee would afford the proper opportunity for discussing the questions raised by the Chancellor of the Exchequer. I will not now stop to consider how many men in the House, or out of it, could work those sums he has been good enough to set for our consideration; and I have merely risen for the purpose of stating the reasons which would induce me to vote for the second reading of the Bill if the Motion should be pressed to a division.

MR. GOSCHEN: I am sure that every Gentleman sitting on this side of the House must have listened with the greatest satisfaction to the right hon. Gentleman; for he has just told us that fitness, after all, constitutes a very important element in determining the propriety of investing a man with the franchise—a view altogether in conflict with that of the hon. and learned Member for Belfast, who has stated that fitness is no element in the consideration of the question. We have heard it laid down by hon. Gentlemen opposite, throughout the whole course of these debates, that the maintenance of the balance of power is the great object to be considered, and that the main point to which we must look is whether by any new measure the working classes would be likely to form a majority in the different constituencies of the country. But how does this tally with the speech to which we have just listened? Indeed, I am surprised to find that the noble Lord the Member for Stamford (Viscount Cranbourne) has not already risen in his place and called for statistics for the purpose of ascertaining how many working men would be entitled to vote under this Bill. If that is a good argument against the proposal of the Government it must also be good against the present proposal. Quite a new light broke upon me when the noble Lord the Member for Huntingdonshire (Lord Robert Montagu) declared that this was a scheme which might be fairly regarded as a complement of the Government Reform Bill. But it was brought in before the Government Bill, and I cannot see how in that supplementary character it is to receive the support of hon. Gentlemen opposite, as hon. Gentlemen opposite have resolved that the Government Bill is not to pass. It will be strange, indeed, if they vote for it as the supplement to a proposal to which they have announced their determination not to give their assent. It will be like what was done on Monday last, when hon. Members opposite showed their anxiety to prevent bribery and corruption by providing for the insertion of clauses on that head in a Bill which they did not mean to allow to pass into law. I can easily understand that there are many Members of this House who sympathize upon this occasion with the hon. Member for Hull, because they are anxious that the working classes should be admitted to the franchise; but I am at a loss to conceive how the Bill can meet with the support of hon. Gentlemen opposite, who have over and over again declared that the one principle which ought to be taken into consideration in dealing with the question of the franchise is that no one class in the country should obtain a preponderating power. The right hon. Gentleman the Member for Buckinghamshire told the House plainly, in a passage which I quoted upon a former occasion, that as regarded the working classes, the greater their good qualities the greater was the danger of admitting them on an extreme scale to the franchise; and if that is the view of hon. Gentlemen opposite, it is strange that they should support a Bill without any statistics, without any safeguard as to the Re-distribution of Seats, and without any provision for the suppression of bribery and corruption—without any of those preventions which on other occasions they have insisted on as essential—that those hon. Gentlemen should be ready to accept a proposal which is unaccompanied by those provisions which they have previously contended were indispensable to any complete measure of Reform. No one has contradicted the statement of the Chancellor of the Exchequer that the principle of the Bill is universal suffrage, while it is quite possible that its practical operation may be to admit to the franchise very few of the working classes. This, in fact, is the attraction of the Bill. It combines the maximum of Liberal profession with the minimum of Liberal result. I am quite certain that this is a Bill which would never be allowed to pass by itself through the House. It may pass the second reading, or it may pass the Committee; but it will never be allowed to become law by itself; and if it should receive the support of hon. Gentlemen opposite it will be difficult to resist the conclusion that they vote for a proposal which they know to be impracticable in order that they may conciliate some Members on this side of the House in their opposition to the measure brought forward by the Government, which they know to be *bonâ fide* and practical.

Mr. BERESFORD HOPE congratulated the right hon. Gentleman who had just sat down on the possession of one advantage highly important to a Cabinet Minister — a most conveniently short memory. While taunting the Conservative side with dislike of anything resembling education as a qualification for the franchise, he forgot that only a few years ago, at a time when he had not reached his present height of political eminence, before he was a Cabinet Minister, or even a Member of the House of Commons, the right hon. Gentleman the Member for Buckinghamshire, then the leader of the House, brought forward a Reform Bill full of educational franchises. That Bill was met by an inarticulate howl from the other side, which denounced all educational qualifications as "fancy franchises," a term of reproach which had since attached to all ideas of emancipating education, till the hon. Member for Hull had the courage to bring forward the present proposal. He did not say that the Bill in its present shape could pass or ought to pass any more than he asserted that the two Government Reform Bills, which were read a second time without a division on the main question, ought in their present shape to become the law of the land. Those Bills had been forced down their throats, and they had therefore the equitable right, if they chose, to express their freedom of action by bringing up any parallel measure to the same stage. Those two Bills, certainly not with the goodwill of the Treasury Bench, had since been referred to a sort of joint-stock amalgamation committee, so that there was in being at the present moment no Reform Bill actually before the House, but only two half Bills out of which sanguine persons ventured to hope that one practical measure might, if possible, be made. Clearly, therefore, it was but just and reasonable that the question of an educational franchise should come before the same Committee. It was said that the principle of this Bill, if followed out to the bitter end, led to universal suffrage; but the objection, if tenable, applied with equal force to a most venerable and important portion of the body politic —the constituencies existing in the three Universities. There, the only qualification was the degree of M.A.; no residence, no property, no payment of taxes was required, and the vote now might even be sent by post. It would probably be in the recollection of some hon. Members that six or seven years ago, when the Reform fever was at its last height, a scheme signed by many names of eminence in literature or science was extensively circulated, which proposed to overlay the old territorial constituencies of the country with other constituencies composed exclusively of persons possessing certain educational qualifications. He did not say that the scheme was practicable, but at least it introduced some other element besides impecuniosity, which was the principle of the £7 franchise; it proposed that education and intelligence should play their part in electing our representatives. The great object of the House should now be to settle this question of Reform for ever—that is, until some fresh pressure from Birmingham created fresh activity on the part of future occupants of the Treasury Bench. When every other subject was being postponed till this question of Reform was got rid of, it was trifling with the intellect of the country, it was paltering with great opportunities, to deprive the House of the possibility of considering, together with the other features of a Reform scheme, this question of an educational and intellectual franchise. He should vote for the second reading of this Bill, with the fervent hope and expectation that it would be referred to the same Committee out of which ultimately was to proceed the complete, perfect, final, and immaculate Reform measure under the able obstetrical management of his right hon. Friend the Chancellor of the Exchequer.

Mr. DENMAN said, that he had a distinct recollection of signing the document to which the hon. Member (Mr. Beresford Hope) had alluded—which he thought must have been fully twelve years ago. He was as fully persuaded now of the advantages of education as he was when he signed that paper; but from subsequent experience and after careful reflection, he had come to the conclusion that an educational franchise, however desirable it might be in theory, would be found impracticable, and was therefore undesirable as a political measure. What was the examination to which they would subject persons claiming the right to vote? It was stated in one of the clauses that it should be an examination in writing from dictation and in elementary arithmetic —that was to say in addition, subtraction, multiplication, and division. Now, it appeared to him that any such provision would admit to the suffrage a much greater number of the working classes than was desirable. He believed that in the towns of this country it would admit to that privilege far more persons than would be admitted by a £7 rental clause, which met with so much opposition from hon. Gentlemen on the other side of the House. The number admitted would be so enormous as to make it quite certain that they would swamp the other classes. But this was a question of statistics, which it was as important, or even more important, that they should be acquainted with than was the more easily ascertained question of who would come in under a £6, £7, or £8 franchise. He had been led to the conviction that an educational franchise would be a mistake altogether, because it must either be a most unsatisfactory test, or it must be something which, if satisfactory, would hit exceedingly few persons who had not the franchise already, or who would not have it under the extension proposed by the Government Bill. The result, he believed, must be mischievous. Somebody or other must be appointed to conduct the examinations, and supposing those examinations to be conducted in the fairest way, and without any bias in any direction, there would be nothing to prevent the admission of a very strange set of people to the franchise. There would be nothing to prevent the admission of "Jem the Penman,"and people of that class, who could read and write and forge, and who would be enabled to come in with the greatest ease. There would be nothing in an education test efficient to exclude improper persons from obtaining the franchise. If they had a better sort of examination—if the examination was to be in the history of England, or in some simple elementary part of it, or in the elementary principles of history generally — he would defy them then to avoid the almost certain result that there would be the greatest possible uncertainty as to who should have the suffrage. Then there was the further consideration that somebody must appoint the inspectors to make the examination, and an examination in history would involve an examination in politics, and if they gave to the inspectors an opportunity of plucking or passing persons on the ground of their knowledge of history, they would afford the Government an opportunity of making the whole thing one great and gross Government job. He would put it to the House whether, looking at the true principles of the Constitution of this country, there was any reason to depart largely from the principle that persons should only have the suffrage in respect to the occupation or possession of some property which gave them a stake in the country, and enabled the House to say—"These persons are not likely to be transient or flitting; they are not likely to be rash or reckless in matters of legislation, because they are themselves personally affected by the legislation which takes place." If the House were to agree to an educational franchise they would bring within the suffrage a number of young men who had not the least responsibility, and who were as likely to be reckless in the choice of their representatives as any class of the community which could be named; or the whole thing would become a gross Government job, and might entail the most mischievous results. The Bill was one which nobody would stand up for in principle as the principle was embodied in the third clause, and if it were to be passed at all it must certainly be altered very largely before it could receive the sanction of Parliament. The principle, if they were to bind themselves by it, required far more consideration than had yet been given to it; and though it might be a matter for future consideration, at present the House could not dissever the Bill from the principle contained in it, and he did not see how they were to agree to it.

Mr. WHITESIDE: My hon. and learned Friend who has just sat down (Mr. Denman) has told the House that, having at a former period entertained an opinion in favour of an educational qualification, he changed his mind some considerable time ago. He has not favoured the House with the arguments which originally convinced him, in favour of an educational franchise; but I think it would require better arguments than those which my hon. and learned Friend has adduced in support of his present views to convince the House that the question of an educational franchise is not worthy of being entertained by discreet men in this Assembly. I think the question would be one of great interest at any time; but I think it has a peculiar interest at the present moment. I agree with an opinion which I will presently show the House to be one entertained by the hon. Member for Westminster (Mr. Stuart Mill), that the principle of an educational franchise is Conservative, because it admits and asserts that all men are not equal—that is to say, that all men have not an equal right to govern their fellow men. That is a very important principle, and one which I feel gratified to find enforced by the able arguments of the hon. Member for Westminster. The very fact that they mark out a distinction between men according to the measure not merely of the natural understanding, but of the acquirements which they have made through life, establishes a very important principle for consideration in dealing with the electoral franchise. Property is the qualification recognized by our laws for the possession of the franchise; but intelligence and fitness have always been in a manner required by the Constitution. I admit that these latter qualities have always been associated with a property qualification; but if we go back to the establishment of the old 40*s*. franchise, we shall find that at the time when it took place that amount was of nearly as great value as £40 is at the present day, and it was assumed that the man who possessed such a property qualification was a person of mind and intelligence. But we are now debating a scheme of what is called Reform. That is a very good name for it. It may be a crude scheme, or it may be a very good one. It may be by accident, or it may be by design, that the Bill of the hon. Member for Hull comes before us at this particular juncture; but the possibility of an educational franchise has been considered by the ablest thinkers and the ablest writers, and all that the Chancellor of the Exchequer has said against it has been negatived by practice in the freest countries on the continent of Europe. And I must observe that the right hon. Gentleman's indignant protest against young men having votes was an extremely rash one. Young men are often more generous and patriotic in their political sentiments and more fit to exercise the franchise than old ones. In the University which I have the honour to represent, when, at the election which Mr. Croker contested, ribands and stars and titles and dignities were scattered by the Government, the young men of twenty-one who had just obtained their scholarships, rejected all those influences and returned a great man. Therefore, that was a miserable observation of the Chancellor of the Exchequer. How does the principle now acted on in the Universities differ from that of this Bill? Certainly it differs from it in the degree of knowledge required; but in both cases the test is an educational one, for without reference to property scholars and graduates who have taken the degree of Master of Arts have votes in the Universities. I do not understand my hon. and learned Friend (Mr. Denman) to go as far in his opposition to an educational qualification as to have any intention of seeking to put an end to it in the case of the Universities franchise; but if he should make any such attempt he shall have my steadfast opposition. In what way can the educational principle be worked out? According to such writers as I have been able to consult, there are two modes of carrying it into effect. One is having an educational test by itself, without any property qualification, the educational test of itself giving the right of voting to every person who has reached a prescribed standard of education. But what is the other mode? It is to require that the party applying for the franchise must have a certain amount of property, and to refuse to give him the franchise, even though he has that property, unless he reaches a prescribed standard of education. I think the second of those modes is a most important matter for consideration. I think it would be a fit subject for a Committee. There might be a reference to a Committee to consider whether the franchise could be reduced, and, if so, by what tests and conditions it ought to be accompanied, and, whether an educational qualification might not be required. The Chancellor of the Exchequer says that would be impossible, and got quite angry at the notion; but the right hon. Gentleman did not argue the question with his usual ability—in fact, he did not argue it at all. I find that the hon. and gallant Member for Aberdeen (Colonel Sykes), after addressing his hard-headed constituents, in reference to the Bill of the hon.

Member for Leeds, used this language to that intelligent audience—

> "But it is not that kind of suffrage I sanction—a mere brick and mortar representation. I accompany that with an educational test; that the man who is intrusted with power to send Members to Parliament should have the discrimination and judgment to do so with care, and when he has that, then give him the power to do it."

These remarks are worthy of consideration, because it is to be remembered that, when you give a person the electoral franchise, you invest him with power over other men, and therefore, you have a right to annex conditions in order to test his fitness. In the course of various discussions on the franchise, the Chancellor of the Exchequer has frequently repeated the assertion that votes ought to be given according to the number of hundreds or thousands of inhabitants in a particular place. Now, that is democracy. It is founded on the principle that one man is as good as another, but the hon. Member for Westminster (Mr. Stuart Mill) does not hold any such opinion, as I will show by an extract from his writings. Indeed, it is impossible to contend that one man is as good as another. I remember hearing an orator in my own country who, addressing a large political audience, asked—"Isn't one man as good as another?" The sentiment was democratic, and an Irishman in the crowd expressed his approval of it by exclaiming, "To be sure he is, and better too." But what does the hon. Member for Westminster say on this point—

> "It is the fact that one person is not as good as another, and it is reversing all the rules of rational conduct to attempt to raise a political fabric on a supposition which is at variance with fact. Putting aside for the present the consideration of moral worth, of which, though more important even than intellectual, it is not so easy to find an available test, a person who cannot read is not as good for the purposes of human life as one who can. A person who can read, but cannot write or calculate, is not as good as a person who can do both. A person who can read, write, and calculate, but knows nothing of the properties of natural objects, or of other places and countries, or of the human beings who have lived before him, or of the ideas, opinions, and practices of his fellow-creatures generally, is not so good as a person who knows these things. A person who has not, either by reading or conversation, made himself acquainted with the wisest thoughts of the wisest men, and with the great examples of a beneficent and virtuous life, is not so good as one who is familiar with these. A person who has even filled himself with this various knowledge but has not digested it—who could give no clear and coherent account of it and has never exercised his own mind, or derived an original thought from his own observation, experience, or reasoning, is not so good for any human purpose as one who has. There is no one who, in any matter which concerns himself, would not rather have his affairs managed by a person of greater knowledge and intelligence than by one of less. There is one who, if he was obliged to confide his interest jointly to both, would not desire to give a more potential voice to the more educated and more cultivated of the two."

Now, the moment the hon. Member for Westminster arrives at that conclusion in what position does he stand? It is true he puts the other view—that every man should have a vote; but the moment he utters that republican sentiment philosophy comes to his aid. The hon. Gentleman lays down a principle which is ridiculed by the Chancellor of the Exchequer. It is the principle of this Bill, but in working out his tests the hon. Member would give different men votes of different value. I dare say that in his opinion the vote of a lawyer ought to be worth the votes of five knife-grinders. The House will see the mode in which it is proposed to carry out the Utopian theory of an eminent philosopher. The hon. Member for Westminster says—

> "The perfection, then, of an electoral system would be that every person should have one vote, but that every well-educated person in the community should have more than one, on a scale corresponding as far as practicable to their amount of education, and neither of these constituents of a perfect representative system is admissible without the other. While the suffrage is confined altogether to a limited class, that class has not occasion for plural voting, which would, probably, in those circumstances, only create an oligarchy within an oligarchy. On the other hand, if the most numerous class, which (saving honourable exceptions on one side or disgraceful ones on the other) is the lowest in the educational scale, refuses to recognize a right in the better educated, in virtue of their superior qualifications, to such plurality of votes as may prevent them from being always and hopelessly outvoted by the comparatively incapable, the numerical majority must submit to have the suffrage limited to such portion of their numbers, or to have such a distribution made of the constituencies, as may effect the necessary balance between numbers and education in another manner."

The hon. Member also thinks that there is no difficulty in applying the test of reading, writing, and arithmetic; but in this the Chancellor of the Exchequer does not agree with him. I am sorry I did not hear the first part of the speech of the right hon. Gentleman, because I am sure I missed an intellectual treat; but when I entered the House I found him excited, and on asking what his warmth was all about I was told that it was simply about reading, writing, and arithmetic. Now what does the hon. Member for Westminster think of these branches of learning in connection with a test for the franchise? He says—

> "But reading, writing, and the simple rules of arithmetic can now be acquired, it may be fairly said, by any person who desires them, and there is surely no reason why everyone who applies to be registered as an elector should not be required to copy a sentence of English in the presence of the registering officer, and to perform a common sum in the rule of three. The principle of an educational qualification being thus established, more might hereafter be required when more had been given; but household or even universal suffrage, with this small amount of educational requirement, would probably be safer than a much more restricted suffrage without it. Reading, writing, and arithmetic are but a low standard of educational qualification, yet even this would probably have sufficed to save France from her present degradation. The millions of voters who, in opposition to nearly every educated person in the country, made Louis Napoleon President, were chiefly peasants, who could neither read nor write, and whose knowledge of public men, even by name, was limited to oral tradition."

That does, I admit, give us a very formidable lesson on the value of an extended suffrage. The hon. Gentleman has doubtless noted, in verification of this doctrine, the speech addressed by that eminent person a few days ago to the working classes of a certain part of France. In the presence of the working classes, he said that among them he could breathe freely; that he was conscious of the value of the support of the millions; and that he could afford to set at naught the opinions of the scholars, the wits, and the statesmen of France. Napoleon did not care for Thiers any more than Philip did for Demosthenes. The Emperor was quite safe in addressing the sentiment about the Treaties of 1815 to the men to whom he addressed it; but I believe that the educated people in France are as much opposed to war as we are. Then, again, does the hon. Gentleman believe in Bismarck? I do not; but I wish we had him here for a short time. Bismarck was for Parliamentary reform, for a wide extension of the suffrage, and would appeal from the middle class to the universal suffrage of Germany, in order to enable him to elect a Parliament to carry out the objects of his depraved ambition. The necessity of an educational test had been satisfactorily proved by the hon. Gentleman the Member for Westminster, who in this matter contradicted the Chancellor of the Exchequer. This is what the hon. Gentleman says, and I invite the attention of every thoughtful Member of the House to the passage, as it will show that he was of opinion that in the management of a Reform Bill this educational test ought to be taken into consideration. The hon. Gentleman says—

> "No lover of improvement can desire that the predominant power should be turned over to persons in the mental and moral condition of the English working classes; and no Conservative needs object to making the franchise accessible to those classes at the price of a moderate degree of useful and honourable exertion. To make a participation in political rights the reward of mental improvement would have many inestimable effects besides the obvious one. It would do more than admit the best and exclude the worst of the working classes."

Now, I say with the hon. Gentleman, that to admit the best and exclude the worst of the working classes is the policy of every thoughtful man. The hon. Gentleman goes on to say—

> "That all should be admitted to the franchise who can fulfil these simple requirements is not to be expected, nor even desired, unless means were also taken to give to the higher grades of instruction additional or more influential votes. Without such a provision the educational test adapted for permanency would require to be much more stringent."

More stringent that is than the test of reading, writing, and arithmetic. The hon. Gentleman goes on—

> "What should now be pressed on the consideration of practical statesmen is, that any lowering of the pecuniary qualification for the purpose of giving the franchise to a greater number of the working classes should be combined with the further condition of an educational test."

That is just what I am contending for. Well, the hon. Gentleman proceeds to say—

> "It would be a most substantial improvement in the existing representative system if all householders, without distinction of sex, were admitted as electors, on condition of proving to the registering officer that they could read, write, and calculate."

Their knowledge, however, is to be accompanied with the possession of household property. The hon. Gentleman goes on—

> "This, then, is one important principle which the expected Reform Bill, without going to any length in innovation which need alarm anybody, may inaugurate."

That was written in anticipation of the Reform Bill of Lord Aberdeen's Government; but the mere mention of the subject now has sent the right hon. Gentleman the

Chancellor of the Exchequer into a political rage. He is actually enraged at the introduction of a subject upon which valuable essays have from time to time been written by thoughtful men—namely, the connection of the lowering of the franchise with an educational test to be applied in the manner indicated by the hon. Gentleman. The hon. Gentleman, by the by, proposes to extend the right of voting to the fair sex. Now, I recommend him to withdraw that suggestion from his next publication. I know of an instance in Ireland where the ladies exercised their right of voting under some private Act. Their voting papers were at first rejected; but the Court of Queen's Bench subsequently held that they were good. But what did the ladies do? Why, they turned against the Radical candidates and proved themselves to be a most Conservative body. I warn him, therefore, as to what the consequences may be. The right hon. Gentleman the Chancellor of the Exchequer said he was not aware that an educational test had been recognized—although I believe the right hon. Gentleman is a personal friend of Garibaldi. Well, when there was a revolution in Italy Garibaldi objected to the middle classes, and proposed that universal suffrage should be instituted in order to enable him to declare war against Austria and to sweep away that old impostor, the Pope, as I believe he called him. The Italians decided to take the kingdom of Naples—and I must do them the justice to say that they have taken everything they could. The Neapolitans were invited to determine the question by universal suffrage, and they accordingly did so. But when I once asked an Italian gentleman whether the *lazzaroni* could safely be intrusted with the franchise, he replied, "Oh, no; we allowed them to vote by universal suffrage once, on the question whether they would accept the Sardinian Constitution, but we shall take care that they never vote that way again." On my expressing surprise, he showed me the organic laws. "There," he said, "you see that, first of all, nobody can vote till he is twenty-five years of age, then nobody can vote who is unable to read and write; and, in the next place, no one is entitled to a vote unless he pay a certain amount of direct taxes." I at once remarked that that was a very safe and Conservative suffrage after all. "Yes," he replied, "because if the suffrage were more extensive you could not govern wisely and well." Now, although the Chancellor of the Exchequer was so irate, I venture to express an opinion that even if the Committee were in favour of a reduction of the franchise they ought not to reduce it one single guinea without adding to it an educational test, as recommended by the hon. Member for Westminster. I confess that I cannot understand the argument of the hon. and learned Member for Tiverton (Mr. Denman). At one time he said that under this Bill the middle classes would be swamped. Now, I certainly will not vote for any measure that would have that effect, because I think that the middle class ought to govern. But my hon. and learned Friend, after saying they would be swamped, went on to assert that very few of the working classes would be admitted to the suffrage.

Mr. DENMAN: What I said was that, if this Bill were carried it would have the effect of swamping the middle classes; but that if a more stringent test were applied—a proceeding to which I objected—then it would bring in very few of the working classes.

Mr. WHITESIDE: The hon. and learned Gentleman guards himself with "ifs" and "ands." The Chancellor of the Exchequer, however, said that the working men would not be at the trouble of going through an examination of two hours' duration, and that they would object to the payment of a shilling. That must have been said in censure of the working classes. What is the case in Switzerland, where universal suffrage prevails? I remember on one occasion falling in with a Swiss gentleman who discussed the subject of government and popular education. He remarked, "We could not exist as a Republic unless we had an educational test." "But," I said, "suppose a man does not choose to educate his son?" "Oh," replied he, "we take the child by force, and send him to be educated whether the father likes it or not." The Chancellor of the Exchequer would, doubtless, feel indignant at this if he resided in Switzerland; but, nevertheless, he would have to submit. It will be seen, therefore, that in Switzerland, where no property qualification is required, a high standard of education is reached. And when a proposal is made to reduce the franchise in this country, and to give a preponderating power to one class, is it unfair, unreasonable, or inexpedient to take into consideration the propriety of combining an educational test with the reduced franchise? The right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Goschen), inquired why we objected to the working classes; but he mistook the ground of our objection. We object to the indiscriminate admission of a multitude of persons to whom no test has been applied. I do not like to hear so much about classes. We are only to look at the question of expediency. There is no abstract right. That is a theory of the Chancellor of the Exchequer, but it is now held by no one except the right hon. Gentleman himself. It is for Parliament to specify the conditions upon which the franchise shall be given, and if the Committee is bent upon reducing the franchise, then I think the hon. Member for Hull has done good service by suggesting the practicability of introducing an educational test. The Chancellor of the Duchy of Lancaster said we had no statistics on the subject; but what statistics could possibly be required? Then the right hon. Gentleman said the principle would lead to universal suffrage; but I deny that that would be the result unless such a high standard of education as the right hon. Gentleman admitted to be impossible were universally attained. I trust that the right hon. Gentleman may live—though not as a Minister of the Crown—to see the day when all Englishmen shall have become as wise and as well educated as himself—for I should be willing to give him the franchise. But the right hon. Gentleman went on to argue that this measure would admit but very few persons to the suffrage. I trust that argument is unfounded; but, at all events, if all but a very few of the working men would be excluded by the moderate test proposed, upon what principle can you admit them by hundreds of thousands? Then the right hon. Gentleman objects that this Bill could not be carried out; but in Italy and Switzerland it has not been found impracticable to ascertain whether men possessed a certain amount of education. At all events, the subject is worth investigating. The test proposed is, as the hon. Member for Westminster says, a Conservative one—and I thank him for the word, for if it is Conservative, it is right, and if it is anti-Conservative it is wrong; and I admit that it is the duty of the Members of this House to amend and improve the best Constitution in the world.

Mr. BRIGHT: If I could regard this measure introduced by the hon. Gentleman the Member for Hull (Mr. Clay) in the light in which he regards it I think he would not surpass me in anxiety to see it receive the cordial approval of the House of Commons. But after that consideration which many of us have been obliged to give to this question during many past years—for it is a question which has been much pressed upon public attention by certain writers in this country—I confess that I am unable to see either the righteousness of the principle or the possibility of advantageous practice with respect to any measure of this kind. I believe that if anybody fifty years hence should be induced from any cause to review the opinions which I have held or have expressed upon the question of representation, I should be held to be by those who do me any justice one of the most Conservative politicians of my time. I differ from hon. Gentlemen opposite in many things, and I differ from them much in this—that I am unwilling to depart from the ancient practice of the Constitution of this country under any circumstances where such departure does not appear to be absolutely necessary for the public good. Now, take this proposition which is before the House. Every one who has spoken, either in favour or in opposition to this Bill, has admitted that the Bill involves that which is entirely new in this country. I believe, notwithstanding what has been said by the right hon. and learned Member for Dublin University (Mr. Whiteside), that it is almost as new, speaking of it as a matter of working and practice, in every other country. The right hon. Gentleman referred to the condition of Switzerland, and told us an anecdote of some Swiss gentleman, but it is so many years ago that I fear he has forgotten what he said. But that Swiss gentleman did not tell the right hon. and learned Member that men in Switzerland were not allowed to vote until they passed through a certain educational examination. He no doubt told him that in Switzerland there prevails a public and, as I understand, a compulsory system of education. [Mr. Whiteside: So he said.] So he said; but that is a totally different thing from asking a man to go through a formal examination of this kind with a view to ascertain whether he should be placed on the roll of electors. I want solid proof of its necessity to be offered to the House and to me before I accept a proposition so entirely new, and, as I think, so entirely fanciful, as that involved in this Bill. I want to be shown how the ancient practice of the Constitution, the ancient line on which our forefathers always travelled, and on which we have hitherto travelled, is not sufficient for an adequate extension of the franchise and an adequate and satisfactory representation of the people. The idea of education, in the sense of reading, writing, and arithmetic—and I know not what other branches of knowledge may at some time be added—seems to me to be almost puerile in considering this question. The right hon. and learned Member for Dublin University is a man who has all the advantage of the highest education which the highest University of his country can give, and he has had his wits expanded by a great and successful practice in the law, and he has been in the House for many years, and we know how skilful he is in debate; but I undertake to say that the political principles of that University, so far as he represents them, are principles upon which the Government of this country can by no means be maintained. I say further that if this Parliament had governed the United Kingdom upon the principles of the representatives of the three Universities, there has been no anarchy in any European kingdom during the last hundred years that would have been comparable to the anarchy which would have prevailed amongst us. What is the object of education, except it be directed to a special question or a special purpose? My hon. Friend behind me, the Member for Westminster (Mr. Stuart Mill), is a man as highly educated, probably, as any man in this House; and the right hon. Gentleman the Chancellor of the Exchequer is not surpassed in education and acquirements probably by any man in the kingdom:—but what is the good of their high classical and it may be scientific education, if directed to certain things and purposes which have not in the least come in their line? For instance, I will take them both into my factory in Lancashire, and put them to do the simplest thing:—I would set them to put one of the commonest pieces of machinery together, and to keep it going; and the result would be that they would be scarcely able to keep their fingers out of mischief—and we should in a short time have an addition to the number of those accidents which unfortunately happen too frequently in our manufactories. Education as regards politics—if a man is educated as regards politics—is just as good, of course, as education with regard to any other object. If you take all the clergy of England, who are an educated body of men—no doubt some of them are mediocre, but a great many of them are men of high attainments—but if you take these men and put them through an examination on political questions and political principles, you will find, for the most part, that they know very little indeed about them. Well, if an educated man—classically and scientifically educated—knows nothing of politics, which is very often the case, how shall he be more competent to decide who shall sit in this House—or, if he sit in this House himself, how shall he be more competent to decide what laws shall be passed than men in the humbler classes of society? The object in giving them the vote is this, that they should choose some man of their neighbourhood in whom they have confidence, that he may come to Parliament to assist in making the laws under which they shall live. I do not know whether we have any in this House who have written history, but we have many that have read it, and who may remember that it is not very long ago—say as late as the time of Queen Elizabeth—that probably the majority of the members of the Peerage of this country were not able to read or write; and much of the greatness of this country — it may be all the greatness — has been achieved when the upper classes as we now call them—the rich, the propertied, and the powerful classes had very little of that kind of education to which this Bill refers than is now obtained for the most part by the most industrious and intelligent of our Sunday school children. Let nobody get up after me and say that I disregard or undervalue the worth of education. I have not had the advantages which many have had, but that fact only makes me the more value that which other men have obtained, and there is not living at this moment any man who values more than I do for its usefulness to others, and for its luxury to one's self, that admirable education which is now being obtained to such an extent amongst the higher classes of society. But now I come to this particular Bill. I understand that it applies only to cities and boroughs, and that it does not apply to counties; though perhaps my hon. Friend will say that he is ready to apply it to the counties, and if he did so I suppose hon. Gentlemen opposite would support that proposal as much as they do the Bill which it is now proposed to apply only to cities and boroughs. Now I ask whether it is necessary for us—for I must be shown that it is before I can vote for this Bill—to depart from our ancient practice, because what we want is what the people shall feel to be a fair representation, and that this House shall undertake an honourable and intelligent guardianship of all public interests. The ancient Constitution held that every householder in every city and borough shall vote. No lawyer would—and I am sure the right hon. and learned Member for the University of Dublin would not out of this House—undertake to deny that. If he would read the introduction to that admirable and laborious Report upon the boroughs of England, prepared by Serjeant Merewether and Mr. Stephen thirty years ago, when the Municipal Reform Bill was under discussion, he would find that proved beyond all possibility of dispute. For many reasons that franchise had become greatly limited, and it was necessary when the Reform question was considered in 1832 that that limitation should, to a large extent, be removed ; I hold it to be a great misfortune that the old Constitution was not then restored. The limitation, however, was removed, and the franchise was extended to the limit of an occupation of £10 per annum. Why was it that Government and Parliament fixed upon £10 in 1832 ? I have no doubt it was fixed upon this ground, and this only—that, looking generally at the occupiers of £10 houses in boroughs, it was believed that they were a class of men moderately and sufficiently independent in means and income, and sufficiently informed to enable them in their different constituencies to select, without an absolute stupidity, Members to sit in this House. Everybody is now delighted with the £10 franchise of 1832 ; and there are some who express an extreme admiration for it, I suppose chiefly because they do not want to go lower than that. But what is the ground upon which the Government now ask the House to proceed further and to go as far as £7. I am not about to defend £7 in the least. I should just use the same argument as regards the £8, £6, or £5 franchise. The ground is this. There has been a great advance of intelligence amongst the people, and a great extension of political information, and no doubt a great extension also of independent feeling and of a desire for political position. Therefore they say that all the arguments that were in favour of a £10 franchise in 1832, and by which then it was successfully defended, can now be brought forward in favour of a further extension of the franchise, to a somewhat lower amount, which the Government has proposed to fix at £7. Let me ask the House whether this test of occupation which our forefathers first established is not the highest and best test for the adjustment of a great question like this. What is the difference generally between men who live in houses of the lowest character—I mean lowest in point of value—and those men who live in houses worth £20, £50, or £100 per annum ? We know, first of all, that the house which a man lives in is to a large extent the test of his income and his expenditure. I do not say that it is so in every case, but speaking of the rule all over the country, the house a man lives in and the rent he pays may be taken to be the test of his expenditure, and expenditure in the main is the test of income. The man who is a householder, in a great majority of cases, is a married man, and in a great majority of cases there are children in the house. You will generally find that he is a man with a fixed position, and if you enter the house you will find, as you begin from the lowest—say the £4 or £5—until you come to the £50 or £100 rental, all the signs of what we call civilization—namely, comfort, luxury, it may be, physical and mental enjoyment, newspapers, books, education, and so forth. This must be so clear that I will not argue it. You find in the houses of the smallest rental, and those which are the poorest furnished, less probability of the education of the children than there should be. Trace this from those lowest houses to the houses of higher quality, and you find that what I say is the case—the house is the real test for what you wish to ascertain when you propose to make an extension of the franchise. I will suppose, for the sake of argument, that the other Bill now before the House has passed, and that the franchise is lowered from £10 to £7. You will then include in it many persons who are just in the same condition in life as those that have the franchise above the £10 limit, and you include some of a somewhat lower condition in life ; but the condition of those families between £10 and £7 is such that you may fairly confer the franchise upon the occupants of such houses ; and at any future time, if you wish to extend it further—if this education about which you talk so much has further extended—you can go down to £6 or £5, or take your municipal franchise of household suffrage. By the household test, I say, without fear of contradiction, that you get the best test you can possibly have of the means, and expenditure, and enjoyment, and education, and civilization, and independence, of the great bulk of the population. There is no manner of doubt about it, and our forefathers were perfectly right in regard to the course they took as to giving the franchise to the occupiers of houses in cities and boroughs; and the framers of the Reform Bill were right, if they thought it proper to depart in any degree from that ancient principle, in fixing a line of rental which they thought would fairly embody those whom they wished to enfranchise, so that it could be lowered at any time hereafter, when the public opinion of the country thought that it would be advantageous to admit a larger number of the population into the suffrage. The Chancellor of the Exchequer referred to one point in this Bill which I think is of considerable importance, and that is the different manner in which it would treat the young of twenty-one, and the old, I may say persons of fifty and upwards. I do not say it would be wholly inoperative—I do not say it would lead to universal suffrage. You would have under this Bill some—I do not know what number—of young men living with their parents who would obtain the franchise. It might admit a large number of young men from twenty-one to twenty-five or thirty years of age. Now, I have no objection to young men, but I think a system of franchise which said to the great bulk of the existing working men of England "Whilst your boys of twenty-one shall be admitted to the franchise under the Bill now before the House, you, their fathers, because in your time education was not so common, shall not be admitted, although it may be that you have brought up those very boys in the position in which they are now," I say a Bill like that would be wholly contrary to the constitution of the country, and would be grossly insulting to the great body of the working classes. That I hold to be a strong ground against this Bill. It is obvious that if the Bill came into operation it must operate precisely in the manner in which I have now described; because it is not to be expected, when men have been engaged in laborious occupations for twenty or thirty years, and their education very small at first, has remained wholly uncultivated afterwards, that they will in any appreciable numbers whatever come into the franchise by the operation of the Bill before the House. I am free to declare that it is not because this Bill will admit many or few, nor yet that it will lead to universal suffrage, that I am opposing it. I do not fear universal suffrage, but I do not in the least recommend it. I have never said anything for it in public or in private. I have a letter in my pocket at this moment from one of the most eminent writers in the United States, who tells me that he believes universal suffrage is the most Conservative thing in the world. Whether it be or not, I am for standing on the old line of the Constitution of this country. I believe that our forefathers were right and wise when they were willing to intrust the representation of the cities and boroughs of the kingdom to the heads of families, occupiers of houses within those cities and boroughs. And with that opinion I have opposed always, and probably shall always oppose, any of those fancy franchises which I believe are departures from the ancient Constitution, and which are generally offered to Parliament and the country by men who, I think I may say, have some fear lest that ancient Constitution should be fairly put in practice. Those literary gentlemen outside who write the London weekly papers, who are all for what they call culture because they happen to have a smattering of two dead languages, talk of culture and say the great body of working men of this country should be permanently excluded from the franchise. I have no sympathy with such notions, nor any of those schemes which the right hon. Gentleman the Member for Buckinghamshire proposed in 1859, and which the hon. Member for Stoke (Mr. Beresford Hope) calls educational franchises. The hon. Member for Stoke spoke as though he wished to impose upon the House when he called Lord Derby's Bill a Bill with educational franchises. Why, it was a Bill to admit lawyers, from the highest of the profession to the humblest attorney, medical men who were licensed, schoolmasters, and so forth. As a rule, all those classes would be admitted by the Bill which is now proposed by the Government. There is not a man of any one of those classes who would say he was dissatisfied, and believed, notwithstanding he himself might by accidental circumstances be excluded, that those classes were excluded—there was never one of those men —lawyer, doctor, minister of religion, or schoolmaster—that was not fairly represented in this House. I am against these fancy franchises. I stand by the old line of the Constitution. I say that our forefathers were generous and just in their views of representation, and I would rather take their opinion and act upon their example than take the opinion of the hon. Gentlemen opposite, who seems to me to change about with a facility that is ludicrous and deplorable. By such changes, in conjunction with some Members on this side of the House—they think they can embarrass the Government and thwart the progress of the Government Bill for the representation of the people. I believe if this Bill were passed, or Bills of this nature, they would produce confusion throughout the country in that which is now simple. There is not a working man in England—I hope, at any rate, there is not an hon. Member on that side of the House—after what we have heard during the last two months, who can doubt my anxiety to admit the working classes to a fair representation in this House: but I am unwilling to depart from principles which have been long tried, which we thoroughly comprehend, and which can give working men representation fairly and constitutionally, to favour any of those new-fangled propositions, although they may be introduced with perfect sincerity, as I do not doubt this Bill is introduced by my hon. Friend, who is the father of this Bill. I beg hon. Gentlemen opposite, if I may give them a word of warning—after twenty years of looking into their faces, and speaking to them, I am afraid too often—they perhaps yet suppose I would say things to them which I do not believe. If they do, they do me a great injustice. I ask you whether, if instead of professing, as to-day, in very vague language—I know what it means—probably to be followed by votes that are not vague—an enthusiasm for a wide extension of the suffrage through the door of this Bill, would it not be more consistent with your assumed character for Conservatism if you were to adhere to the ancient lines of the Constitution, and if you find it desirable to admit any number, be it large or small, to the possession of the franchise, to travel on the same road that your forefathers have travelled—a road which is adequate for all purposes, of a most complete and satisfactory representation—a road along which I will undertake to say the working men of England look for that emancipation which they claim, and not to any fanciful propositions like that which is now before the House?

VISCOUNT CRANBOURNE: Sir, I desired to rise earlier in the debate, in order to reply to the challenge of the right hon. Gentleman the Chancellor of the Duchy, who expressed his surprise that I had not already asked for statistics showing the number of persons to be enfranchised under this Bill. But I think the right hon. Gentleman forgets the exact position in which we stand. When we were discussing the second reading of the Bill for the better representation of the people, we were discussing a Bill to the figures and other details of which the Government had absolutely pledged themselves. The Chancellor of the Exchequer had been going about the country breaking his bridges and burning his boats; and we knew that it was the determination of the Government to adhere to the £7 franchise; and therefore we could only discuss the Bill upon the assumption that that franchise formed an integral portion of it. If the hon. Gentleman the Member for Hull (Mr. Clay) had taken the same line, we should have been placed in a similar difficulty with regard to his Bill. If the hon. Member had declared that he had passed the Rubicon, and was going to stand or fall by the chief details of his measure, I should feel a difficulty in voting for the second reading. But he has brought forward this Bill, as I understand him, merely to sanction a principle; he has not said that he is resolved to adhere to every detail, or even to every important detail; and we may therefore hope, if the House should now sanction the principle, that in Committee we may induce him so to modify the Bill that there may be no danger of admitting extravagant numbers to the representation, or of passing impracticable provisions. If we should get into Committee, one point I should certainly deem essential—namely, that the franchise it would bestow should be regarded as supplemental and complementary to other qualifications for the franchise. I believe it is the general feeling of the House—I am sure it is the feeling of this side of the House—that an educational qualification, meaning thereby the qualification of intelligence, no matter how ascertained, is essential to fit a man for the proper exercise of the franchise. At the same time, it is felt we should by no means divorce our legislation from that principle of property and occupation which is already contemplated by our law, and which we hold to be one of the first principles of the Constitution. I do not, therefore, feel myself precluded from voting for the Bill because it does not contain such provisions. Its main principle is one to which we attach the greatest value; and, as the hon. Member (Mr. Clay) is not obstinately wedded to details, I have no doubt that in Committee we shall be able to adjust clauses which will be satisfactory to many Members on both sides of the House. We have heard a great deal this afternoon about our ancient Constitution. In fact, this afternoon has been remarkable for Conservative speeches, delivered by orators from whom we should have least expected them. Some inspiration of Conservatism seems to have lighted upon men whom I should have regarded as among the most advanced Radicals in the House—the Chancellor of the Exchequer and the hon. Member for Birmingham. The hon. Member, in particular, expressed a deep admiration for the ways of our forefathers; for the ancient paths of the Constitution, and for principles which, having tried, we have found safe and effectual, in preference to new and untried principles of which he entertains, it seems, a great horror. Now when I hear an idolater of democratic institutions, an admirer of Americans, a Gentleman who is always urging legislation according to the American model—when I hear him appealing to the principles of our ancient Constitution, I feel very much as Antonio felt when Shylock quoted Scripture for his purpose. I will ask the House whether, in their opinion, the ancient Constitution of England was democratic? In ancient times, no doubt, it was found safe and right to intrust large bodies of the lower classes with very considerable power. But was that power the rule of numbers over the rest of the community? Was it not balanced by strong constitutional checks, which the rule of mere numbers could never overcome? You had, then, a really powerful Monarchy; you had a House of Lords, whose prerogatives and privileges no one disputed; you had a population far more thoroughly under the influence of the higher classes than they are at present; and with a population so constituted, with institutions in that stage of development, it was undoubtedly consistent with a thoroughly non-democratic Constitution that in particular cases the franchise should be largely given. But, applying to the hon. Member for Birmingham the words which he applied to the hon. Member for Stoke (Mr. Beresford Hope), I say that he is imposing upon the House when he tries to find in the ancient Constitution of this country any sanction for the democratic views to which he has devoted himself with such fervour. The truth of the matter is that we have to vote upon this Bill, and we on this side of the House are inclined to vote in its favour, because we are at present engaged in mending the bad Bill of the Government. The Government has already committed us to propositions which in our opinion will give an undue advantage to the numerical principle. We seek, then, for restrictions and conditions that shall put a check upon that principle, and enable us to adopt the proposals of the Government, or something like them, with safety. The whole question relating to this constitutional change must be dealt with on the principle of compensation. The hon. Member for Birmingham objects to what he calls fancy franchises. I do not doubt that he objects to them, for it is by these franchises, these compensatory provisions, that we hope to diminish the power of mere numbers, and to reconcile a wide extension of the suffrage with the maintenance of our institutions as they are. If you pass the Government Bill in its present shape, we say that it will have two great faults among others; and one is that it will increase corruption. We did our best the other night to remedy that evil, and to our extreme astonishment were opposed by the advanced Liberals. The other great fault of the Bill is that it will give power to ignorance. We are now doing our best to remedy that evil also; and again we find that ignorance is as popular with the Liberal party and its leaders as corruption was on Monday. Sir, I was not surprised at the sneers which the hon. Member for Birmingham launched at what he called culture. For I well know that if the instincts of culture—if the opinions which culture suggests—if the philosophy with which all knowledge really and thoroughly pursued must imbue the minds of politicians—if these are to prevail there is very little chance in this country for the views of the hon. Member and his school of thinkers. His whole hope is in the supremacy of ignorance. His main object is to discourage and sneer down culture in every form. ["Oh, oh!"] I assure hon. Gentlemen that I heard the phrase issue from his lips with as much surprise as they did. Whatever an hon. Member might think, I did not expect that any man—even the advocate of the most democratic principles—would sneer at culture for its own sake. [Mr. BRIGHT: I never did so.] Did not the hon. Member sneer at those who wrote out of doors because they possessed culture—because they know fragments of one or two dead languages which he appeared to look upon with intense contempt? Possibly if the hon. Member had himself cultivated those two languages with greater concern, he would know more and be a more reliable guide. [The CHANCELLOR of the EXCHEQUER: Oh!] I am sorry to excite the anger of the Chancellor of the Exchequer. We all know with what success he has cultivated these "dead languages." I ask him whether he cannot find in the range of ancient literature much that will teach a man to dread democracy? And when I listen to so distinguished a master of oratory as the hon. Member is—one whose culture of his own tongue is so undoubted, and who, I cannot help thinking, has much of that other culture which he affects to despise—I am surprised that he, too, should not have read in the lessons of ancient experience and the teachings of ancient sages a warning of the dangers into which he is recklessly hurrying his country. Sir, I had no wish to occupy the House, but I desired to set myself right with regard to the grounds upon which my vote will be given to-day. For the details of the Bill in their entirety I do not vote. I do not even pledge myself to this Bill as a single and isolated measure. But, as we are already engaged in mending the Government measure, and this Bill appears to contain a corrective of that which is perilous in the measure of the Government, I accept it in the hope that, if we are bound to the principle of numbers in our Constitution we may at least have some assurance that those admitted to the franchise will properly exercise the trust conferred upon them.

THE ATTORNEY GENERAL: I wish in a few words to recall the attention of the House, and I hope of the country, to the very remarkable position in which this measure is placed by the speeches which have been delivered upon the other side. The noble Lord the Member for Stamford (Viscount Cranbourne), and the right hon. Gentleman the Member for Dublin University (Mr. Whiteside), professing to vote for the principle of this Bill upon its second reading, have, if I understand their speeches rightly, supported it as a restrictive measure, imposing limits and fetters upon the franchise as already enjoyed, or upon the extended franchise proposed by the Government. Now, what is this Bill? Its title is, "A Bill to extend the Elective Franchise for Cities and Boroughs in England and Wales;" its preamble says that "it is expedient to confer the right of voting for Members" "upon certain of Her Majesty's subjects who have not heretofore possessed the same." From the beginning to the end, every clause in the Bill is an enfranchising clause; but the argument on the other side is a disfranchising argument. Says my noble Friend opposite, "We do not vote for this Bill upon its merits; we do not commit ourselves to a single clause; we do not intend to confer the franchise either on those who can read and write and do a little arithmetic, or any other class of persons whatever, upon the footing of an independent educational qualification. But we have before us the bad Bill of the Government and"—I am happy to hear this from my noble Friend—"we are engaged in an attempt to mend that Bill." He is, therefore, most anxious to get into Committee on the Bill, there devoting his attention to the Amendment of its clauses; and then an excellent idea occurs to my noble Friend and the right hon. and learned Gentleman (Mr. Whiteside). "The Government are going to extend the franchise to a certain class of householders whose rental is below the amount which now gives a title to the franchise. If that measure passes—not otherwise, because we have not the least notion of extending the franchise—if by any accident the House should give electoral privileges to any class of Her Majesty's subjects not now possessed of then—what a capital thing it will be to have an educational test; not in the counties, because there an educational test might not be altogether acceptable, but in the cities and boroughs! Here are 'conditions,' 'restrictions,' 'qualifications,' upon the extended franchise proposed! Here we have a valuable 'corrective' to the Government plan! Here are the necessary 'compensations,' and 'checks' to an extended franchise!" This is the position taken by my noble Friend and the hon. and learned Gentleman. Now, it is well that this should be understood. I confess that it entirely relieves hon. Members opposite from the possibility of our retorting upon them the charge which my noble

Friend made against the Chancellor of the Exchequer and the hon. Member (Mr. Bright), that all on a sudden Radicals had turned Conservatives. It might otherwise have occurred to the unenlightened and uninitiated, who did not know what was going on, that perhaps Conservatives had on a sudden turned Radicals. My noble Friend takes care that we should be better informed. Are hon. Gentlemen on the other side going to confer the franchise on everybody who can read, write, and do a little arithmetic? Nothing of the sort. "We don't mean to extend the franchise at all if we can help it," says my noble Friend—"we do not want to confer the right of voting upon any of Her Majesty's subjects who have not heretofore possessed it; but if by any accident the franchise should be fixed below the £10 line, we may, perhaps, by engrafting upon that measure the change proposed by the hon. Gentleman (Mr. Clay), in some degree neutralize and limit its operation." Now, if it be wise and right to limit and neutralize in any such way the increase of the constituencies, a proposal to this effect may be made in Committee upon the Government Bills; but to vote for the principle of the measure now before the House upon these grounds calls to my mind words which we have often heard—"an organized hypocrisy." And now, while upon my legs, I would take the liberty of tendering my thanks to the hon. Member for Birmingham for the speech which he has just addressed to the House. The hon. Member has often said many things which I have heard and read with pain—not so often in this House as out of it. The admiration I feel for his abilities and distinguished services, and the respect which I have always been disposed to feel for his character, have made me regret most sincerely the things to which I have alluded. They have given an advantage—a very considerable advantage—to the opponents of measures which he has, I believe, for the good of his country, desired to see pass. But on this occasion his sentiments are the same which I believe he has before expressed, and which I and all who attended the meeting at the house of the Premier before the introduction of this Bill heard him express—that he never had been, and did not expect that he ever should be, an advocate either of universal or of manhood suffrage; that he adhered to the ancient principle of household suffrage already known to the Constitution; that he expected the ultimate extension of the franchise to go as far as that, but further than that he did not expect or desire to go. Sir, I should be ashamed of myself if, hearing this said by an hon. Gentleman who has so often been the subject of attack in this House, I did not in my place here state that for some years past, since I have been able to give my mind to the consideration of this question, I have held opinions substantially the same as those expressed by the hon. Gentlemen. Of course, I am now stating my own views, and not the views of those near me; but I do think that the present municipal franchise—a franchise given to heads of families inhabiting rated houses—is the point to which we must ultimately advance, and to which on Conservative principles I, for one, should be well pleased to advance now. Meanwhile, I repeat that a great public service has been done by the hon. Gentleman in making the House and the country understand that with regard to the franchise he does not favour those extreme and revolutionary measures the advocacy of which has been sometimes imputed to him.

Mr. ADDERLEY: Sir, the hon. and learned Gentleman who has just sat down (the Attorney General) summed up his attack upon this side of the House by retorting upon us one of those pointed expressions which have become celebrated from the mouth of the right hon. Member for Buckinghamshire. He stigmatizes our opposition as an "organized hypocrisy." He says that we are employing in favour of an enfranchising Bill disfranchising arguments. But let me ask him whether every Bill for the extension of the elective franchise short of universal suffrage is not a disfranchising Bill of necessity; for what is any Bill qualifying the elective franchise but a Bill to disfranchise all below its limit? [*Laughter.*] Hon. Gentlemen laugh at that argument—but the Bill of the Government is a disfranchising Bill, and is defended chiefly upon the ground of its disfranchisement. If it were not, why did they take the limit of £7 and except all between that and zero. The question before the House is simply one of degree. What limit shall we impose upon universal suffrage; the question is one of degree and limit; whether the limit of the Government be a good and satisfactory limit, or whether the Bill proposed by the hon. Member for Hull (Mr. Clay) does not suggest to us another qualification that might be combined with that of the Government, and in combination with it might give a safer protection against the approach of universal suffrage. The hon. Member for Hull, in introducing his Bill, said that he looked on the Bill of the Government as inevitably tending to universal suffrage, and he proposed his educational franchise simply as a limit and as a clog upon the inevitable progress to universal suffrage. There is nothing more remarkable in this debate than two points that have been elicited; first, the horror of the Chancellor of the Exchequer at universal suffrage; and secondly, the anxiety of the hon. Member for Birmingham to walk in the ancient lines of the Constitution. The hon. Gentleman has come out as the champion of the Constitution as a bigotted old Tory. The fact is that there is nobody to whom the Conservatives are more indebted than the hon. Member for Birmingham, for his attacks upon them—for his unlicensed abuse of the country party, and I would even say for his open and avowed attacks upon the Constitution of his country; for the effect has been that there has been such a re-action in the opinion of the country that it has done more for the interests of the Conservative party than even the best arguments of the Conservatives themselves. What has the hon. Gentleman said in his remarks to-day? He says that the ancient lines of the Constitution preclude the Government from even discussing this educational franchise. He supposed it to be a novelty, and as a novelty he would discard even the discussion of it. Let me say that there is nothing essential to the Constitution in the mode in which you impose a test or limit upon the franchise; but what is common both to the Bill of the Government and to this Bill of the hon. Member for Hull is that it imposes a test and a limit upon the elective franchise; and whether the Government test of property, or the educational test be adopted, there is no essential difference between them. What is essential and what the hon. Member for Birmingham may safely follow out in standing on the ancient ways of the Constitution is imposing some limit, and as we see no secure limit in the proposition of the Government against a rapid descent to democracy, we are glad to take into consideration any additional check, and we think that a combination of the two proposed might be some additional security. The hon. Member for Birmingham said that he hoped that no one who followed him in the debates would accuse him of depreciating education; but I say that it was impossible for any one to hear his remarks without seeing that he did do so. He said that if the legislation of this country had been carried on in the spirit of the Universities, we should have seen no progress in the past century, and he laid down the principle that he saw little use in a test of general education unless it were special to some practical purpose. I, for my part, would take just the reverse of that principle. I see very little good in special unless it is based on general education; and it is exactly on that principle that I do not want a knowledge of political economy, or the dead languages, or such like knowledge to be the test of the franchise; but I want some proof of mental fitness—such as some minimum proof of general education and intelligence—which, in combination with other tests, may be useful as restricting to capable citizens a defence of the Constitution. In discussing the second reading of this measure we are simply to take into view the principle of it; and, with the single exception of the hon. Member for Birmingham, no one has disputed the wisdom of the principle of the measure. The whole speech of the Chancellor of the Exchequer was suited for Committee and not for the second reading. Every criticism of the right hon. Gentleman referred to details of the Bill. ["No, no!"] I appeal to those who heard it whether the various clauses were not brought up one after the other and criticized and scanned, and the objections thus raised were the sole objections made by the Chancellor of the Exchequer to the second reading—some of them were inconsistent with others, but all were such as could be removed in Committee. This Bill is very much akin to that of the Government; they both stand on the same ground; they both discuss tests and limits of the franchise, and they both in my opinion go greatly too far in their propositions. The Government Bill proposes to intrust the elective franchise mainly to those who have the least property, and the Bill of the hon. Member for Hull proposes to place the elections mainly in the hands of those who could barely read and write. They both go too far; but I believe that the two might be very well combined, and that the tests of property and education in combination would be much safer than either the one or the other alone. The Chancellor of the Exchequer having first expressed his fear that this Bill might lead to universal suffrage, afterwards suggested many other objections in a totally different direction. He said that the examination proposed was too severe, though the hon. Member for Hull had said that he proposed that amount of education which was required for the lowest employments in the Civil Service. Then he said that the payment of 1*s.* fee would be an additional bar; but this only showed how far the right hon. Gentleman appreciated the desire of the lower classes to have the franchise, if he thought the payment of 1*s.* would be an obstacle to its acquisition. He then said that there were forms prescribed by the Bill which would act as a restriction; but was he not well aware that if the franchise were greatly extended the matters of form would be conducted, not by the voters, but as in America, by agents for them, who would act in elections upon a large scale as factors of votes? The question before us is, what is the best and safest line in the face of the advance of universal suffrage; and I would appeal to the hon. Member for Westminster (Mr. Stuart Mill), who is by far the most able writer upon the subject, and upon whose principles the Bill is, in fact, founded. He himself has maintained that upon such an extension of the suffrage as was proposed by the Government—and adopting which we must look to a much greater extension—it would be wise in this country to combine with it very considerable checks; and he proposed a most effectual check in the shape of plurality of votes; that the rich banker and merchant should have more votes than his clerk, and the scholar than an ignorant labourer. But these philosophers are not to be depended upon in this practical House; for when these questions come for decision they are so enamoured of the abstract principle that they forget all checks which in their writings they described as necessary, and support the proposition without any safeguards. I say therefore that the hon. Member for Westminster is a broken reed to rely upon, and that we must be cautious in attaching his reasons to a practical conclusion. But I appeal to him to say whether he has not argued that these checks were absolutely necessary; and that is the sole proposition which is before us now. I maintain that we can put these two Bills—the Bill of the Government, and the Bill of the hon. Member for Hull—together; and that if we combine both checks on the descending process of the franchise, it will be much safer than to take the Bill of the Government without any check. I wish the House to recollect that the Chancellor of the Exchequer has allowed thus much—that at all events an educational test might be admitted to this extent, that when a voter gave his vote at the poll he might be called on to sign his name. This is a material admission, and the hon. Member for Hull should recollect it, and if he is deprived of the nine-tenths of his Bill he may take refuge in that as a valuable additional test of that intelligence and independent interest in politics which ought to be required of a voter. The views which I have taken lead me to give my vote for the second reading of the Bill, which I feel is, in principle, in accordance with the Government Bill.

MR. LOCKE said, he was at a loss to understand the speech of the right hon. Gentleman who had just sat down, for the latter part of it contradicted the first. In the beginning he said that if the Bill of the hon. Member for Hull were added to the Government Bills it would limit them, and at the end of his speech he appeared to think that the three Bills were tending to universal suffrage. He (Mr. Locke) could not understand how things which were tending in the same direction could be made to limit each other. The right hon. Gentleman had treated the hon. Member for Birmingham very unfairly. He had read that hon. Gentleman's speeches for many years, and he had never known him to express opinions on this subject different from those which he had this day expressed. He would challenge any hon. Gentleman to show from the speeches of the hon. Member for Birmingham, and he had addressed many meetings on the subject for some years past, that he ever desired to reduce the franchise in this country except upon principles already established. The hon. Member for Birmingham had always advocated household suffrage—whether with payment of rates or without was simply a matter of discussion, and the Attorney General had stated that household suffrage where the householder was rated was the proper suffrage. Hon. Gentlemen opposite should remember that the question of payment of rates, in connection with the franchise, had been a bone of contention from the Reform Bill in 1832 to the present time, and that two months had hardly elapsed after its passing before that very point was raised and contested. Some might think that the franchise should be disembarrassed of the payment of rates—others not; but it was an important thing to decide whether the two should be connected or not. The right hon. Gentleman (Mr. Adderley) had said that the advocates of household suffrage were advocates of manhood suffrage, and therefore the Bill of the hon. Member for Hull should be attached to the Government Bill in order to limit its operation. But the right hon. Gentleman should have remembered that in boroughs like Preston, Southwark, and Westminster the scot and lot voters had formerly been the persons who returned Members to Parliament, and could he as a strict Conservative object to revert to the principles of the ancient Constitution of this land? And then the clauses were called revolutionary which would merely extend the principles which had been adopted in modern times, which would not bring back the rights of voters to what they were before they were curtailed by the Act of 1832, but would merely take a step in that direction. The noble Lord the Member for Huntingdonshire (Lord Robert Montagu) would annex to the franchise proposed in the Government Bill the tests of reading, writing, and ciphering, and that was to be done in Committee. But that was not the proposition of the hon. Member for Hull, who declared the franchise proposed in his Bill to be distinct from all other franchises, and to be in addition to them — not a limit upon them. The object of the noble Lord was, therefore, entirely at variance with that of the hon. Member for Hull. The preamble declared that it was expedient to extend the suffrage throughout the country. But though that was quite proper the Bill was objectionable in this respect, that it was not to be applied to counties. Why should it not be so applied? If it were necessary to introduce intelligence into the boroughs, *à fortiori* it was necessary to introduce it into the counties. He knew that hon. Members opposite would not assert there was more intelligence in county than in borough electors. If the Bill passed it was easy to see that voters might be manufactured without limit and without difficulty. The noble Lord opposite had only to bring the schoolmaster into Huntingdonshire and teach the people up to the point required —it would not be necessary that they should understand the rights of the Constitution, or the wants of the community; all they would have to do would be to get well crammed with the "three R's" to pass the examination, and then they would be let loose, a component part of the constituency, for the rest of their lives. Thus the noble Lord and hon. Gentlemen opposite would create their own voters at about 10*s*. 6*d*. a head, and that would not be too great a tax upon the landlords. Hon. Gentlemen were so little in earnest on this Bill that it would be said the House was "out for a lark" on Wednesday morning, and met in different lobbies to finish the amusement of the day. Some hon. Members got up, and, with grave faces, not only argued from their own philosophy, but drew copiously from the philosophy of the hon. Member for Westminster. The right hon. and learned Member for Dublin University (Mr. Whiteside) talked about Italy and many other subjects, but the staple commodity of his speech was the philosophy of the hon. Member (Mr. Stuart Mill). Now, he (Mr. Locke) would admit that he was fond of reading to a certain extent, but he would also admit that philosophy was not one of the things that particularly charmed him. A troublesome pursuit, indeed, was the reading of philosophy; for by the time you had got into your head all the dogmas and doctrines of the philosopher, that edition of his books had run out and he wrote another. And what was the consequence? You had always got to do it all over again. If you had read your philosopher well, you quoted him. Your friends said, "Who are you quoting?" You perhaps replied—"Mr. Stuart Mill." And the remark was "Ridiculous!" He had asserted the other day that Mr. Stuart Mill was in favour of the ballot. His friends said, "Oh dear, no!" "But I read it." "Then it must have been a precious long while ago," one of them said; "because it was only the day before yesterday I read his work, and found that he is decidedly opposed to the ballot." His hon. Friend had once written in favour of the admission of ladies to that House, and in favour of admitting them as jurymen—he begged pardon, jurywomen. If the hon. Gentleman would take up the question so long advocated by Mr. Grantley Berkeley, and endeavour to take away the screen of the ladies' gallery, which prevented hon. Members from looking at them, it would be a step in the right direction, and they would all agree with him. He would ask the House whether it had not heard enough of philosophy to-day. To use a common phrase, they had had a regular "go-in" at it, and now let them get back to the region of common sense, which would teach them when they went into the lobby to vote as they thought. He should do so, most unquestionably. He should oppose this Bill —he hoped hon. Gentlemen on the other side would not laugh—for the reasons given by the hon. Member for Birmingham. It might be philosophy, but it was newfangled, incomprehensible, and contrary to the Constitution.

SIR STAFFORD NORTHCOTE said, he desired to say a few words before the conclusion of the debate, to which he had listened with very great interest. Many remarkable statements, and some strange phenomena, had been witnessed in the course of the discussion; but he must say that the phenomenon which struck him as the most curious was the conjunction between the Attorney General and the hon. Member for Birmingham. They had heard a great deal of grouping lately, and some very strange instances of it had been brought under the attention of the House in connection with the scheme of the Government. But strange as it might appear that such towns as Westbury and Wells, or Lymington and Andover, should be grouped together, he thought that neither these nor any of the other equally curious groupings in the Bill were so remarkable as the group which had been presented to the House by his hon. and learned Friend the Attorney General towards the close of his speech. His hon. and learned Friend got up and told the House that the silence which he had so long preserved upon the subject of the extension of the franchise was not occasioned by any dissatisfaction because the measure of the Government went too far, but that on the contrary that if he had been consulted, he should have concurred with the hon. Member for Birmingham in the opinion that it did not go nearly far enough; that upon this point he and the hon. Member for Birmingham were at one, and that the extension of the franchise ought not to stop short of household suffrage. That was a remarkable coincidence. They knew that groups were not confined to two, and that sometimes a third was added, and he (Sir Stafford Northcote) was going to ask to be allowed to associate himself in a certain sense, and with perfect consistency, with the hon. and learned Gentleman and the hon. Member for Birmingham. He did not intend to go the length of saying that it was desirable to extend the franchise down to household suffrage; but he would agree that if it were the intention of the House to extend the franchise by going below the £10 limit for boroughs, there was no point whatever short of household suffrage at which they could consistently stop. Sooner or later under such circumstances, they must come down to household suffrage; and he was prepared to say that if that were the point to which they must go, he was just as willing that it should take place at once as that it should take place at a later date. If they were to have any extension of the suffrage at all it would be far better to have one that would settle the question for a considerable length of time, and which—to use an expression that had been uttered in the course of the Reform debate—would enable them to feel the ground under them. There was nothing more mischievous than that there should be a vista of Reform Bills one after another, reducing the franchise step by step from £10 to £8, and from £8 to £7, and from £7 to £6, and from £6 to £5; thus keeping a perpetual running sore in the Constitution. He was anxious, therefore, that the question should be settled in one way or the other, and, if possible, that it should be settled in the present year. He hoped now that they were discussing the question before them on rational and philosophical principles, that it would be discussed fairly and fully, and some grounds found upon which the franchise might safely rest. And now he must part company with the Attorney General and the hon. Member for Birmingham. He was obliged with the utmost sharpness and definiteness to say that he thought to descend to household suffrage at once or at any time, with any safeguards whatever, would be a most mischievous and reckless innovation on the Constitution. Upon that ground he opposed, and should always do so, any general lowering of the franchise beyond the present limit of £10. That being so, how was he now to deal with the Bill? A certain problem had been presented to them. It had been represented that the progress of intelligence had been such that in the large cities and boroughs there were many who might exercise the franchise with extreme advantage, and that it would be a great improvement if they were brought within the pale, not of the Constitution, but of the electoral body. He agreed that a considerable number of working men might be thus enfranchised with advantage. The question was, however, how it should be done. Several plans had been suggested at different times. There had been the "fancy franchises," as they were termed; and it had been thought that either by the savings bank franchise or an educational franchise something effectual might be done, so as to introduce not the whole body of the artizans, but the more intelligent and more deserving part of that body. The present was a measure of this kind, being founded on the principle that some other test than the rental of a house might be adopted as a test for the electoral franchise. A great deal had been said as to the motives which induced hon. Members on his side of the House to vote for this measure, and it was asserted that there was some inconsistency between the line taken by one and another. It was not for him to say whether the arguments used in the support of the Bill were perfectly consistent with each other; but he was anxious clearly to define his own position in voting for the second reading of the Bill, and he would assure the hon. Member for Southwark (Mr. Locke) that he intended to vote as he thought. He did not believe that the principle of the Bill went to universal suffrage or anything approaching to it, nor did he wish to restrict the franchise already given, but he supported the measure because it extended the franchise in cities and boroughs to those who were now excluded from it. If Parliament thought it right to extend the franchise to a large number of the people, it was far better to do so by some kind of educational test than by the unsatisfactory and, as it seemed to him, dangerous principle adopted by the Government for the reduction of the renting franchise from £10, whether that was a reduction to £7, £6, or £5. He did not think the particular figure of the reduction was a matter of much consequence; he did not know whether he should think it worth while to walk from the House into the lobby in order to vote for one of these figures as against another. The principle of selecting those who were to be admitted to the franchise was one, it appeared to him, that had been very well received and very favourably spoken of by many who were not prepared to support the present Bill. His hon. Colleague in the House (Mr. Acland) had, he observed, given notice that on the discussion for the extension of the franchise, he would move that the franchise be extended to certain persons upon an educational test; that graduates of the universities and members of certain learned professions, although not £10 householders should enjoy the privilege of voting for Members of Parliament. He (Sir Stafford Northcote) agreed in the principle of that clause, but it was a clause that was applicable only to the rich, and if it were good for the rich, why should they not extend it to the poor? All the arguments used by the Chancellor of the Exchequer in his remarkable speech at the beginning of the debate against the extension of the educational franchise to the poor, were equally applicable to the clause proposed to be moved by his hon. Colleague. The right hon. Gentleman said that these examinations were troublesome, that they would put those who were to be admitted to a considerable expense, and that they would admit to the privilege of voting young men not so ripe or so well qualified to exercise the franchise as they would subsequently become. All these considerations would apply to the admission of graduates of the Universities. How were they to be examined without considerable trouble and expense, and would they not be permitted to vote at an age when men were not usually qualified as householders? If the Legislature was prepared to do this for members of the Universities, why should it not equally be done for artizans? Was it an objection to giving the artizan the franchise that it would put him to some trouble? He had thought it was a great object to separate those who thought it worth their while to obtain the franchise, from those who were indifferent to its exercise. Look at the proportion of voters in many of the large borough constituencies who abstained from voting, and the indifference with which a large class looked upon the franchise unless when they were roused by mass meetings and told they were refused something which they had a right to obtain. But although a very large portion cared very little for the franchise, there were others who were anxious to possess it; and if the Legislature imposed a reasonable educational test, they would have the means of distinguishing between those who desired to obtain the franchise and those who were indifferent to its possession. And when it was contended that intelligence alone was not a test of fitness, it was well to remember that an intellectual standard was the test of other qualities. It showed that a man had a certain amount of self-denial and perseverance, that he had given up enticing pleasures, and that he endeavoured to qualify himself for the higher duties he had to perform. His hon. Friend the Member for Hull would remember that they had heard a great deal of this argument years ago, when they sat upon the Committee on Civil Service Examinations. It used to be said that those examinations did not test the qualifications which civil servants ought to have—that they did not want to find out what the candidate knew, but what he was. But the examinations did test what he was, because they tested how far he had been industrious, what use he had made of his time, and whether he had devoted himself to suitable studies. And they used to make a contrast—which might also well be made in the present case—between the selection of civil servants by examination and their selection merely because they were the relations of £10 householders. The argument they had urged in those days against the Secretary of the Treasury was this, "Examination may not be a perfect test, but it is, at least, as good as yours, for under your test you appoint a man only because he is the nephew or son of a person who lives in a £10 house." The hon. Member for Birmingham told them that the reason for reducing the franchise below £10, and fixing it at £7 or £6, was that when the £10 limit was adopted it was supposed that it would admit the comparatively educated class, and that education having since then further extended itself, they might expect by a lower franchise to obtain an educated class of voters. That was to say, as education extended itself, so it was reasonable that they should go down in the scale and extend the elective franchise. Now, he would ask, which was the best way of ascertaining whether men of a particular class had or had not availed themselves of the educational advantages that were offered them? Was it by taking the arbitrary limit of £6 or £7 rent, or by some process of examination? Surely the question would not bear argument for a moment. If they wished to know whether individuals or a class had availed themselves of the advantages of education, an examination was the simplest, easiest, and most direct mode of ascertaining the fact. Another point on which they had heard a good deal said was this—that if this measure were adopted it must lead to universal suffrage. Now, the Bill as at present drawn contained certain restrictions which would prevent the admission of all persons who were able to read, write, and cipher at once to the franchise; and it would be both perfectly easy and perfectly right, if they went into Committee, to introduce certain other restrictions to avert any undue swamping of the existing constituency by young men just fresh from school. They might impose the limit of age. They were often told that there were 5,000,000 males above twenty years of age who were now unrepresented. A very considerable percentage of those 5,000,000 consisted of young men between twenty and thirty; and, therefore, if they took a limit of age somewhat higher than twenty-one, and made it a condition that those who were admitted to the franchise by an educational test should not be below twenty-three, twenty-four, or twenty-five years of age, they would thereby interpose a considerable barrier against the supposed tendency of the system towards universal suffrage. Again, conditions as to residence and various other points might easily be imposed, so as, while admitting a large number of persons, not to open the door to their whole adult male population. But it was not necessary to enter into these matters now. What he said now was that he approved the principle of that Bill as he understood it—namely, as a Bill to admit certain persons to the franchise by an educational test; and all he was prepared to do was to give his assent to that principle by voting for the second reading of the measure. If he thought the details of the Bill were so absurd that there would be no possibility of putting it in a working shape in Committee, of course it would be futile to affirm a principle which could not be carried out. But he believed it would be perfectly easy to deal in Committee with every one of the objections which had been stated by the Chancellor of the Exchequer—and scarcely anybody else had urged objections—and also perhaps to provide a satisfactory mode of meeting them. He did not say they would be able in that way to settle the whole question of the franchise; but that certainly was one of the very important considerations which ought to be taken into view when they were engaged upon that subject. He was very anxious that they should approach that question of the extension and settlement of the franchise upon something like a reasonable basis. They had a grave business before them. As they had been reminded in the course of those debates, it was no light matter to attempt to alter the foundations on which the House of Commons rested. It was all very well to talk as the hon. Member for Birmingham did—and no doubt with perfect sincerity—about wishing to stand upon the old lines of the Constitution; but they must remember that very great changes had taken place in the condition of England, in the Constitution of the country, especially in the position of that House in its relations to the executive Government, and, moreover, in regard to the class of persons who were now able and anxious to enter that House. Great changes had taken place in the motives which made gentlemen wish to come to that House, both of a social and economical character; and therefore it was absurd to say they should reject a proposition merely because it was not in accordance with the ancient lines of the Constitution. Why, it was quite possible to alter and entirely to violate the ancient spirit of the Constitution by keeping rigidly to what were called its ancient lines. He distrusted altogether—he would not say that new-born zeal—but that zeal almost too good to be true, of the hon. Member for Birminghan on behalf of the ancient Constitution of this country; and he ventured to think that the hon. Gentleman, if he pursued his task of carrying out the Constitution in the direction in which he proposed that it should be carried out, would land them upon something that would be extremely different from the Constitution of England as either they or their forefathers had known it. For himself he hoped they would be prepared to look to the circumstances of their own day—to look to what they wanted that House to be, and to what they wanted it to do, and to consider in what way they could most adequately provide for the selection of good and competent men to do their work. The Government of this country rested mainly in the hands of that House. That and the other branch of the Legislature had an influence over the Crown itself, over the executive Government, and over every power in the country, such as in former times they never had. And that House had this peculiar influence—it had not only the power of legislation and the power to a certain extent of controlling the Executive, but it also had the power and perhaps the duty of informing and maturing the mind of the country. Every question was discussed in that House which agitated the community and different views were there brought to issue by those who were competent to debate them. The House and the country thus received very considerable information on points of difficulty and importance through their discussions. The office of the House was not merely to collect at first hand, as it were, the raw material of popular opinion, or the first hasty impressions of the people. If that were their sole office they would soon lose the authority and influence they possessed; because the first hasty impressions even of a majority were not always right. On the contrary, it was more probable that in the first instance the opinions of the majority would be somewhat wrong. He believed, indeed, that ultimately the opinions of the majority would, probably, come right; but their crude first impressions, until they had been submitted to discussion and argument, were as likely to be wrong as right. Therefore, care ought to be taken, when they were constructing the machinery by which that House was to be elected, not to fall into the vulgar error of supposing that their only object was to get a House of Commons which should represent the feeling of the great mass or majority of the people. They wanted a House of Commons which should represent all the different views and different interests existing among the people, in order that they might be able when a question was presented to them fairly and completely to discuss and sift that question. Public opinion, informed and influenced by the action of that House, would no doubt ultimately be supreme; but it was most important that, in the first instance, they should secure a well constituted and competent House of Commons, able to gather public opinion, as it were, into a focus, and give proper effect to it. Therefore, when they were considering what should be the constituent body to elect that House the same principle of selection rather than that of the admission of mere numbers ought to guide them in their attempts to improve the representation of the people. The subject of the elective franchise was a matter which might fairly engage, and which ought to engage, their serious consideration. They ought not to shrink from discussing the question how they could amend the representation and the franchise at full length and in the most thorough manner. They had been told that that Bill was supplementary and complementary to the measure of the Government. He did not know how far that Bill was to be called either supplementary or complementary, but that debate certainly was of great importance as supplementary to the discussion upon the principles of the Government Franchise Bill. The principles of the Government Franchise Bill were not as satisfactorily discussed even in the lengthened debate which had taken place upon them as they would have been if they had been brought into more direct issue; but they had been treated rather in relation to another portion of the Reform scheme which was then not before the House, and the House did not go as fully as it was desirable it should do into the principle upon which the suffrage should be extended. The discussion that day, whatever its results might be, had, however, done a great deal to supplement and complete their discussion upon the principle on which the franchise should be extended. Before sitting down he was anxious to join his voice to that of the hon. and learned Member for Southwark (Mr. Locke) in expressing a sincere hope that before the debate closed—and there was still time left for it—they might be favoured with the views of the hon. Member for Westminster (Mr. Stuart Mill.) He and that hon. Gentleman had known each other before in other positions, and he felt that the hon. Gentleman would not believe him to be guilty of any flattery when he said that that was a question which the hon. Member had made so much his own, and on which he had written so well, and also spoken so ably in former debates, that it was natural when they were discussing questions of that importance—questions of principle rather than of detail—they should be anxious to know what his opinions on the subject were. The impression of some Gentlemen when they came down to the House that day was that the views of the hon. Member for Westminster were likely to be favourable to the principle embodied in that Bill. Whether they were so or not it was impossible for him to tell, but he was sure the House would listen with the greatest pleasure to anything which that hon. Member might say on the subject. The hon. Gentleman, he knew, took in the main the view he had himself just expressed—namely, that it was important so to arrange the representation as to get the best possible selection of Members for the House of Commons; and he therefore ventured to ask the hon. Gentleman, whether, in his opinion, the principle of the hon. Member for Hull's proposal was not one well worthy of their consideration?

MR. ACLAND said, that nobody was more anxious than he was to hear the hon. Member for Westminster, and if that hon. Gentleman wished then to address the House he should very willingly give place to him. [Mr. J. STUART MILL shook his head.] It was a remarkable fact that nobody had explained what was the real principle of this Bill. The leader of the Opposition had maintained a most doubtful silence, and had left the tactics to be pursued to be gradually revealed by those of his followers who had taken part in the debate. They had had various statements as to the nature and intention of that measure. The right hon. Member for North Staffordshire (Mr. Adderley) had told them that new restrictions were to be combined with the proposed £7 franchise, that that Bill was to be a clog and an additional check upon the extension of the suffrage. The hon. Baronet who had just spoken (Sir Stafford Northcote) only accepted the measure as a safeguard; and then he let out the result of the most remarkable silence maintained on the Opposition side for the last fortnight. ["Oh, oh!"] Well, he had himself been engaged in other duties in the country at Whitsuntide, and he had tried in vain to find out what was to be the move on the other side on Monday; but at length they had heard from the hon. Baronet that he was determined to oppose any reduction of the franchise, and that he, in fact, regarded that Bill as a substitute for the extension of the suffrage. Not being himself a pupil of the hon. Member for Birmingham, nor even scarcely having the honour of his acquaintance, he must nevertheless bear his personal testimony to the fact that in 1859 that hon. Gentleman had held just the same language before his constituents as he had held in that House. The hon. Member for Birmingham, when denouncing "fancy" franchises before his constituents, made use of the expression that he was a Conservative in the sense of going upon the old principles of the Constitution. The present Bill proposed to establish an official test for the qualification of a voter, irrespective of providence, character, or prosperity. That test was to be an examination of a purely abstract kind—not an examination as to real knowledge or practical skill—not a proof that a man had done or could do anything beyond working a sum.

He was not opposed to what were called "fancy franchises," but maintained that they ought to be unconnected with the Government for the time being. This Bill, however, placed in the hands of subordinate officers of the executive Government the power of conferring the right of voting in this country as regarded all men who did not live in £10 houses. If that principle were applied to the boroughs, hon. Gentlemen opposite could not with any face refuse to apply it also to the counties. Were they prepared to say that the mere abstract, standard of reading, writing, and ciphering, applicable to little boys of eleven or twelve years of age who worked for farmers, was to be the test by which men should be admitted to exercise the elective franchise? Hon. Gentlemen opposite knew there was nothing which in their hearts they so much hated as a mere abstract intellectual qualification. A notice of Motion which he had himself given had been referred to as being of an analogous character to the present measure; but none of the franchises proposed by him were dependent on the official action of Government *employés*. He had often said that a mere house test, though a good one, ought not to be the only test for a voter. He was very favourable to educational tests which fulfilled the conditions of social as well as purely intellectual qualification. If the hon. Member could point out any local or other machinery independent of the Government and applied by persons having no direct interest in the control of the examinations he would be disposed to support it.

MR. MONTAGU CHAMBERS said, he wished to explain his reasons for voting against the Bill. Although he had listened attentively to the debate, he had failed to discover that anything liked a fixed idea prevailed with regard to the principle of the Bill, or any precise explanation as to what was contemplated by it. He was unable to discover whether it was education alone or education coupled with some other qualification that should give the vote. He would therefore start with supposing that they meant education alone; and having listened to the speech of the hon. Gentleman the Member for Birmingham, and certain philosophic extracts that had been read from the writings of the hon. Gentleman the Member for Westminster, he could not ascertain what was meant by education. Was it mere book learning? Was it the instruction which might be obtained in our ordinary schools in reading, writing, and ciphering, or was it that more extensive instruction which would enable a man to judge of the value of the vote with which he might be intrusted? Upon that point no two speakers seemed to concur in opinion, each person classifying the description of education to be required under different heads. Supposing it to mean, to use an ancient expression to be found in Bacon, that it was simply book-learning, then the course of the debate had introduced a number of difficulties having reference to University or middle-class education, and such as was given to the working classes. But if the supporters of the Bill would look to its provisions and see the nature and character of the education contemplated, and the examination which those who desired a vote were to undergo, this would be found to be an attempt to deceive and injure them, and he had no hesitation in saying that it was an extremely insidious Bill, and likely to do them more harm than good. Scarcely a working man would submit himself to the examination proposed, and, according to his impression of the working classes, when they came to read this debate they would exclaim "What is the House of Commons about?" If any hon. Members had taken the trouble merely to glance over the heads of the clauses they would find how impossible it would be to work this Bill. Hon. Members opposite did not appear to understand its remarkable provisions. The third clause enacted

> "That any such person, to be entitled to a certificate of educational qualification under this Act must pass, in conformity with the provisions therein contained, a satisfactory examination in reading, writing from dictation, and elementary arithmetic, that is to say in simple addition, subtraction, multiplication, and division; and also addition, subtraction, multiplication, and division of money."

Now, he ventured to affirm that there was not a Member in that House who was not a banker, or accountant, or very quick at figures who could do a sum that might be required under this Bill in the division of money; and to prove that assertion he called upon hon. Gentlemen to rapidly answer him this question. Supposing that they had £100 placed in their hands, and they had to pay their workmen £3 8*s*. 6*d*. each, how many could they pay out of it?

Debate *adjourned* till *To-morrow*.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, May 31, 1866.

MINUTES.]—PUBLIC BILLS — *First Reading*— Nuisances Removal * (132); Belfast Constabulary * (133).
Second Reading—Companies' Act (1862) Amendment * (124).
Committee—Law of Capital Punishment Amendment (61); Ecclesiastical Leases (Isle of Man) * (68 & 134); Hop Trade * (123 & 125).

LAW OF CAPITAL PUNISHMENT AMENDMENT BILL—(No. 61.)

(*The Lord Chancellor.*)

COMMITTEE.

House in Committee (according to Order.)

Clauses 1, 2, and 3 *agreed to.*

Clause 4 (Murder to be of two degrees).

EARL GREY objected to the proposed division of murder into first and second degrees. He thought that it would be better to place the latter in the category of manslaughter and to have two degrees of the latter crime; but he thought it would be better to retain the punishment of death for murder according to the existing state of the law. He moved the omission of the clause.

Moved to omit Clause 4.—(*The Earl Grey.*)

THE LORD CHANCELLOR admitted that in his evidence before the Royal Commission he declared such a distinction unnecessary; not, however, that he thought any harm would accrue from it. The intention of the clause was that aggravated murder should be punishable with death, and that murders not so aggravated, and the punishment of which under the present system was commuted on appeal to the Home Secretary, should not involve the capital penalty. This would be effected by calling the latter murder of second degree. He thought it essential to draw a distinction between murder of an aggravated distinction and murder committed on the spur of the moment without premeditation—such for instance as the case of a man who killed a keeper in a poaching encounter, or a shepherd who took the life of a thief breaking into his master's sheepfold. Such a distinction had been successfully adopted in New York, Massachusetts, and other States of North America. The Bill was framed on the recommendations of the Commissioners, and after introducing it he thought it right to submit it to the Judges. The result was that only two objected to the proposed distinction, while many of the others expressed themselves strongly in its favour as likely to act very beneficially. There was an objection to giving the name of manslaughter to murder of the second degree, manslaughter being a crime of which the degrees were very wide apart, and the penalty varying from a day's imprisonment to penal servitude for life. It would not be right to class a man who had carelessly caused the death of another by running over him with a person who had nearly incurred the capital penalty. He thought it was very desirable that the term murder should attach to some cases where capital punishment was not inflicted, for the name of murder would be regarded as a stigma even among the most depraved classes. He could not therefore accede to the Amendment, and hoped their Lordships would adopt a clause which had received the sanction of a large proportion of the Judges.

THE EARL OF LONGFORD supported the Amendment, regarding the proposed distinction as uncalled for.

EARL RUSSELL thought the clause was in accordance with the present state of public opinion, which was in favour of capital punishment for aggravated cases of murder. He did not, however, think that the distinction between the two degrees of murder was drawn with sufficient distinction; and that as the clause now stood it might happen that crimes of one degree might be punished under the head of the other degree. At the same time, he believed the Bill to be a step towards the abolition of capital punishment. While he agreed to the distinction he would ask his noble and learned Friend (the Lord Chancellor) a question with respect to the precise effect of the clause as it stood; for he remembered a case of a man being pushed by another into a river and drowned, which he thought under the wording of the clause would be murder of the second degree, though it appeared to him that if capital punishment was desirable it should apply to a case of that kind.

THE DUKE OF RICHMOND said, he was somewhat surprised at the remarks made by the noble Earl at the head of the Government. Until he heard the noble Earl's observations he had been under the impression that this was a Government Bill, that its details had been discussed in the Cabinet, and that it had now been brought forward on the united authority of the Government. Not, however, having ever had the honour of a seat in the Cabinet he might be wrong in his conjectures as to what took place in that august assembly. He hoped to convince his noble Friend behind him (Earl Grey) that the fourth clause ought to be retained. This was a part of the subject which had several times been discussed by the Commissioners, who were clearly of opinion that there should be two classes of murder. Eight of the Commissioners were in favour of the retention of capital punishment, while four thought it might be done away with at once; but the whole of the Commissioners were of opinion that if capital punishment was retained, murders should be divided into two classes. A case occurred not long ago which showed the necessity of having two classes of murder. A number of sailors, having got drunk in a public-house, one of them produced a knife, and, being interfered with by the landlord, the sailor, in giving a drunken lurch, struck him; the man died; the sailor was tried for murder; the Judge who tried the case Mr. Baron Channell, told the jury that, according to the present state of the law, they must find him guilty of murder. He was found guilty, and the last sentence of the law was pronounced with all solemnity; but the same night the learned Judge wrote to the Home Secretary his opinion that the sentence ought to be commuted, and it was commuted to transportation for life. If the distinction now sought to be established between murders of the first and second degree had existed, the prisoner would have been found guilty of murder in the second degree, and the Judge would at once have pronounced the appropriate sentence, which would have been carried into effect. It was very inconvenient when a prisoner was found guilty of a particular crime, and the sentence due to it was pronounced, yet was not carried into effect. If this clause of the Bill were adopted, in murders of the second degree the proper sentence would be pronounced, and almost always carried into effect. He was quite of opinion that capital punishment should be retained. He believed that burglars were often prevented from committing murder knowing that they would be hung for it. He hoped their Lordships would support the clause.

Earl RUSSELL said, he quite agreed with his noble and learned Friend the Lord Chancellor with respect to this Bill, and had been in communication with him in regard to it. He also agreed with the Commissioners that there should be a distinction between murders—as of the first and second degree.

Lord ROMILLY said, he could not agree with his noble and learned Friend. He feared that if there were two classes of murder there would not be in the public mind the same degree of culpability attached to the crime as it was desirable should exist. He thought that if there was to be any change that instead of making two classes of murder, it would be much better to have two classes of manslaughter—simple manslaughter and criminal manslaughter. His noble and learned Friend instanced the case of a man who might kill a keeper in a poaching affray: but that was murder. Murder should be held up always as a horrible thing, and the public should be led to view it with the utmost detestation, which would not be the case if a distinction were drawn between murders of the first and second class.

The LORD CHANCELLOR thought the distinction raised by the clause a good one. He was of opinion that there were crimes to which it was quite proper that the name of murder should continue to attach, whilst the capital punishment should be taken away. For instance, where a burglary was committed and resistance was made, and the burglars offered violence and killed a man, though without having had any intention to kill. This was murder now, and would remain so still, though the clause would, in such a case, not inflict capital punishment. Where there was the intention to take life, or where the violence was of such a bloody nature as to clearly endanger life, the offence would remain capital. If they substituted aggravated manslaughter instead of murder of the second degree, it would only amount to a change of words, but the effect would not in his opinion be advantageous as if the Bill remained as it was.

Earl GREY explained that he did not propose to do away with the three classifications of crime; but his object was that murder in the first degree as defined in the Bill should remain murder, and that that alone should be murder. The next class of crime would be that of aggravated homicide, to be punishable as proposed in the Bill; and beyond that there would be a third class, comprising cases of ordinary manslaughter. He thought that this would be a far better mode of classification than that contained in the Bill; and if he had had any doubt on the subject, that doubt was removed by the reasons given by the First Lord of the Treasury, who supported the Bill as it stood, on the ground that it would be a stepping-stone to doing away with capital punishment altogether. Now, in his judgment, on the contrary, the abolition of capital punishment altogether would be a very imprudent and dangerous thing.

On Question, Whether the said Clause shall stand Part of the Bill? their Lordships *divided*:—Contents 38; Not-Contents 38. The Numbers being equal, it was (according to ancient Rule) *Resolved* in the *Negative*.

CONTENTS.

Cranworth, L. (*L. Chancellor.*)

Cleveland, D.
Richmond, D.
Somerset, D.

Normanby, M.

Airlie, E.
Caithness, E.
Camperdown, E.
Chichester, E.
Clarendon, E.
Derby, E.
Granville, E.
Malmesbury, E.
Russell, E.

Eversley, V.
Lifford, V.

Abercromby, L.
Camoys, L. [*Teller.*]

Chelmsford, L.
Dartrey, L. (*L. Cremorne.*)
De Tabley, L.
Dunsany, L.
Foley, L. [*Teller.*]
Hunsdon, L. (*V. Falkland.*)
Kilmaine, L.
Lyttelton, L.
Lyveden, L.
Mostyn, L.
Northbrook, L.
Overstone, L.
Oxenfoord, L. (*E. Stair*)
Panmure, L. (*E. Dalhousie.*)
Portman, L.
Rossie, L. (*L. Kinnaird*)
Sondes, L.
Stanley of Alderley, L.
Sundridge, L. (*D. Argyll.*)
Wrottesley, L.

NOT-CONTENTS.

Bath, M.

Albemarle, E.
Belmore, E.
Effingham, E.
Ellenborough, E.
Fortescue, E.
Grey, E. [*Teller.*]
Harrowby, E.
Nelson, E.
Romney, E.
Shrewsbury, E.
Sommers, E.
Stradbroke, E.
Hardinge, V.
Hawarden, V.
Leinster, V. (*D. Leinster.*)

Carlisle, Bp.
Gloucester and Bristol, Bp.
Lichfield, Bp.
Peterborough, Bp.

Belper, L.
Brodrick, L. (*V. Midleton.*)
Castlemaine, L.
Churchill, L.
Colchester, L.
Egerton, L.
Harris, L.
Heytesbury, L.
Moore, L. (*M. Drogheda.*)
Northwick, L.
Redesdale, L.
Romilly, L. [*Teller.*]
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*)
Southampton, L.
Taunton, L.
Walsingham, L.
Wynford, L.

The LORD CHANCELLOR said, that in consequence of the decision just come to it would be necessary to give a very careful and attentive consideration to the definitions to be applied to murder and manslaughter; and he would therefore move that the Chairman report Progress.

Motion *agreed to*.

House *resumed*, and to be again in Committee on *Thursday* next.

House adjourned at a quarter past
Six o'clock, till to-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, May 31, 1866.

MINUTES.]—New Writ Issued—*For* Bridgwater, *v.* Henry Westropp, esquire, void Election.

Select Committee—On Standing Orders, Mr. Whitbread *added;* on Committee of Selection, Mr. Whitbread *added.*

Public Bills—*Resolutions in Committee*—Industrial Schools [Expenses]; Reformatory Schools [Expenses].

Ordered—General Police and Improvement (Scotland) Act (1862) Amendment.*

First Reading—General Police and Improvement (Scotland) Act (1862) Amendment* [171].

Second Reading — Marriages (Sydmonton) * [167].

Committee—Representation of the People [68] and Re-distribution of Seats [138], adjourned debate [28th May] *resumed* and again *adjourned;* Glebe Lands (Scotland) (*re-comm.*)* [165].

Report— Glebe Lands (Scotland) (*re-comm*)* [165].

Considered as amended—Lunacy Acts (Scotland) Amendment* [127].

Third Reading—Customs and Inland Revenue* [145].

THE VICE ROYALTY OF EGYPT.

QUESTION.

Mr. GREGORY said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether a change has taken place in the succession to the Vice-royalty of Egypt, from the eldest agnate of Mohammed Ali to the descendants of the present Viceroy; if so, how that change of succession has been effected, and whether there is any information on the subject which may be laid before the House?

Mr. LAYARD said, in reply, that a

change had taken place in the succession of the Vice-royalty of Egypt, and that it had been brought about exclusively by an understanding between the Sultan and the Viceroy, with which no Foreign Power had anything to do. It would doubtless be remembered by his hon. Friend that a similar change had been made some years ago in the Royal family of Persia. He (Mr. Layard) understood, by a recently received telegram, that the firman authorizing the change of succession had been issued. No papers, however, having reference to the subject were in the possession of the Government, but he believed the reasons for making the change would be communicated to Her Majesty's Ministers, and when that had occurred he promised to lay the communication before the House.

AUSTRIA, PRUSSIA, AND ITALY—IMMUNITY OF MERCHANT SHIPS.

QUESTION.

Mr. GREGORY said, he would now beg to ask the Under Secretary of State for Foreign Affairs, Whether Austria, by an Imperial Decree dated May 13th, and Prussia by a Decree dated May 19th, have agreed, in case of war, to confer on the enemy's merchant ships at sea the same immunities as have been granted to neutral vessels by the Declaration of Paris (1856); whether this principle is set forth in the Italian Maritime Code, and that, therefore, no declaration to this effect was required from Italy; and, whether Her Majesty's Government has received any recent communications from Foreign Powers upon this subject?

Mr. LAYARD said, in calling attention to the wording of the hon. Gentleman's question, he seemed to confound two things which differed. The Declaration of Paris related to neutral goods on board enemy's vessels and enemy's goods on board neutral vessels. The decrees said to have been issued by Austria and Prussia announced the willingness of the Governments of those countries not to touch the enemy's property in enemy's vessels; that is to say, not to interfere with private property at sea, although belonging to the enemy, if they were assured of reciprocal treatment. He believed the decrees to that effect had been issued; but he did not know what reply Italy had made upon the subject. With respect to the second part of the question, he could find nothing in the Maritime Code of Italy declaring that the enemy's merchant vessels were not liable to capture. He would, however, have further inquiries made in reference to the matter. As to the last part of the question, he had to say that no communication had been received from Foreign Powers upon the subject.

CHILE.—QUESTION.

Mr. LIDDELL said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether it is true that the Chilean Minister has demanded his passport; and, if so, what are the grounds for this rupture of friendly relations with that Government?

Mr. LAYARD: Sir, the Chilean Minister has not asked for his passport; he has delivered letters of recall, but no reasons are assigned for that recall. From despatches received only yesterday from Chile, there is no reason to fear that there will be any interruption of the friendly relations between the two countries.

THE CHINESE VISITORS.

QUESTION.

Colonel SYKES said, he rose to ask the Under Secretary of State for Foreign Affairs, Whether Pim and his son Yo-ho, and their Tartar and Mongol friends from Pekin, who have accompanied Mr. Hart, the Imperial Inspector of Customs, and are now in England, are accredited to the British Government in any official capacity, or are merely recommended to its courtesies as travellers from China?

Mr. LAYARD said, in reply, that these Chinese gentlemen, with their Tartar and Mongol friends, as the hon. and gallant Member called them, had not been officially accredited to us, but they had come to England introduced by our Minister in China, to whom they had been very strongly recommended by the Chinese Government, in order to see the country and its institutions. He need hardly say that Her Majesty's Government would do all in their power to render their visit useful and agreeable. He had every reason to hope that this preliminary visit would lead to a more formal Mission, and would tend greatly to improve the relations between the two countries.

COMPULSORY CHURCH RATE ABOLITION BILL—VICAR OF STOCKTON-ON-TEES.—QUESTION.

MR. FREVILLE-SURTEES said, he would beg to ask Mr. Chancellor of the Exchequer, If the Compulsory Church Rate Abolition Bill became law, whether it would deprive, or not deprive, the Vicar of Stockton-on-Tees for the time being of the sum of £20 a year, which was settled on him "for ever hereafter" by an Act of Parliament passed in the reign of Queen Anne?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that he had to thank the hon. Member for kindly sending him an extract of the Private Act under which he thought this sum was levied. Having examined that Act, and taken an opportunity of conferring with his hon. and learned Friend the Attorney General upon it, he had to state that they had no doubt at all that it was entirely beside the purpose of the Compulsory Church Rate Abolition Bill. It appeared to relate to a sum which was to be raised by authority of Her Majesty's Justices of the Peace, and which was not at all dependent upon any vote of a parochial community. The intention of the Bill was solely to affect funds raised by the parochial community, and consequently the Government thought the Act was entirely outside the provisions and purview of the Bill. If the hon. Gentleman should see reason to doubt the soundness of that opinion and should think it necessary to insert any words having relation to such cases, there would be every disposition to give them a fair consideration when they got into Committee on the Bill.

PRUSSIA—THE GASTEIN CONVENTION. QUESTION.

MR. WATKIN said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether under the "Treaty of Navigation between Her Majesty and the King of Prussia," signed at Gastein the 16th day of August, 1865, it was intended to include the shipping of the territory captured by Prussia and Austria?

MR. LAYARD said, he must confess that he did not exactly understand his hon. Friend's question; but, concluding that he referred to Schleswig and Holstein he would remind the hon. Member that neither Schleswig nor Holstein had yet been assigned to Austria or Prussia; and that, therefore, the treaty to which he referred must apply to territories already possessed by Austria and Prussia.

ORDNANCE SURVEY OF IRELAND. QUESTION.

MR. DILLON said, he wished to ask the Chief Secretary for Ireland, Whether the Revised Ordnance Survey of Ireland has been completed; and if not, why it has been discontinued, and whether it is the intention of the Government that it shall be completed?

MR. CHILDERS: Sir, it is not the case that the Revised Survey of Ireland has been discontinued. The counties of Louth and Dublin are now being revised; and there is no intention of discontinuing the regular course of the Survey.

REPRESENTATION OF THE PEOPLE BILL [BILL 68.], AND RE-DISTRIBUTION OF SEATS BILL [BILL 138].

(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers.*)

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [28th May], "That Mr. Speaker do now leave the Chair;" and which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "this House, while ready to consider the general subject of a Re-distribution of Seats, is of opinion that the system of grouping proposed by Her Majesty's Government is neither convenient nor equitable, and that the scheme is otherwise not sufficiently matured to form the basis of a satisfactory measure,"—(*Captain Hayter*,)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. GOLDSMID said, he desired at the outset to thank the hon. and gallant Member for Harwich (Major Jervis) for kindly giving way to him on that occasion; for, as one of the Members who had been designated "the dying swans," the House would conceive that he was reasonably anxious to say a few words upon the Bill now before the House. The borough he had the honour to represent (Honiton) was one of those small boroughs which were most particularly affected by the Bill; however, though he might speak in its name, he did not speak in its name alone, but also in the name of a large number of other boroughs which were in a similar position. He trusted the House would believe him when he said that the course he was pursuing was not prompted by any spirit of opposition to Her Majesty's Government; because, since he had had the honour of a seat in that House, and before he was returned to Parliament, in the various contests he had entered into in order to obtain a seat, he had always professed Liberal principles, and desired to act with the great Liberal party. Before he proceeded further he wished to say that there were many hon. Members who held that the principle of population was the guide they ought to take in re-distributing seats. But he thought that principle could not be maintained for a moment. He thought so for several reasons. It was one element only—though certainly an important one—to be taken into consideration in dealing with this subject. It could not be the only one, for, if it was, the House would be reduced to a very great difficulty. For instance, the metropolitan boroughs, which were now represented by eighteen Members, and, according to the Bill which the Government had introduced, would be represented by twenty-two Members, ought to have as many Members as the entire Kingdom of Scotland. Again, the county of Middlesex, which at present was represented by two Members, ought, upon the same principle, to have something like twenty Members. In another point of view the principle of population could not be followed, because he found that, according to the statistics that had been presented to them, Scotland, if it were to have the number of Members to which it would be entitled from the number of its population, would have sixty-nine Members, whereas, at the present moment, it had only fifty-three. In the same way England would be entitled to 467 Members instead of 500, and Ireland 122 instead of 105. He thought that if they were to follow this principle—which many hon. Members appeared to have advocated simply because they were not aware of the conclusions to which it would lead them—they would find they were following, not a guiding star, but an *ignis fatuus*. In coming more immediately to the Bill before the House it seemed to him to be properly divided into two parts; one was that portion which disfranchised, and the other was that portion which enfranchised. He would now deal with the first. As he understood it, the proposal of the Government was to take twenty-four Members from the Ministerial side of the House and twenty-five from the other, and to deal with the seats so obtained by distributing them between the counties and boroughs. So far, therefore, as the disfranchising clauses were concerned, it appeared to him that the Government had fairly treated the two sides of the House. [*Cries of* "No, no!"] It was a matter of opinion. He desired to state his objections to the Bill as it stood, and to suggest, if possible, a course which might be acceptable to both sides of the House. He had endeavoured to consider the proposal of the Government as impartially as it was possible to a Member of a small borough to do. His first objection, then, was that there was no principle in the selection of the boroughs grouped. He understood the proposal to be that all boroughs containing fewer than 8,000 inhabitants were to be grouped; but he found, on looking at the blue book presented to the House by command of Her Majesty's Government, that there were boroughs below that line and yet not grouped. He would give as an example the boroughs of Bewdley and Droitwich, and he cited those places because they were represented by two gentlemen of different politics. According to the Census of 1861, these two places contained a population of little more than 7,000 each; they were in the same county, and he believed they were but a few miles apart from each other. Therefore, according to the principle of the Bill, he did not see why they could not properly have been grouped together, thus constituting a population of 14,000; and that being below the second line the Government had drawn, the Chancellor of the Exchequer would thereby have obtained one more seat to deal with. His next objection was that in many of the groups which were proposed he was not able to discover the principle of geographical contiguity, which the House had been told was the principle which guided the Government in this matter. He would give two or three instances drawn from personal knowledge rather than observation of the map. He had the honour to stand at the last election for the borough of Cirencester, now represented by two Gentlemen on the opposite side of the House, and that borough it was proposed to group with Tewkesbury and Evesham. Evesham was twenty-five miles distant from Cirencester as the crow would fly, and a hilly country separated the two places; there was no direct communication between them, and he believed the inhabitants of Cirencester were in that delightful state that they hardly knew of the existence of the borough of Evesham. The two boroughs were connected by no direct route, and the time occupied in travelling by a circuitous line of railways from one place to the other was little short of four hours and a half; and consequently, with regard to these two boroughs, he could not discover the operation of the principle of geographical contiguity. He was, however, more immediately concerned with Honiton, which was to be grouped with Bridport, (a maritime town, twenty-one miles distant), and with Lyme. Between these places there was no community of interest whatever. Honiton was the centre of an agricultural district, having a large market where the inhabitants of the country for some miles round made their weekly purchases, and was a fair representative of the majority of our country towns. The advantage of small boroughs had been clearly demonstrated by the leader of this House in 1859—yet now he proposed that these three small boroughs should be grouped together and should only return one Member. Now, he would ask the House to remember that at the present moment they had five Members—Bridport had two, Honiton two, and Lyme one; and if hon. Gentlemen would cast their eyes through the groups, they would find that no other boroughs that had enjoyed the advantage of sending five Members to the House had been treated so badly as these. In every other case where there were more than four Members belonging to the boroughs added together, the Government had given two Members to the group; but on this point he would have more to say by-and-bye. There was only one other group to which he would advert—namely, that consisting of Horsham, Petersfield, Midhurst, and Arundel, which were in about the same state of ignorance with regard to each other as were the boroughs of Cirencester and Evesham. Now, he wished to direct the attention of the House to the line the Government had proposed to draw. The Government drew the line at 8,000, and their principle was, they said, as far as possible, where geographical contiguity allowed, to group the boroughs with a population below that line and give them one Member, except where the population was over 15,000 and then to give them two Members. They also proposed, if a borough returned either one or two Members, and possessed at the last Census a population of more than 8,000, that that borough should remain in undisturbed possession of its representation. He thought he should be able to show that the Government proposals fixing the limit at which the smaller boroughs were to lose their privilege of returning Members to the House were not quite fair in their operation. For if there were vested rights above a certain line arbitrarily chosen, there must also be vested rights below it; and it was not fair to make a difference in the treatment of those vested rights merely because the populations of the boroughs happened to be above or below 8,000. *De minimis non curat lex,* said the legal maxim, and the boroughs with less than 8,000 inhabitants seemed to be treated according to this principle; while as soon as they passed the limit of 8,000 they rose into importance in the eyes of the Government. There were nine boroughs with populations between 8,000 and 10,000—namely, Chichester, Guildford, Lewes, Maldon, Newark, Stamford, Tavistock, Windsor, and Wycombe; and it was certainly unfortunate to find that a great majority of the representatives of these boroughs were Liberals—there were fourteen Liberals and only four Conservatives. Another reason given for the line drawn in the Government Bill was that of the boroughs with less than 8,000 residents many were nomination boroughs. But were there not nomination boroughs above 8,000? Influence of this kind depended not so much on any limit of population as on the position which some particular man or five or six men held in the constituency. He could mention at least three places with populations above 30,000, where practically one man returned the Member. Therefore, by doing away with smaller constituencies below the line of 8,000, they would not get rid of nomination boroughs. The proposition he would at the proper time have to make would obviate many of these objections, and would deal fairly with the boroughs both above and below 8,000. In his opinion adopting the Government proposal, the right method would have been to declare that any borough below the line of 8,000 should no longer enjoy the distinction of separate representation, but should undergo the penalty of grouping; next, that boroughs with between 8,000 and 10,000 inhabitants now returning two Members should, in future, only return one; and, in the third place, that boroughs with more than 10,000 inhabitants, whether now existing, or to result from the union of existing boroughs, should have two Members. This would be the legitimate conclusion of the Government proposition. If boroughs with more than 10,000 inhabitants claimed, on the "vested rights" principle, to retain their two Members, what could they say of boroughs situated a short distance from each other, and having an aggregate population much larger, yet being allowed to retain only one representative? Of boroughs between the limits of 8,000 and 10,000 there were exactly nine, returning, he regretted for the sake of his party, fourteen Liberals as against four Conservatives, and one Member taken from each of those would exactly supply the nine Members necessary to give a double representation to each of the groups of boroughs above 10,000. The coincidence was so exact that it appeared as if it were arranged by Providence to fill up the gap in the Government Bill. With regard to the second or enfranchising portion of the Bill, that some revision of the Government proposals was necessary was obvious from the fact that while such places as Middlesborough, Dewsbury and Gravesend were to return one Member, Croydon, a place with 20,000 inhabitants, was utterly unnoticed in the Bill. If, again, it was to be the rule to give a third Member to counties having a population over 150,000, why should not the rule be applied to the county of Middlesex and to the metropolitan boroughs? As regarded Scotland, he was in favour of giving the proposed additional Members. The modification of the plan which he advocated did not disturb the general scheme of the Chancellor of the Exchequer; it would be possible to adopt it without interfering with the principle of the Bill. For that right hon. Gentleman, before he entered the House, he entertained a strong personal admiration, and that admiration had if possible been increased by the noble manner in which, upon the second reading of the Franchise Bill, the Chancellor of the Exchequer declared how he had thrown off the trammels and prejudices of his youth, and learned to have faith and trust in the people. If, therefore, he made out to the satisfaction of the right hon. Gentleman and to the satisfaction of the House that injustice had been committed unintentionally upon a portion of the people in order to favour another portion, the right hon. Gentleman, he felt certain, would go as far as possible in endeavouring to rectify that injustice, and therein the House would support him. The borough which he himself represented (Honiton) might fairly be asked to give up its redundant representation; and, having said last week in the face of his constituents that Honiton was over-represented, he was not afraid to repeat the statement in his place in Parliament; but he did not think it ought to be asked to give up more than its fair share. If the right hon. Gentleman, having considered his suggestion, were able to declare that it was one reasonable in itself, and one to which effect ought to be given by the Bill before the House, he should be happy by his vote to sanction a sacrifice which the country had a right to expect. The result of that vote might be to deprive him of his seat in Parliament, but he did not think votes of hon. Members ought to be governed by personal considerations. They ought to vote as their party required them (if they could honestly do so) as the representatives of their constituents and the country, and not merely to give effect to their individual opinions. No one valued more than he did the position of a Member, or would do more, legitimately, to retain it, but for that purpose he would never give an unfair vote. He asked the right hon. Gentleman the Chancellor of the Exchequer not to place him in a position of difficulty by a refusal, but to allow all groups of boroughs having more than 10,000 inhabitants to retain two Members. Even then they would make great sacrifices, as he had shown in the case of his own group. The House had not yet heard the views of the Government on this subject. If any Member of the Government thought it worth while to express his opinion on the suggestion which he had made and other points connected with the Bill he should feel very grateful.

Mr. GOSCHEN said, that before he proceeded to reply more in detail to the arguments of his hon. Friend who had just sat down and to those of the hon. and gallant Member for Wells (Captain Hayter) who had proposed the former Amendment, he thought it was due to the former hon. Gentleman to say there was a great difference between the Amendment which he had moved and that proposed by the hon. and gallant Member for Wells. [Mr. Goldsmid said, he had not moved any Amendment.] He had thought that his hon. Friend had concluded with the Amendment which stood on the paper in his name; but he would say that there was a vast difference between the views of the hon. Member and those of the hon. and gallant Member for Wells. The two speeches, also, were of a totally different character. His hon. Friend had addressed himself to two points in the Government Bill, but he had not dealt in vague generalities, such as those of the Amendment of the hon. and gallant Member for Wells, selected to command the consent of hon. Members of different parties and holding different views on the question of Reform. He had not used such words as "the scheme is otherwise unsatisfactory," or, as "the scheme is immature." He thought he was able to touch a blot in the scheme, and to that blot he had directed himself in his speech. And now, what was the position of the Government as regarded the whole question? Their position was this: the hon. and gallant Member for Wells (Captain Hayter) had moved an Amendment with which the House was by this time sufficiently acquainted. In moving it the hon. and gallant Gentleman called attention to certain matters which ought rather to be considered in Committee; and he was followed by other Members who pointed out certain anomalies and certain difficulties which appeared to them to arise out of the Government proposition. Then, on the Motion for the adjournment the other night a speech was delivered by the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) in which he said the plan of the Government was now before Parliament for the first time as a whole—that the question of re-distribution had now come to be considered for the first time since the measures relating to Parliamentary Reform had been introduced by the Government. Now the House had the question before it in a third form—one dealing with a particular part of the scheme of the Government. His hon. Friend the Member for Honiton had addressed himself to two points. He said, in the first instance, the line should not be drawn at 8,000, but at 10,000, and that one Member should be taken from every borough having between 8,000 and 10,000 inhabitants, which now returned two Members; and, in the second place, he proposed that the seats thus placed at the disposal of the House should be given to those groups of boroughs which, under the Government scheme, would only receive one Member. It appeared to him that there was a great difference between those two propositions. As to the first, he was quite prepared to admit that the House had a right to deal with boroughs having a population of 9,000 or 10,000—or 15,000, as suggested by the hon. and gallant Member for Wells—in the same way as they had a right to deal with boroughs simply reaching the figure of 8,000. In such matters it was impossible to adopt any but an arbitrary line; and it was equally impossible to fix upon any arbitrary line which would not have the appearance of establishing certain anomalies and of doing injustice more or less to particular boroughs. Supposing that instead of 8,000 the Government were to draw the line at 10,000, would not a borough with a population of 9,999, or any other very high number over 9,000 be likely to complain of being disfranchised, while a borough with a population of 10,250 was left in the enjoyment of its electoral privileges? It was impossible in this case to lay down any rule which would exclude individual cases of hardship. He was willing to admit that in the case of the borough which his hon. Friend represented there was a particular hardship. ["Hear, hear!"] Honiton, Bridport, and Lyme Regis had a population which came nearest to 15,000 of any of the boroughs which were to be grouped. If there was the slightest modification made in the 15,000 line, those three boroughs would be the first to get the benefit of it. They lost more than any other boroughs which were grouped, and were nearest the line of 15,000; and therefore he was not astonished that the hon. Member who represented Honiton should say there was a hardship in the case. It was matter for the House to consider whether the line was rightly drawn—whether 8,000 was the proper amount of population at which to draw the line. ["Hear, hear!"] What the Government had endeavoured to do was this, so to draw the line that the Bill might pass. ["Hear, hear!"] The Government would not have thought they were discharging their duty if they proposed the line suggested by the hon. and gallant Member for Wells—namely, the line of 15,000, instead of that of 8,000, because no Bill of even partial disfranchisement up to 15,000 would have a chance of passing in that House; they therefore drew such a line as they thought would be adopted by Parliament. He was prepared to admit, therefore, that it was impossible to contend that a line of 8,000 was better than one of 8,500 or 9,000, because, whatever the line which might be adopted, it would present anomalies and hardships; and if the hon. Member for Honiton could induce the House to alter the line from 8,000 to 10,000 he could see no objection. The hon. Member had alluded to Bewdley and Droitwich, and if the right hon. Baronet who represented Droitwich wished to move that his borough should be grouped with Bewdley, no objection would be made on the part of Her Majesty's Government. He now came to the second part of the proposal of his hon. Friend, the disposal of the seats to be gained. And he would ask his hon. Friend and the House to consider whether they should compare the grouped boroughs with existing boroughs which were not touched, or whether they should not rather compare them with great unrepresented towns. Here arose a question of principle, not of an arbitrary line. Why should the grouped boroughs over 10,000 inhabitants have two representatives, while the large unrepresented boroughs were to have only one? Why should Honiton, Bridport, and Lyme Regis, with their 14,000 inhabitants, return two Members, while towns with a population of 40,000 or 50,000, or even 60,000, only returned the same number? This was a question which might fairly be asked; and the grouped boroughs had to be considered with reference to the unrepresented towns as well as with reference to those which now returned Members to Parliament. It was very strange that the chief opposition to the Government measure came from the Members for boroughs which were to be grouped. For what must those boroughs have expected? Some of them must have expected that they would be disfranchised altogether; so that the proposal of the Government was one dealing leniently with them—far more leniently than the hon. and gallant Member for Wells proposed to deal with them. He repeated that the proposal of the Government was a lenient one; and having regard to the small amount of representation which many large constituencies enjoyed, if a population of 5,000 or 6,000 were allowed to return part of a Member of Parliament, surely that was all they could legitimately expect? The right hon. Gentleman the Member for Buckinghamshire said that the subject of Reform being now before the House as a whole, they ought to consider the question of the franchise in conjunction with the question of the re-distribution of seats. Hon. Member would recollect that when the Franchise Bill alone was before the House, it was continually argued that it was impossible to say what would be the result of that measure till the scheme for re-distribution was before the House. But since this latter scheme had been introduced, how many Members had risen to show how far it would affect the balance of political power, and how the enfranchisement of the working classes would operate? They had heard much of the claims of the grouped boroughs, of geographical distances, and of local inconveniences; but had those hon. Members who were so anxious to see the Re-distribution Bill before the House applied themselves to show how the franchise, in respect of its extension among the working men, would be affected by the Bill for the Re-distribution of Seats? One of the arguments which had been used against the Government was, that by a re-distribution of seats it would be possible so to arrange the balance of power as to give a preponderating influence to the working classes. It was said that they already had 25 per cent of the representation, and that when the scheme of re-distribution was brought forward it would be seen what an enormous amount of additional power would be conferred upon them. But had hon. Members since favoured the House with their opinions upon this subject? Had they shown that the Government had so manipulated the re-distribution of seats as to be unfair and unjust to any of the interests of the country? The right hon. Gentleman the Member for Buckinghamshire had a theory that the Government scheme was unfair to counties, because it did not take the large unrepresented towns away from the county constituencies. That was a very natural and clear objection; but where were the Amendments in which the Conservative objections to the Bill were embodied? Had any Amendment been moved to the effect that the Government scheme did not sufficiently consider the agricultural interest, and that therefore it did not deserve the support of the House; or had hon. Members below the gangway moved that the claims of the towns had not been sufficiently taken into consideration? The Amendments which had been proposed did not raise any question of principle at all. A comparison had been drawn between the course taken by Earl Russell in 1859 and that pursued by the hon. Gentleman in moving this Resolution. But, in fact, there was a great difference between the two cases. In the Resolution moved in 1859 two distinct principles were affirmed; while the Amendment of the hon. and gallant Member for Wells (Captain Hayter), like that moved by the noble Lord the Member for Chester (Earl Grosvenor) on the second reading of the Franchise Bill, raised no question of principle at all, but referred only to procedure and time in vague terms which might gain the support of hon. Gentlemen holding different opinions, and be supported both by Conservatives and Liberals. But the Amendment moved by the noble Lord at the head of the Government in 1859 was a Liberal Amendment, and came from a liberal quarter. Now, however, where were the Conservative Amendments, coming from a Conservative quarter? They were not to be seen; but in their place were Amendments moved by hon. Gentlemen on that (the Ministerial) side of the House, and hon. Gentlemen opposite took advantage of those Amendments in order that they might not pledge themselves to any single principle. Hon. Members opposite rejoiced in any Amendment and supported it, but confined themselves to negative criticism. What was the Amendment of the hon. and gallant Member for Wells? It was to the effect "that the House, while ready to take into consideration the general subject of the re-distribution of seats, was of opinion that the system of grouping proposed by Her Majesty's Government was neither convenient nor equitable, and that the scheme was otherwise not sufficiently matured." Now, did not that present a striking contrast to an Amendment which pledged itself to a particular principle? The proposed system of grouping, it was said, was neither convenient nor equitable. To which of the two phrases did hon. Gentlemen opposite commit themselves? [An hon. MEMBER: To both.] Was any question of justice involved? Did hon. Gentlemen opposite think, for instance, that it was unjust to disfranchise or take away a Member from a borough with a population of 7,000, and allow a borough with a population of 9,000 to continue to be represented in Parliament? If such an idea were entertained it would be impossible to move at all in the direction of the re-distribution of seats. The meaning of the word "equitable" was what he had alluded to in replying to the remarks of the hon. Member for Honiton. If it mean anything it meant this—that it was unfair to disfranchise a borough below a certain line unless they treated a borough above the line in much the same way. It was impossible to avoid some cases of hardship. The hon. and gallant Member had said it was very hard for a borough with a certain population to return only a part of a Member to Parliament, while a neighbouring borough returned two Members. But the hon. Gentleman represented Wells, and how was that borough treated by the Reform Bill of 1832? Frome possessed a population of 10,000, and had one Member given to it, while Wells, with a much smaller population, which was close by, continued to return two. Now, it might have been said that it was very inequitable that Wells should return two Members, while Frome, with double the population, returned only one. In the same way other boroughs with large populations might say it was inequitable that smaller boroughs should return a greater number of Members. It was impossible to deal with these questions on a principle of abstract justice, and no one knew that better than the right hon. Gentleman opposite (Mr. Disraeli), who in 1859 discovered that it was necessary that certain boroughs should be partially disfranchised in order to make the representation more fitted to the wants of the times. What, then, was the principle involved in the Government scheme, which it had been said was neither convenient nor equitable? The hon. and gallant Member for Wells had remarked that illustrations were better than arguments, and had acted very fairly on his own principle, as he had illustrated a great deal and argued nothing. He had given illustration after illustration to show that the boroughs proposed to be grouped together were widely apart from each other and not locally connected, but he had altogether failed to prove the necessity of their being locally connected. He proceeded on the assumption that the boroughs must be near one another, and that there must be a local connection between them. For example, he had assumed that a town like Oxford would be quite prepared to absorb a town like Woodstock. He contended that the Government proposition involved certain anomalies, but he did not deal with the question of principle at all. Now, it appeared to him (Mr. Goschen) that the scheme of the Government did involve questions of principle which must be fairly brought before the House. First, there was the question whether the Government was right in dealing as it had done simply with boroughs below a certain line, and in not adding to the groups boroughs at present unenfranchised, but having a claim to be enfranchised. Again, large villages might have been taken in, and in this way decaying boroughs might have been perpetuated. It might, too, have been said that the Government ought to have based their scheme on the number of electors, instead of basing it on the population. If the Government had proposed a measure without a principle, and had merely dealt with the case of every individual borough according to their own view of the merits, hon. Members would have said a great deal, and justly so, about the injustice of such a proceeding. It was necessary, therefore, to adopt some principle, and to deal with all boroughs alike without partiality to a friend or foe. The line of 8,000 had been adopted as a fair and practical one. The hon. and gallant Member had said that some of the grouped boroughs were so distant from each other and had so few interests in common that it was an absurdity to connect them together. That view had been repeated by a certain portion of the press. But was there a greater difference between the interests of the lacemakers of Honiton and the sailors and ropemakers of Bridport than there was between the interests of various classes of electors in the borough of Westminster? The leader of the Conservative party had said, and with great justice, that if there were only local constituencies there would be only landowners and merchants in that House, and elaborate arguments had been made use of to show that purely local constituencies were bad constituencies, and that it was desirable to have varied elements. Now, if there were two conflicting elements in two different towns which were together to return one Member to Parliament, was there not a better chance that they would send a Member who represented colonial interests, Indian interests, or the interests of men of letters—in fact, the very class of men whom the right hon. Gentleman the Member for Buckinghamshire so much desired to see represented in that House? Another objection was that the boroughs forming a group were, in some instances, situate in different counties; but how that circumstance should prevent their sending a good Member to Parliament he was at a loss to understand. In the Scotch and Welsh groups the boroughs were frequently at a very great distance from one another. Every anomaly which had been pointed out occurred in the case of the Scotch boroughs. There were enfranchised towns and boroughs lying quite close to Greenock and Glasgow, and yet not taken in by them, as the hon. and gallant Member would take Woodstock into Oxford, but coupled with other towns which had the whole county lying between them. How had the system worked in Scotland? Were hon. Members dissatisfied with it? ["No!"] In England the result, no doubt, would be the same, because the arguments which had been brought forward to show that the system was bad would not hold water. The argument was that grouped towns ought to have local interests in common, and he supposed the clergy of Wells objected to be coupled with the manufacturers of Westbury; but in the great town and county constituencies there were already samples of these anomalies, if they were such, and he did not think these varied constituencies sent to the House worse Members than those Members who specially represented local interests. The view that it would have been fairer to have taken the numbers of electors, instead of the numbers of population, was not one likely to be popular in that House. It might be said that the electors of a borough would indicate its standard better than the whole population; but if, as the right hon. Member for Calne (Mr. Lowe) said, every man could have the franchise if he would not drink too much, it was clear that the population must everywhere be taken as the standard rather than the actual number of electors. He could assure the House, having made the necessary calculation, that, had the electoral test been adopted instead of that of population, there would have been very little difference in the result. Only five of the boroughs touched by the Government Bill would have escaped under the electoral line, and the borough represented by the hon. and gallant Member who moved the Amendment (Wells) was one, and Lichfield, which was represented by the hon. and gallant Member who seconded it, was another. He did not think that the hon. Baronet who had given notice of an Amendment, to the effect that the electoral test ought to have been taken, would be able to persuade the House that the present number of the electors of a borough was a better test of the merits of that borough for enfranchisement or disfranchisement than the population test. He would defy any hon. Member to bring forward a scheme of disfranchisement that should give satisfaction to those about to be disfranchised, or one that would not present anomalies, for there were so many and so great anomalies that, if they were to be swept away by a single Bill, it would be utterly impossible to pass it. Would hon. Members support the hon. and gallant Member for Wells in drawing the line at 15,000? Were they prepared to go further in the direction of disfranchisement than the Government? ["No!"] It appeared that they were not; and yet they were going to vote with the hon. and gallant Member. Hon. Members opposite would not embody the views expressed in their speeches in a Bill. [*Laughter.*] Hon. Members must excuse the slip, he meant they would not embody their views in an Amendment; they would not fight the Government on a single point of principle; they would only join in a general and sweeping condemnation. ["Hear, hear!"] He was glad that hon. Members pleaded guilty to that charge. He was glad that they acknowledged that these were their tactics, by which they were gaining as many recruits as they could from the Liberal party under something like false pretences—["Oh, oh!" *and* cheers]—to vote with those in whose speeches they did not concur. Surely an Amendment ought to be looked upon in the light not only of the words upon the paper but of the speeches of those who supported it. Did hon. Members opposite concur in the general tendency of the speech of the hon. and gallant Member? If they did it was natural they should vote with him and with the party to whom the hon. and gallant Member spoke when he used the word "we"—though who they were he did not know, unless one were the noble Lord the Member for Huntingdonshire (Lord Robert Montagu), who had told the House that he knew all about the alterations made in the Amendment, made in order to beat the Government. But hon. Members opposite did not agree with those on the Liberal side of the House upon the general question of Reform. Let hon. Members put their views into a Resolution, let them show how the unrepresented towns ought to be taken out of the counties in order to increase the power of the agricultural constituencies, and then let them see how many Members on the Liberal side of the House would be ready to agree with them. The Members who sat for condemned boroughs were ready enough to unite with hon. Members opposite in saying that the Government scheme was immature —but where was the immaturity? Let them lay their finger on the particular deficiency. Let them show how the unenfranchised towns ought to be enfranchised. Hon. Members opposite had always claimed that the counties ought to be more largely represented than they were at present. The Government had increased the representation of the counties by their proposal; but were hon. Members opposite satisfied? No; they did not want the representation increased in the way proposed; it was to be in quite a different form. What they wanted was not so much an increased representation of the populous counties as an increase in the representation of the agricultural interest. If on the score of population increased representation were given to the populous counties, they said, "No, we don't mean those counties, but the agricultural counties;" and thus they shifted about from one argument to another, according to the exigencies of their case. The counties had been fairly dealt with by the scheme of the Government. ["No!"] No? Then why was there not an Amendment to that effect? [An hon. MEMBER: Wait!] There was an Amendment on a point of detail announced for Committee, but there was none on principle, and why? Because hon. Members opposite knew that upon this point they were not able to get the support of Members of the Liberal party. The fact was they put the issue upon questions of procedure and upon vague adjectives; they called the measure inexpedient, without showing what the inexpediency was; they called it inequitable, without showing the principle of justice that was violated; they called it immature without showing what a prepared scheme would be; and then hon. Members on both sides could unite in an adverse vote. Such a course was natural for hon. Members opposite; but was it natural for Liberal Members, because the lacemakers of Honiton did not choose to vote with the ropemakers of Bridport, to postpone the enfranchisement of 400,000 persons? The Government had introduced a Franchise Bill and a Bill for the Re-distribution of Seats. In compliance with the wish of the House, the Franchise Bill and the Redistribution Bill were to be united, and surely it was the duty of Parliament to see that the enfranchisement, which it had thought just and expedient, should not be defeated by the incorporation of the two Bills. Surely, questions of distance and local interests ought not to be allowed to impede the progress of a large measure such as this. Surely it would be unworthy of the Liberal party to allow the Bill to be thrown out upon subsidiary questions which ought to be debated in Committee. Every one must see that the adoption of the Amendment of the hon. and gallant Member was fatal to the Bill; there was no doubt it was meant to condemn the whole scheme; that was what was meant by the word "otherwise;" it was designed to include everybody who had any objection whatever to make to either of the united Bills. This was the question before the House, and the Government could not accept a defeat upon the Amendment of the hon. and gallant Member for Wells. The arguments that had been used were arguments for Committee; the question of grouping was a question for Committee; the question whether the proposed groups could have been more conveniently arranged was a question for Committee. If hon. Members would look at the map they would see that if the principle the Government had adopted of not adding unenfranchised towns to large enfranchised towns were to be carried out, very few changes could be made in the plan of grouping they had proposed; but every case of grouping must be dealt with in Committee, and could not be made the basis of a proposition for condemning the whole scheme as immature, unjust, and inconvenient. Upon that question the Government were prepared to join issue with the hon. and gallant Member. Members of the Liberal party who were disposed to enfranchise householders at between £10 and £7 could not, because in some cases the distances between grouped towns were too large, declare that the scheme of grouping was incomplete, and refuse to support the Bills which, in deference to the views of the House, had been united—they would not consent to have the reduction of the franchise and the granting of new Members to large and important places relegated to a future Session, because of difficulties on minor details, exaggerated in order that hon. Members opposite might be able to unite with dissatisfied Members on the Liberal side of the House.

SIR JOHN PAKINGTON: I want to hear some unofficial and independent Member on either side of the House rise and tell us, now that we have the whole scheme of the Government before us, he thinks it is a scheme which we ought to adopt with a view to improve the representative system of this country. The right hon. Gentleman who has just sat down (Mr. Goschen) has told us—and I heard the announcement with no surprise—that he liked the speech of the hon. Member for Honiton (Mr. Goldsmid) very much better than that of the hon. and gallant Member for Wells (Captain Hayter). Now, I take a different view, and venture to prefer the speech of the hon. and gallant Member for Wells. I do so for two reasons. In the first place, the hon. and gallant Member addressed to this House a clear and able argument against the re-distribution part of the Government measure—an argument which, I venture to say, the right hon. Gentleman has altogether failed to answer. And if, as the right hon. Gentleman tells us, the Government have adopted their re-distribution plan in order that the Bill may pass, I must say I think they are very unfortunate in the line they have taken. But, again, I prefer the speech of the hon. and gallant Member for Wells, because the hon. Gentleman (Mr. Goldsmid) was good enough to suggest that Droitwich should be grouped with Bewdley, and the right hon. Gentleman (Mr. Goschen) said that if I had any wish of that kind, the Government would be willing to gratify it. Sir, I am very much obliged to the right hon. Gentleman and to Her Majesty's Government for this offer, but I have no wish for any such arrangement. The fact, however, remains—this is the second night of the debate, and yet up to this moment, except from the right hon. Gentleman the Chancellor of the Duchy of Lancaster and the Solicitor General, we have not heard one single speech which has not been made in opposition to the Government measure. It is true that the hon. and learned Member for Southwark (Mr. Locke) made a very amusing speech the other evening, but it was not a speech in favour of the Bill; it was little more than an attack upon my hon. Friend the Member for Maldon (Mr. Sandford). Every other speaker has found fault with the measure of the Government. No doubt it is natural that if Gentlemen find that the boroughs they represent are placed at a disadvantage by the proposal of the Government, they should rise in succession to complain of the Bill and its provisions; but I agree with my right hon. Friend near me, that, now we have the whole measure before us, the time has arrived when we may fairly consider whether or not the scheme of the Government in all its parts justifies the hope that if we go into Committee we shall be able, upon that basis, to arrive at a settlement of this great and difficult question. I think it right, therefore, that this debate should take a rather wider scope than it has hitherto taken, while restricted to the complaints of hon. Members as to the position of their respective boroughs, and the effect the Redistribution Bill would have upon them. If the House will indulge me with their attention I desire to state the views I have been led to form after listening to the discussions that have taken place, because I think that on a subject of such vital importance and such extreme difficulty a man is bound to state what he thinks and what are the impressions made upon him by the Government measures, and the arguments he has heard; and I think it may possibly be my duty to express some opinions which may not be altogether in accordance with the prevailing views on either side of the House. I am one of those who do very sincerely wish, now that this question has been revived, that we should come to a settlement of it in the present Session. Valuable as the time of Parliament is, pressed as we always are with public business, it is most undesirable that we should be obliged to devote year after year to the consideration of a question of this magnitude and difficulty. But I believe it would be impossible to arrive in this Session at a solution of it, and I think the blame is to be attributed entirely to the Government for the manner in which they approached its consideration. The Government, I think, are deeply to be blamed for having committed that which in my opinion is the greatest fault a Government can commit, in dealing with a subject of this magnitude precipitately, and without due consideration. Their provisions of the scheme before the House are indeed immature. They have not been devised with that care, deliberation, and foresight which ought to have been exercised by the Government under these circumstances. In viewing calmly the plan of the Government I can trace nothing in it of patriotism or of wisdom; I cannot trace in it even the ordinary prudence which ought to characterize men who have to deal with a large public question like this. I remember, in that able essay on *Representative Government* which has been referred to so often in these debates, a passage in which the hon. Member for Westminster (Mr. Stuart Mill), departing, I think, in some degree from the calm and argumentative tone which distinguishes the greater part of the work, lays it down that we, the Conservative party, by the law of our existence, and as a matter of necessity, are what he calls the stupidest party in the State. That was the opinion of the hon. Member for Westminster when he wrote his book. I should like to know what he thinks now. He has changed many opinions expressed in that book, and I am disposed to think that when he reflects calmly upon the history of this Reform Bill, he will change that opinion also; for I doubt whether he can recall to mind any measure brought forward by the Conservative party which has been so strangely mismanaged in all its parts, as the Reform Bill has been by Her Majesty's Government. Sir, I deplore these mistakes, for they are grave and serious; and I wonder at them yet more because it appears to me that no Government, feeling called upon to deal with a great and difficult question, ever had before them a clearer and an easier course than the Government had this year in relation to Reform. Looking at the history of the last six years, I quite admit that when Earl Russell found himself again at the head of the Government, it was most natural—nay, it was almost a matter of course that he should try to deal with this subject. I further admit that the Government have done one most wise and prudent thing—they have rendered the House one essential service in providing statistics. Whether they were provided on their own suggestion or on that of the noble Lord the Member for Haddingtonshire (Lord Elcho), I will not stop to inquire. It was wise to call for these statistics, for they placed us in a position of advantage in considering this subject. But when statistics had been called for, why did not the Government wait till they got them? It seems most unaccountable that the Government should impose on persons all over the country the labour of furnishing statistics, and then rush rashly into the work of framing a Reform Bill without waiting for the information they were to give. If I remember rightly, the Chancellor of the Exchequer told us on the

Friday before the Monday when he introduced the Franchise Bill into the House, that he had been unable to look at the effect of these figures. [The CHANCELLOR of the EXCHEQUER: No, no!] The right hon. Gentleman contradicts that, which looks as if he was rather angry at what I said. I did not mean to excite his anger, and, if I have made any misstatement, I am willing to retract it. But I do remember that the Government would not wait for these statistics with the patience which they ought to have shown, and which would have enabled them to have mastered the details and perfected the provisions of this Bill. My opinion, however, is that the Government having called for these statistics ought not only to have waited for their production, but ought also to have called for statistics with regard to the county as well as with regard to the borough representation. Their obvious course, in my opinion, was to have come down to Parliament as soon as Parliament had assembled, and to have said, "We think the time has arrived when the question of Reform should be dealt with, and when dealing with it again we think that it ought to be dealt with in such a manner as completely to settle the whole question. We wish not only to call for statistics, but to verify them, and at the commencement of next year we shall be prepared with a complete measure upon the subject." That is the course which the Government ought to have taken; and I believe that if it had been adopted by them the Conservative party, quite as much as hon. Gentlemen opposite, would have lent their best assistance to the settlement of the question. ["Oh, oh!"] Hon. Gentlemen opposite appear to believe that we on this side of the House are incapable of doing anything except under the influence of party feeling. Now, Sir, I declare that if there is any one thing which it is more desirable to remove from the category of party measures it is this question of reforming the representation of the people —I say that most sincerely; and I think, moreover, that it might have been taken out of the category of party measures if Her Majesty's Government had dealt with the question in the manner I have indicated, and have waited until the commencement of the ensuing Session, when they could have produced a complete and a comprehensive measure. Unfortunately, however, that course was not taken. And now let me refer to the effect of these statistics. The effect was simply to show that in every debate we have had from 1852 to the present moment, in every pamphlet that has been published, and in every newspaper article that has been written, there has been a complete ignorance of the real facts of the case. I am not imputing this to Her Majesty's Government merely. It applies to ourselves as much as it applies to them. Those statistics have thus opened our eyes to a state of things of the previous existence of which neither party and no private Member was aware, and that this is so we have abundant proof. I find proof of it in the language employed by the right hon. Gentleman the Chancellor of the Exchequer, who in 1860 described the proportion of the working classes in the possession of the franchise as being almost infinitesimal, and who again in 1864—I am speaking from memory, and I hope, therefore, that the right hon. Gentleman will contradict me if I am wrong—said that the proportion of the working classes in possession of the franchise was less than one-tenth of the whole of the constituency. Lord Russell, in the last edition of his work on the *Constitution of England*, also stated that the working men of this country were kept out of the franchise. The hon. Member for Birmingham (Mr. Bright), too, as late as January last spoke of the class grievance as being the exclusion of a great and a whole class from the representation; while the hon. Member for Bradford (Mr. W. E. Forster), in a speech delivered last autumn, after saying that the English workman was entirely deprived of the rights of citizenship, made the extraordinary statement that if the English workman desired to enjoy the rights of citizenship he must go to the United States to enjoy them. Now it is impossible to deny, when one sees these statements of these eminent men in the House, that there was previously no idea of the real state of things as now clearly shown by these statistics. What are the facts? At this moment, without any alteration of your plan, there are eight boroughs in which the number of working men on the register exceeds 50 per cent of the whole constituencies; there are twenty-six boroughs in which the working classes exceed 40 per cent, and sixty-three boroughs in which they exceed 30 per cent. The average of the working classes throughout the constituencies of England at the present moment is one-fourth—speaking, of course, of the boroughs only. The hon. Member for Birmingham, therefore, when addressing his constituency at Birmingham, had no idea that nearly 3,000 of his own constituency were members of the working classes who, as he declared, were excluded altogether from any share in political power. What was the course pursued by the hon. Member for Birmingham on perceiving the facts proved by these statistics? We all know how a man, when driven into a corner by the strength of his opponent's argument, and unable to meet a fact urged against him, gets out of the difficulty by saying "I don't believe it," and to this plan the hon. Member had recourse. He stated on a former night that he did not believe in these statistics. And here is another reason for lamenting the precipitancy of Her Majesty's Government. If they had taken care to verify these statistics they might have brought them forward in a shape and in a manner which would have precluded the possibility of disbelief on the part of the hon. Member for Birmingham. Now what will be the effect of this measure of the Government with regard to the franchise? The result of the Government proposal to extend the franchise to renters of £7 houses will be to add no less than 206,000 voters to the present borough constituencies of England. I will set down the working men at present on the register at 125,000—a number which I believe to be below the mark—and assuming, as I think we are entitled to do, that a very large majority of the 206,000 are working men, the working classes will, in the event of this Bill passing, constitute pretty nearly one-half of the constituency of England. I wish now to refer for a few moments to the effect of this extension upon the representation of property in this House—a most important branch of the subject, and one which, I believe, has scarcely been referred to during the debate. We have had a good deal of discussion with regard to the proportion of the working classes we shall admit to the suffrage, but we have had very little said with regard to the representation of property. I find from a printed paper furnished to the House, giving the amount of the assessment of the country upon a £7 rental, that the aggregate assessment of voters to be admitted by the Bill amounts to £1,692,000, or in round numbers £1,700,000. The aggregate assessment of the present constituency, however, amounts to no less than £25,888,000, or in round figures £26,000,000. I am unable, of course, to deduct from the aggregate amount of £26,000,000 the assessment of the 125,000 working men at present on the register, but allotting to each a £10 rental the result gives us £1,250,000. Adding these figures together we find that in the event of this Bill passing, the proportion of the working class in the constituency will be raised from one-quarter to one-half, and that half, composed of working men, will be rated at £3,000,000, while the other half will be rated at £24,000,000. You would, therefore, be giving as much power to one moiety of the constituency with one-eighth of the aggregate property as you would to the other moiety with the remaining seven-eighths. Now, do not the figures which I have quoted constitute a legitimate reason and a sound argument why these valuable statistics ought to have been more carefully considered before legislation was attempted? Is there not good reason for saying that the Government have acted with precipitation, and that if they really want a reform of the representation such as would do justice to all classes they ought to have taken time to consider the statistics which they have, and to procure others still more extensive? And here I would address a few words to the hon. Member for Westminster (Mr. Stuart Mill), who has contributed most valuable information on this question in his treatise on *Representative Government.* There is, in my opinion, much in that work which we may all of us take into consideration, and Her Majesty's Government might have taken into consideration with very great advantage to the Bill now placed before us. The only difficulty under which I labour is to reconcile the language of the hon. Member for Westminster in that valuable book with the course which he is now taking in this House. In the debate which took place yesterday a passage was quoted from the hon. Gentleman's work which I think is unanswerably true. He says—

> "No lover of improvement can desire that the predominant power should be turned over to persons in the mental and moral condition of the English working classes."

And in another passage on minorities, the hon. Gentleman, alluding to the existing state of our representative system, says that now different opinions prevail in different neighbourhoods, and in that manner we arrive somewhat roughly, but still we do arrive, at a tolerably fair representation of different sections of opinions, and he goes on thus—

> "But it would be no longer true if present constituencies were much enlarged; still less if made co-extensive with the whole population; for in that case the majority in every locality would consist of manual labourers, and when there was any question pending on which these classes were at issue with the rest of the community no other class could succeed in getting represented anywhere."

Well, these are most grave considerations; and, as I said before, I am unable to reconcile his language on this subject with his present course in supporting the present measures of Her Majesty's Government. Does he think it consistent with the passages I have quoted that one-half of the borough electors of England should consist of working men? I say nothing disrespectful of these classes. I only refer to the language of the hon. Gentleman himself. Now, I call upon the hon. Gentleman, as the hon. Member for North Devon (Sir Stafford Northcote) did yesterday, to tell us in the course of this debate how he would reconcile these passages with the line of action he is about to pursue. And here I would remark that when the opinions of the hon. Gentleman are called in question in this House as opinions of weight, and he is appealed to on the subject, I think it a matter for regret that he should allow himself, as he did yesterday, to be persuaded into sitting still and saying nothing. I think it would be best and most becoming for the hon. Member to do one of two things—either to adhere to these opinions or openly to state that he has altered them. The right hon. Gentleman the Member for Calne (Mr. Lowe) in that most able speech to which they had all listened with delight in a former debate, dwelt a good deal on the subject of trades unions and the conduct by which the working classes connected with them have lately been distinguished. After what fell from him it will be unnecessary for me to go at length into the subject, but I think the House will feel, and every reflecting man must feel, that the history of these trades unions and the conduct of the working classes connected with them, constitute a reason why we should be cautious in admitting them to the enjoyment of so large a share of political power as to form one-half of the borough and city constituencies. I may, however, mention one fact which fell within my own observation. In a late strike in the coal and iron trade of South Staffordshire, which the House must bear in mind, there were several cases in which working men receiving high wages—exactly the class of men who would be admitted to vote under this Bill—were brought to trial for having committed the horrible crime of setting on fire dwellings containing their fellow-workmen with all their families, and that was done for the purpose of taking vengeance on those who did not join them in the strike. I do not mean to say that this is to be considered as any criterion of the general character and conduct of the working classes. Even in the case of those men charged with so horrible a crime, I am willing to admit that they acted in a period of temptation and under the influence of excited feeling. But still it is a very dreadful state of things, and it shows that when the temptation arises—when, as the hon. Member for Westminster well stated in the passage which I have quoted—a time of difficulty and pressure arrives, you cannot rely on the working classes. I think the time will probably come, and may soon come, when it will be found that it would be most imprudent to allow the working men to possess so undue a share of electoral power in this country as would be conferred on them under the measure of Her Majesty's Government. I will not now dwell upon an argument which had hardly been touched upon in former debates until it was stated by the right hon. Gentleman the Member for Calne—I mean the argument against extending democracy in this country, founded on the great difference between the Constitutions of England and the United States. In the United States you may without danger extend the elective franchise to classes to which it would be highly imprudent to do so in a Reform Bill adapted to this country. And these truths lead us to the consideration of another subject that has been touched on by the hon. Member for Westminster—whether or not it would be desirable, in reference to a very extensive measure of Reform for this country, to alter our present system of voting. The hon. Gentleman has himself advocated the system of plurality of votes. He would adopt a system, frequently advocated in this country, of giving to those who possess larger property a greater number of votes than they enjoy who have less property. Several other plans to effect the same object have been suggested, and among them one by no less an authority than the late Mr. Cobden. In a speech which he made some years ago, Mr. Cobden contended that if you resort to any wide extension of the franchise in England you ought to make compensation by some alteration in the mode of voting. Will the House permit me to read the views of Mr. Cobden on this subject? Whatever differences of opinion we may have had with Mr. Cobden when living, now that he is gone from among us we remember him only as one who had been a distinguished Member of this House. This is the language which was used by Mr. Cobden at Liverpool in 1859—

> "And this brings me to the re-distribution of the franchise; and I would say, Gentlemen, I have a very strong opinion that when you have to give—as you would have to give in any new Reform Bill—a considerable number of Members to your large cities—as for instance, Manchester, Liverpool, and the like (and Rochdale, of course, will be included in the number)—I think it would be the most convenient and the fairest plan if you apportioned your large towns into wards, and gave one representative for each ward. I mean that, instead of lumping two or four Members together, and letting them be the representatives of a whole town or city, I would divide that city into four wards, and let each ward send one Member. I think there is a fairness and a convenience about that which ought to recommend itself to Lord John Russell, and to every one who has to handle a new Reform Bill. For instance, you will find in a town generally that what is called the aristocracy live in one part, the working classes in another. If, in dividing a town into three or four wards, it should happen that one of the districts where the working classes predominated should have the opportunity of sending a Member whom they considered most fairly to represent their views, and if another part of the town, where people of another class lived, choose to choose a Member that more completely represented theirs, I do not see why the different classes or parties of the community should envy them that opportunity of so giving expression to their opinions. I think it would be much better than having two or four Members for one borough."

Here, then, is a reason for consideration and delay—for no dispassionate man will contend that the plan suggested by Mr. Cobden is not worthy of consideration. Another plan has been adopted in Frankfort and other great German towns. It is very simple, and is one among many proofs that we ought not to be precipitate in settling this question. I will suppose, for example, that the plan adopted in Frankfort was applied to Birmingham, for the election of two or three Members. One of them would be returned by all the electors rated below £15, another by those above that figure, and so on. You might find that by adopting some plan of this kind you might go much further in lowering the franchise than the Government now propose. It is possible that by some scheme of this kind you might reduce the franchise to the extent advocated, to my utter astonishment, yesterday by the Attorney General. The first and greatest object in legislating on this subject is the public contentment. The more satisfied the people are, and the less disposed to complain, the wiser will be the measure; and, instead of admitting a large number of the working classes without regard to their fitness and qualifications, it is worth considering whether, by the prudent adoption of a plan of this kind, we cannot safely extend the suffrage far below the present point. That is my answer to the hon. Member for Birmingham (Mr. Bright) in his speech of yesterday, when he assumed the Conservative tone, and said he was content to stand on the old ways of the Constitution. I must say I have not much faith in the hon. Member's advocacy of such a doctrine; I am much more inclined to say we should do well to take a common-sense view of this subject, and to assert that where the old ways of England can be improved, as science, civilization, and knowledge progress, we shall do more wisely not to throw aside a sensible and good suggestion because it is not old. The whole of your present scheme, that the constituency shall be composed of one-half of working men, is an entire novelty, and a very dangerous novelty, and it will be only prudent to adopt some checks to its operation, although they, too, may be novelties.

This view of the question leads us now to the Re-distribution Bill, which forms the second part of the Government measure. The only one of these proposals for altering our mode of voting that has been practically submitted to Parliament was a proposal of the present Prime Minister, the responsible author of this Bill, when he advocated in 1854 a plan for the representation of minorities. That scheme was suggested — and I beg the attention of the House to this fact—in combination with a proposal similar to that of the Re-distribution Bill for the further representation of a number of towns. In 1854 the noble Lord proposed to give a third Member to thirty-six towns. The present Bill deals with twenty-six counties, and for each of these counties (not already having three Members) a third Member is to be added. A third Member is also to be given to four of the largest constituencies — Liverpool, Manchester, Birmingham, and Leeds. I very much dislike this plan of a third Member. It was, in my opinion, the worst part of the Reform Act; but if anything could reconcile me to the plan of a third Member, it is that it should be accompanied by the provision inserted in the noble Lord's Bill of 1854, that each elector should only vote for two candidates, so that protection should be given to the minority. But this protection of the minority is wholly wanting in the present Bill, and I doubt whether I can give my support to the scheme of a third Member for these counties and boroughs, for it has been nothing but a source of discord and mischief. It is entirely unnecessary. It leads to increased expense and a constant struggle in counties and boroughs to see which party is stronger and which will be able to carry the odd man. I wish that, instead of this plan of a third Member, the Government had re-divided these counties, and had given two Members to each. That would be far wiser and more statesmanlike; and if the Government did away with the third Member where this arrangement now exists they would have taken a wise and prudent course. With regard to the grouping system, the scheme of the Government has been so criticized, and so uniformly condemned, and has been so wholly unsupported during this debate, that I need say little upon this point. Not one single Member has risen to say that he is in favour of their plan of grouping, and I should be only wasting the time of the House if I repeat the objections which have been so ably urged against it. I will therefore only touch upon one or two points involved in the question. In the year 1852, the present Prime Minister brought in the first of this abortive series of Reform Bills. He proposed a scheme of grouping; but he grouped represented towns with large and populous places having no representatives. There was not a single case in which Earl Russell proposed to group represented places. He now flies to the opposite extreme, and groups no unrepresented places with those that are represented; but, with a precipitation and rashness that can only be accounted for by the manner in which this plan was brought forward, the Government propose the system of grouping which has been so properly condemned by the Amendment of the hon. and gallant Member (Captain Hayter). Let us see what is proposed in two of these cases. Woodstock, Wallingford, and Abingdon are now represented by three Members. They are to have two Members if this Bill should pass. The Government entirely disregard their interests and feelings, and propose this objectionable plan which must lead to increased bribery in order to gain only one Member. Then take the case of Evesham, Tewkesbury, and Cirencester. There are now six Members for those three boroughs. The Government propose to group them and give them two Members, by which they save four seats. But it would have been much better if they had dealt with these three boroughs upon the principle that the Government of Lord Derby adopted in 1859. Owing to the smallness of these places there was no objection to taking one Member from each. They were all too small in population and the number of the constituency—and both ought to be considered—to continue to send two Members each. Under the scheme of Lord Derby's Government no feelings would have been outraged and no principles would have been violated. Each would have had one Member. The difference as between the plan of the present Government and that of the Government of Lord Derby is that by the present Bill the Government only gain one seat. Is it worth while to make a proposal so objectionable for so small a gain? But there is another point on which I desire to express my opinion. As an English Member of Parliament, I distinctly object to the proposal of the Government to give seven English seats to Scotland. I am afraid that my Scotch friends will not agree with me in that objection, but whenever the question comes before us I certainly shall be ready to record my vote against transferring seven seats from English to Scotch constituencies. But while I take serious exception to every part of this Re-distribution of Seats Bill, and while in my judgment it would be quite hopeless and useless to go into Committee upon it with the hope of making a satisfactory measure of it, I object still more strongly—and I am glad to be able to state that objection face to face with the Chancellor of the Exchequer—to the mode in which this proposal has been submitted to the House. The right hon. Gentleman told us that the Government would not tolerate the loss of a year in considering this question—that we are to stay here till September or October, if necessary, in order to pass these Bills. Sir, it seems to me that there are two important facts which have altogether escaped his memory. The one is the perfect equanimity with which for six long years the Government allowed this question of Parliamentary Reform to sleep. The Chancellor of the Duchy of Lancaster told us something in his speech this evening about "false pretences.'' I do not want to make harsh accusations, but I think it might be said there was something very like false pretence about the circumstances under which the Government took office, and remained there for six long years, content never to touch this question of Reform—to introduce, indeed, a Bill in 1860 which was talked and laughed out of the House by men of all parties, but then to leave the matter there without again attempting for those six years to grapple with it. But now, when the Chancellor of the Exchequer has presumed to come down to this House, and to say, "There is not a day to lose; we can't afford to wait any longer; you must at once pass this measure, or you shall sit till September or October to do it," I say, Sir, that I hope the House of Commons will not submit to such dictation. But there is another thing which the right hon. Gentleman has forgotten. We never heard of Reform even this year till the 12th of March. Parliament ought to have met unusually early, and it actually met unusually late; and the subject of Reform was never launched until the 12th of March. And what were we told on that day? Why, that we should only deal with the question of the franchise, because there was no time to deal with the question of the re-distribution of seats. Well, the House was not satisfied with that answer, and would not allow the Government to follow that course; and I think one of the most humiliating scenes I ever witnessed in this House was when the right hon. Member for Kilmarnock (Mr. Bouverie), from the fourth Bench behind the Government, like "the sweet little cherub that sits up aloft," was dictating to the Members of the Government on the Bench below what they ought to do in their extremity, and when the Government, laying aside all their declared views, eagerly exclaimed, "Oh dear, we shall be very happy to do anything you like!" And what was the result? Why, that a Bill for the Redistribution of Seats, which ought to be the subject of the most anxious and careful deliberation, and to be prepared with a due regard to the gravest public interests, leaving no stone unturned to make it what it ought to be, is put together with the most indecent haste, to keep the Government in their places. Then on the 7th of May it is introduced, although we had been told in March that there was no time to deal with it; and we, forsooth, are to suffer for the *laches* of the Government, by having to stay here until September or October to consider the measure so proposed to us. Sir, I have now sat in the House for a long period, but I do not recollect any leader of the House who ever before held such language to it. There is only one state of circumstances which could for a single moment justify such conduct. If the Government had matured a measure dealing with this great subject in all its parts—if, having well considered and being confident of its merits, they were anxious to propose it—and if they had called Parliament together at the earliest possible time, and within seven days of its assembling had brought forward their scheme—for that is what they ought to have done — if, I say, they had taken that course, and they had found that we, the Opposition, did not meet them fairly, that instead of grappling honestly with its provisions we opposed it by unfair delays and factious manœuvres, then the leader of this House might have come down and said he would not stand that nor consent to throw away a year. But what was the fact? We interposed no factious delay. Member after Member on this side rose and declared sincerely and deliberately that he would be glad to help them to bring this question to a settlement if the Government would only put their measure into a proper shape. I say, therefore, that we have a right to complain, and as a Member of this House I do complain, of the leader of this House for holding such language to us as that under these circumstances.

I now turn to a point on which I feel some hesitation, because I am afraid that only a small minority of this House will concur in the view I take. But I think it is the duty of those who have formed opinions on this subject not to shrink from fairly expressing them, in the hope that even although the majority may not agree with them, they may at all events contribute something towards the ultimate solution of this great question. I wish, then, to state frankly to the House that I have long felt, and recent circumstances have tended much to strengthen my opinion, that we should do well to consider the advice given by Lord Grey when he suggests whether or not the ultimate solution of this question would not be facilitated by referring it to another tribunal. Lord Grey is for referring it to a Committee of the Privy Council. I do not myself altogether agree either in Lord Grey's idea of referring the question to a Committee of the Privy Council, or in the sketch of a Reform Bill which he has introduced into his very able work on the system of Parliamentary Government. But I confess, considering the very great difficulty of this question, considering its many branches, considering the suggestions to which I have to-night adverted—I mean, as to the various modes of voting which may well be considered with a view to a large extension of the franchise—I am much disposed to think it is well worthy reflection—I do not pledge myself to any particular plan—whether this great subject might not well be inquired into by a fairly constituted Royal Commission in such a manner as to throw very great light upon it. We have referred very large questions to Royal Commissions. Neither this House nor the Government are bound by the Reports which those Commissions make, but those Commissions do lay before us the results of most valuable and careful examinations of those questions; they afford us the means of seeing the various views that may be entertained in regard to them. My belief is that the greatest service you could confer on the country in connection with this subject would be, if possible, to take it out of the category of party subjects. I wish we could approach it without being hampered by the question whether this or that proposal is favourable to this particular party or to that. My idea is that if a Commission impartially constituted of competent men chosen from both sides were to consider the whole of this question in all its bearings and its details and make a deliberate Report upon it, that Report might be the means of enabling the Government of the day, whatever that Government might be, to frame a measure which might be more comprehensive and might deal in a more satisfactory manner with this subject than it would be possible for the Government to do by their own unaided exertions, occupied, as they necessarily are, by the pressure of their departmental duties.

But there is another point in connection with this question upon which, at all events, I think a very considerable portion of this House will be found to agree. I mean as to bribery at elections—a point much discussed during the last few days. In my opinion there is no one part of this whole subject of our representative system which so much stands in need of reform as that of bribery and corruption. As the hon. Member for Nottingham (Mr. Osborne) well said, it is the plague spot and the disgrace of our representative system; and I was sorry to see within the last few days the extent to which the Government are disposed to underrate it. I think it is very unwise to underrate it. I am far from thinking that it has diminished; indeed, I believe that it is a growing and increasing evil. Some years ago I myself introduced a measure into this House making it imperative on every man who takes his seat here to make a solemn declaration at this table that he has not obtained it by improper means. The measure was defeated on division; but although there may be a good deal of weight in the arguments urged against it, on the whole I lean to it. When I introduced that Bill I received confidential communications from many hon. Members, who, desiring to assist me, furnished me with the particulars of the practices pursued in the places which they represented. It is difficult to describe the quality of the statements I received; but I must make mention of the fact that I was particularly shocked and astonished to find the extent to which corruption grew in the direction of the upper classes when once it had been introduced to a borough, and men once found that they could bribe their neighbours to sell their votes—how bribery worked upwards, and that even well-to-do men, holding respectable positions in their towns, would condescend to accept a bribe for their votes. But whenever this question is brought before the House, as it was brought by a Motion the other day, the Government meet it with the extraordinary response, "You had better not press this matter; you would do well to leave it in the hands of the Government." Hon. Gentlemen accede the request, leave the matter in the hands of the Government, and the Government permits it to rest. Thus the evil grows; and my belief is that if the Government really wish to serve the country, they would instead of making us discuss the franchise and redistribution of seats, invite us to give our whole thoughts to the question how best we could get rid of this disgraceful plague spot of bribery, which more loudly demands reformation than anything else connected with our representative system. I have no hope of the Government of the day giving this matter proper consideration; and experience has shown me that if private Members introduce it the subject is pooh-poohed; and the unfortunate result is that an impression exists in the country that we are not in earnest upon this question. That is unjust to the Members of this House: many of us are in earnest upon the subject, and the Government is responsible for the injustice done. And I am of opinion that the course pursued by the Government with reference to the Motion of the hon. Baronet the Member for Northamptonshire (Sir Rainald Knightley) on Monday night was neither fair nor Parliamentary. The Government had no right to say, that "because you have carried your Motion that the Committee shall be intrusted to deal with bribery, you must frame the clauses which you would have attached to our Bills." The measures are Government measures, and, as the House has by a majority decided that the Committee shall be instructed in accordance with my hon. Friend's Motion, it is the duty of the Government, and not of my hon. Friend, to consider by what clauses this matter can be best disposed of. But, although I voted for that Motion of my hon. Friend, and shall vote in support of similar Motions again and again, I am not sanguine that the matter can be dealt with advantageously in any manner than by a Royal Commission. To deal with such a subject as bribery you require the continuous and concentrated attention upon it of many competent minds; it is obviously most difficult for Members of the Administration, burdened with their official duties, to give this continuous and concentrated attention to the matter; and I can conceive of no machinery whereby it could be brought to bear upon the subject but a Royal Commission. I am, therefore, very glad to find that this view of the matter has been very strongly urged in another place. I arrive, then, at the conclusion that these questions are not ripe for legislation, and that it is premature to send the Bills to the Committee. If the Government had really desired to reform our representative system, they would have approached it in a much broader spirit than they have, they would have had a Bill bearing upon all parts of the question ready at the beginning of the Session, and would have pressed it forward day by day. To do that now is hopeless. To send these measures to a Committee is a mere waste of time. We have already boldly told the Government, in a way which obliged them to attend to our recommendation, that they should not deal with the questions by halves. I hope we shall now let them understand in an equally unmistakable way that we will not permit them to force their view of the matter upon us by menaces. I hope the result of this division will be that the Government will consent to reconsider the whole matter; and that they will come before us in another Session with a well-considered, impartial, and comprehensive measure. Then I am convinced that all parties in this House will address themselves to the fair and full consideration of whatever the Government may advance, with a view, if possible, to the settlement of this vexed question.

MR. J. STUART MILL: Hon. Gentlemen opposite in considerable numbers have shown a very great desire to inform the House, not so much as to their views on the question before us, as with regard to what I have said or written upon the subject, and they have also shown a great desire to know the reasons I have for the course which they suppose I am going to take upon the question. I should be sorry to refuse any hon. Gentleman so very small a request, but I must first of all correct a mistake made by the right hon. Baronet (Sir John Pakington) who has just sat down. I did not allow myself to be persuaded not to speak upon the Bill of my hon. Friend the Member for Hull (Mr. Clay). I had various reasons for the silence which I observed on that occasion. One of these I have the less hesitation in stating, because I think it is one with which the House will fully sympathize—a decided disinclination for being made a catspaw of. What other reasons I had may possibly appear in the very few observations that I am now about to make, for the gratification of those hon. Gentlemen who show so much friendly concern for my consistency. No doubt it is a very flattering thing to find one's writings so much referred to and quoted; but any vanity I might have felt in consequence has been considerably dashed, by observing that hon. Gentlemen's knowledge of my writings is strictly limited to the particular passages which they quote. I suppose they found the books too dull to read any further. But if they had done me the honour to read on, they would have learnt a little more about my opinions than they seem to know. It may be that I have suggested plurality of votes and various other checks as proper parts of a general system of representation; but I should very much like to know where any Gentleman finds I have stated that checks and safeguards are required against a £7 franchise? The proposals I made had reference to universal suffrage, of which I am a strenuous advocate. It appeared to me that certain things were necessary in order to prevent universal suffrage from degenerating into the mere ascendancy of a particular class. Is there any danger that the working class will acquire a numerical ascendancy by the reduction of the franchise qualification to £7? It is ridiculous to suppose such a thing. The effect of the present Bill will not be to create the ascendancy of a class, but to weaken and mitigate the ascendancy of a class; and there is no need for the particular checks which I suggested. I must, however, except one of them, which is equally desirable in any representative constitution—the representation of minorities; and I heartily congratulate the right hon. Baronet on the qualified adhesion which he has given to that principle. It is not intended specially as a check on democracy—it is a check upon whatever portion of the community is strongest—on any abuse of power by the class that may chance to be uppermost. Instead of being opposed to democracy, it is actually a corollary from the democratic principle, for on that principle every one would have a vote, and all votes would be of equal value; but without the representation of minorities all votes have not an equal value, for practically nearly one-half of the constituency is disfranchised, for the benefit, it may happen, not even of the majority, but of another minority. Suppose that a House of Commons is elected by a bare majority of the people, and that it afterwards passes laws by a bare majority of itself. The outvoted minority out of doors, and the outvoted minority of the Members of this House who were elected by the majority out of doors, might possibly agree; and thus a little more than one-fourth of the community would actually have defeated the remaining three-fourths. On the principle of justice, therefore, and on the principle of democracy above all, the representation of minorities appears to me an absolutely necessary part of any representative constitution which it is intended should permanently work well. If the right hon. Gentleman who has declared in favour of the representation of minorities (Sir John Pakington) will bring forward a Motion, in any form which can possibly pass, with a view to engraft that principle upon any Bill, I shall have the greatest pleasure in seconding him. I desire to make a brief explanation in reference to a passage which the right hon. Gentleman has quoted from a portion of my writings, and which has some appearance of being less polite than I should wish always to be in speaking of a great party. What I stated was, that the Conservative party was, by the law of its constitution, necessarily the stupidest party. Now, I do not retract this assertion; but I did not mean that Conservatives are generally stupid; I meant, that stupid persons are generally Conservative. I believe that to be so obvious and undeniable a fact that I hardly think any hon. Gentleman will question it. Now, if any party, in addition to whatever share it may possess of the ability of the community, has nearly the whole of its stupidity, that party, I apprehend, must by the law of its constitution be the stupidest party. And I do not see why hon. Gentlemen should feel that position at all offensive to them; for it ensures their being always an extremely powerful party. I know I am liable to a retort, an obvious one enough, and as I do not intend any hon. Gentleman to have the credit of making it, I make it myself. It may be said that if stupidity has a tendency to Conservatism, sciolism and half-knowledge have a tendency to Liberalism. Well, Sir, something might be said for that—but it is not at all so clear as the other. There is an uncertainty about half-informed people. You cannot count upon them. You cannot tell what their way of thinking may be. It varies from day to day, perhaps with the last book they have read. They are a less numerous class, and also an uncertain class. But there is a dense solid force in sheer stupidity—such, that a few able men, with that force pressing behind them, are assured of victory in many a struggle; and many a victory the Conservative party have owed to that force. I only rose for the purpose of making this personal explanation, and I do not intend to enter into the merits of the Amendment, especially as I concur in all that has been said in the admirable speech of my right hon. Friend the Member for London (Mr. Goschen).

Mr. SCOURFIELD said, that the system of grouping proposed by the Government would require great consideration, and that its effect would be to entail increased expenditure on candidates seeking Parliamentary honours. The feeling of the majority of the hon. Members who voted for the Motion of his hon. Friend the Member for Northamptonshire (Sir Rainald

Knightley) was that under the proposed Reform Bill, the only certainty discernible was a great increase in electoral expenditure. Some of the places to be grouped together were many miles apart, they had no community of interest, and very often great rivalry existed between them, and election contests would probably excite great irritation. He had had considerable experience in contests, and the opinion he had formed was that the grouping of the boroughs would multiply contested elections. He could not fancy any position more irritating than that of a borough which, although it might have a majority of votes in favour of a particular view, because it was associated with a larger borough supporting different views was always in a minority. The right hon. Gentleman the Member for the City of London (Mr. Goschen) seemed to attach very little importance to boroughs grouped together being in the same county, or to the distance they were apart. Now he thought that such considerations were of great consequence, and the late Sir George Lewis, no mean authority in such matters, had expressed the same opinion. He had laid it down that three principles were to be regarded in representation—property, population, and locality. If locality were properly attended to great evils would be the result—representation would ultimately centre in those places originally strong, while places with but slight representation would be practically unrepresented. The Bill seemed to him to be constructed on what he might call "the something-must-be-done principle." In conversations with people favourable to the Bill, he found that they did not criticize all its parts, but they exclaimed, "But really we want a settlement of this question, and something must be done." Now, in politics that was a very dangerous principle, and it was related of a noble Lord once high in Her Majesty's Councils, that he used to say that he was never so much alarmed as when he heard his colleagues say that something must be done. It might be necessary that something should be done; but that something should be well done; and if a settlement of the question of Reform were desired, a good settlement ought, if possible, to be arrived at. The simple desire to get rid of the question was a great mark of impatience, With regard to the franchise, he entertained one objection to which he thought very little special reference had been made, except by his right hon. Friend the Member for the University of Cambridge. In dealing with this matter he could not see that the Government had made anything like an attempt at drawing a satisfactory line of demarcation between the voter and the non-voter—a point which he held to be of great importance. The right hon. Member for Cambridge University had proposed a £20 franchise for the counties, and £8 for the boroughs; and there was a principle in this, because £20 was the qualification for jurors, and £8 was connected with the payment of rates. It struck him (Mr. Scourfield) that the inhabited house duty would furnish a satisfactory line of demarcation between the voter and the non-voter. Horne Tooke had said that benefit and burden, privilege and obligation, should go together; and, certainly, the person who had to pay should have some consolation in having the privilege of voting. He contended that the voter should not be separated from the non-voter by a mere arbitrary line of 3¼*d.* or 2*d.*, or the smallest sum that could be named. This he held to be one great fault in the scheme the Government had proposed to the House. He had little confidence of being able to make the required Amendments in Committee, and hon. Members generally were afraid to leave defects to the chance of being remedied at that stage. After long debates on general principles hon. Members became wearied with the subject, and many things were allowed to pass which ought to have been amended. Some of the clauses of the Bill were inconsistent with each other. In the 16th clause it was proposed to disfranchise the labourers in the dockyards; but he could not find any reason for such a course. No charge of corruption had ever been brought against them—nothing except a certain inclination to put a pressure upon their representatives to make an effort for an increase in their wages. Now, considerations of this nature ought not to have any weight in determining who should have the franchise. Then there was a clause which distinctly negatived the necessity of paying rates or taxes in order to obtain a vote. This he (Mr. Scourfield) opposed on principle. It might be said, "Surely there are other means of recovering rates and taxes;" which was very likely, but he wished to encourage their payment. Many of the charities of the country depended upon the collection of rates. To suspend the payment of poor rate for two months would entail great miseries, and possibly starvation in some parts of the country. The hon. Baronet the Member for Yorkshire (Sir Francis Crossley) was the only person who had advanced anything like a colourable ground for the change, and his argument was based upon the assumption that in particular cases, which must have been of very rare occurrence, the overseers of rates had exercised some partiality with regard to arrears. He could only say, for his own part, that if proof were given of any such undue preference on the part of overseers, he would gladly join in any legislation that might tend to correct the evil. The proposal of the Government seemed to him marked by an undue desire to depress the purely rural element in the constituencies. A good deal had been said about tempering the uniformity of the rural constituencies by infusing into them some of the more active elements of the towns; but surely a reciprocal advantage might be gained by the towns in the introduction of more tranquil elements from the counties. He would take, as an instance, the East Riding of the county of Norfolk. As far as he was aware, no charge of corruption had ever been made against it; but it included a celebrated borough called Yarmouth, which had constantly attracted the attention of Committees, and was even now awaiting the visit of a Royal Commission. Was the House prepared to send an invasion of leaseholders from Yarmouth into the county of Norfolk? He believed that out of 8,000 voters in the East Riding no less than 1,000 would be leaseholders of Yarmouth. If these 1,000 voters were as corrupt as the borough voters their introduction would be a great hardship to East Norfolk; if, on the other hand, they were pure and upright voters, they had better remain in Yarmouth, where they were sadly wanted. It had always struck him that the objections urged to the Bill of 1859 on the ground of the alteration made with regard to the votes of freeholders in towns were much exaggerated. In the case of Exeter, Norwich, Nottingham, Lichfield, and possibly other towns, the principle of freeholders voting in the town if they lived within a distance of seven miles existed at the present moment, having been continued by the Bill of 1831. It would be well if, in some cases at least, this seven miles limit were extended. The hon. Gentleman the senior Member for the City of London (Mr. Crawford) had shown what great alterations increased facility of communication had made in the character of his constituency. Formerly, seven miles was an ample suburban limit; but now a great proportion of the wealthiest citizens lived at greater distances, and consequently were excluded from the right of voting. Connection by property, and not the actual place of residence, seemed to him the point of importance. For, practically, in these days, nobody knew where he lived. If a residential franchise were being created, the London and North Western or the Great Western Railway would be the place to give it to. Being himself a freeholder by inheritance in the City of London, he should be very glad to have the power of voting in right of it, so that when the London, Chatham, and Dover Railway came to take down the property—a most likely contingency to happen to any one—he might be able to interest one of the Members for the City of London upon the subject. As matters stood, those hon. Members, of course, would have nothing to say to him; and his vote out of property in the City of London went to neutralize that of some worthy farmer in the county of Middlesex. At present the counties were certainly not over-represented. The agricultural element, no doubt, was largely included in that Party of Stupidity of which mention had been made by the hon. Member for Westminster; but, though it might have its vices and its failings, it had also its merits and its virtues, and justice was not done to these when the large towns were able to exercise a double power in the representation. He sympathized with those who desired to see an effective measure; but he agreed with the right hon. Baronet the Member for Droitwich (Sir John Pakington) that the Government had been very unfortunate in their mode of dealing with this Reform question. There were two ways in which the question might have been satisfactorily settled. The Government might either have settled it by producing a large, comprehensive, and well-considered measure, recommending itself to the approval of the great majority of the Members; or they might have taken a different course—a course which, he believed, the Government, at one time, had some faint notion of entertaining—they might have introduced the heads of a Bill—the framework and foundation for a measure—trusting to an amicable agreement of both sides of the House with regard to the details. But from the beginning to the end, every hope of such an amicable agreement had been marred by the course which the Government pursued. In the first place, hon. Members said, very naturally, "We do not complain of your not doing everything at the same time; but if you have got a plan let us know what it is." As soon, however, as this most reasonable request was embodied in a Motion by the noble Earl the Member for Chester (Earl Grosvenor), the Government immediately declared that they would regard it as a Motion of want of confidence. If anything like an amicable settlement was ever to be come to, the Government must avoid the multiplication of votes of "confidence." His own opinion on that subject was greatly strengthened by words which fell from the eminent man whose loss they all deplored, in the course of the discussion upon the Reform Bill of 1859. These were the words of Lord Palmerston on that occasion—

> "For it cannot be maintained in these times and in this House, that whenever a majority of the House of Commons object to a particular measure, or to a portion of a particular measure, which the Government of the day may propose, they are, by expressing that objection, censuring the Government in such a manner as to render it necessary for the Government to consider whether they should or should not resign their offices. If that doctrine were to be laid down in the present state of Parliament since the Reform of Parliament in 1832, I maintain that it would be utterly impossible for any Government, unless it were far wiser than any that has yet existed, to carry on for twelve months the administration of the affairs in this House.—[3 *Hansard*, cliii. 1308.]

Those words of Lord Palmerston were not only true in themselves but almost prophetical. If Members wished to settle this question, they must avoid all unnecessary fighting points. Words, however, had been used in the recent debates which were not easily forgotten. The noble Lord the Member for Chester gave notice of his Motion in terms which were certainly not offensive, and his proposal had been adopted and acted upon by the House. Yet such words as "foul" and "dirty conspirators" had been used with reference to the noble Lord and those acting with him, whose object was not to damage the Government, but to press a fair and reasonable request. Still more recently the House had listened to phrases like "organized hypocrisy" and "false pretences." Sayings like these might be very witty, very epigrammatic, but he doubted their being very wise, where it was sought to carry a measure of this kind by the co-operation of the House. When once the passions of the House were excited it became—to employ a phrase much in vogue with a certain class of society — "an awkward customer to deal with." To tell hon. Members that they were to be kept in their places for two or three months, that all public business was to be interrupted, and that they were to be brought up again in November or December to pass this measure, was not a way to conciliate the House. It was always apt to resent anything like a threat, particularly when the occasion calling forth that threat was not of its own making. Personally he had never shown any desire to embarrass the Government; he still entertained friendly feelings towards them: but there was one observation which he felt bound to make. It was intended to erect a monument to the memory of Lord Palmerston. But, meanwhile, a more enduring memorial was likely to be erected by the contrast between his remarkable facility of converting opponents into friends and the remarkable ability of his successors in converting friends into opponents.

MR. BAXTER said, it appeared to him that the speech of the right hon. Member for Droitwich (Sir John Pakington) ought to have been delivered against the second reading of the Government Franchise Bill. Similar arguments had been used during the debates, and had been over and over again refuted. He (Mr. Baxter) trusted that the House of Commons would never consent to the right hon. Baronet's suggestion to refer the British Constitution to a Royal Commission. But he rose to reply to the questions which had been addressed to him by the right hon. Gentleman opposite, and he would express in the frankest manner possible the views entertained by himself and by other hon. Members near him with regard to the political situation in which they now found themselves placed. In the month of March in introducing the Franchise Bill, the Chancellor of the Exchequer told the House and the country that the reason why Her Majesty's Government introduced the Franchise Bill alone, reserving all other questions of Reform for subsequent consideration, was, that it was impossible adequately to discuss and fairly to dispose of the main question as to the lowering of the franchise during the present Session of Parliament if the other minor questions were to be brought before them at the same time; and the opinion he (Mr. Baxter) had held from the beginning was that the Chancellor of the Exchequer and Her Majesty's Government were right in refusing to introduce the other Bills, and that the difficulty of the political situation at the present moment was mainly attributable to their having departed from the course they had originally intended to pursue. It was true that they had answered the objection that the country was not in possession of the whole of the Government scheme; but in removing one obstacle they had raised half-a-dozen others much less easy to overcome. It would be no easy task, even in times of political excitement and discontent, with revolution at the threshhold, to settle in one Session such important questions as the representation of the people, the extension of the borough and the county franchise, the re-distribution of seats, the re-arrangement of the boundaries of boroughs, the checking of bribery, and the reduction of election expenses; and yet hon. Gentlemen opposite called upon Her Majesty's Government to settle all these difficult and important questions during the present Session. In times of comparative quiet like the present, when there was no violent agitation outside the House, to attempt to do anything of the sort was next door to an impossibility, and he thought that Her Majesty's Government had only put their heads into a hornets' nest in trying to settle the Re-distribution of Seats question during the present Session. There was no use in concealing the fact that, without great pressure from without, hon. Gentlemen would never be induced to extend the Session into the autumn months, and thus to give up their shooting. As to settling a great question like this during the two months that yet remained of the Session, it was enough to say that they were in the hands of the Conservative party, and could not do so without their concurrence. He was afraid, however, after their recent remarkable exhibition, that that great party, true to its ancient traditions, was resolved to give the most determined opposition to one of the most moderate and Conservative Reform Bills that had ever been introduced into that House. He believed that in the end that conduct on their part would turn out a mistake such as they had frequently made before. He had no doubt it was a mistake on their part, both in regard to the interests of their party and the interests of Conservatism. Those who knew best the feelings and opinions of the people of this country believed that no chance would be again given for settling this question on principles so Conservative as the present Bill. The Franchise Bill still excluded thousands of intelligent working men whom they would like to see included; the Seats Bill left untouched numerous rotten boroughs, and left a good share of the representation to others which they knew ought to be placed in Schedule A, and their representatives given to more important constituencies. The first Bill was a moderately Liberal Bill, and the second Bill was a Tory Bill; and yet the Members of the advanced Liberal party were so moderate that they were prepared to accept these two moderate—or rather Tory—Bills as a settlement of the question for a considerable time. The great Conservative party had at last assumed their ancient attitude. They pertinaciously opposed the very small alteration proposed, and he would tell them that in doing so they were paving the way for household suffrage and a very sweeping measure of re-distribution. The hon. Gentlemen opposite said that the country was Conservative, and desired no change; but they had laid that kind of flattering unction to their souls more than once before, and the same thing was likely to happen again that happened in regard to the Reform Act of 1832, the repeal of the Test and Corporation Act, the Catholic Emancipation Act, and the repeal of the Corn Laws. They refused to pass small measures, and they were compelled to accept large measures in the end. They were likely to see the party of obstruction obstructing to the last, and eventually making concessions beyond those which they were asked to make. He was willing to accept the proposition of the Government; but if the Bills were not to be permitted to pass, and if the question was again to be raised, he would not say he would be very sorry, for he was not sure that in the interests of advanced Liberalism it might not be the best policy for them to fight a little longer and get a better and more important Bill. Hon. Gentlemen opposite were in the habit of accusing the hon. Member for Birmingham of a desire to assimilate the institutions of this country to those of America; but what were they themselves doing? In this Bill the old system of representation was strictly adhered to; many small boroughs that should be disfranchised were still spared; and yet the hon. Gentlemen opposite not only opposed the measure, but in their Amendments advocated either the subdivision of counties or the extension of the area of boroughs so as to include the surrounding portions of the neighbouring counties. What was that but the American system of electoral districts? He had never during the eleven years he had a seat in that House heard any proposition so likely to approximate to the institutions and system of the United States as the propositions made in speeches and put on paper as Amendments by the hon. Gentlemen opposite. He was consoled for the loss of this Bill by the belief that the next Bill must be more extensive. He was also consoled for the loss of it by the speeches made in reference to the Seats Bill, because the speeches delivered by the hon. Gentlemen opposite cut through into the old system of England, and paved the way for more democratic changes than were now proposed either by the Government or by the hon. Member for Birmingham. The question was, were they to adhere to the old system as nearly as they could, altering it as little as possible to suit the requirements of the time, or to approach gradually the system of equal electoral districts? The Government had adopted the former and more Conservative scheme, and the hon. Gentlemen opposite advocated the latter; and he should not break his heart if in the end the views of the hon. Gentlemen opposite were to prevail. He had listened to the objections to the Bill, but was not aware that any of the arguments applied, at all events, to the principle of the measure before them. He could not help referring to some glaring blunders which had been committed in the debates on this subject. It had been stated by the hon. and learned Member for Belfast (Sir Hugh Cairns), that Scotch Members had been bribed to support the Franchise Bill by the promise of additional representatives; but a more preposterous assertion could not have been made, for Her Majesty's Government very properly kept their own counsels, and not one of them knew how Scotland would be affected by the Re-distribution Bill. It was unworthy of the hon. and learned Gentleman's high position to raise a paltry cheer by such an allegation. Then the hon. Member for Maldon (Mr. Sandford) attributed the absence of bribery in Scotland to there being no close contests there; but though it was true that Conservatism had not so strong a hold in that part of the United Kingdom as elsewhere, very exciting contests often took place. His hon. Friend the Member for Edinburgh (Mr. M'Laren) could bear testimony to the truth of that statement. Scarcely any of them, however, had occurred in grouped boroughs. The same hon. Gentleman had described the Scotch Members as "Puritanical semi-Republicans;" but the fact was that the majority of them were not Presbyterians, but Episcopalians, and with the exception of half-a-dozen advanced Liberals they were, he grieved to say, very moderate Whigs. As for the objections to the Government plan of grouping, it might be that that plan was capable of amendment, but the anomalies alleged were much exaggerated. He had expected to find that in almost every instance the grouped towns were separated by an inconvenient distance, whereas the Return moved for by the hon. Baronet the Member for South Devon (Sir Lawrence Palk) showed that the average distance was only fifteen miles, and greater distances than that had led to no inconveniencies in the Scotch groups. He admitted that grouping necessitated a larger expenditure by the candidate in the first instance, owing to that system of agency to which he was strongly opposed; but there was this great countervailing advantage—that the interests of the various towns being conflicting, the Member was perfectly independent of local interests. His seat was consequently more secure, and in the long run less expensive. So far, moreover, from the increase of the constituencies involving greater expense, universal experience showed that large constituencies could not be bribed, and the best way of repressing the organized corruption which was a disgrace to the British name, and which existed in no other country, was to enlarge the constituencies. The statement he made on a former occasion, that no general electoral corruption existed in the United States, had been much controverted; but he had more personal knowledge of that country than most of his critics, and though it was true that corruption existed in the municipalities, in the State Legislatures, and in Congress, among the class who were called politicians by trade—as, indeed, was the case in this and in all other countries—he could assure the House that, with the exception of an attempt in Rhode Island and in a few of the far Western States, where the constituencies were very small, no systematic corruption such as prevailed here was known in America. The hon. Member who spoke last (Mr. Scourfield) had blamed the Government for not introducing a comprehensive scheme at the beginning of the Session; but he believed that in that case the tactics of 1860 would have been repeated, and the Bill would have been talked to death. But these questions of Reform must be settled ere long, and the longer they were in arriving at a settlement of them the more thorough and radical would the change be.

Mr. MOWBRAY said, that when his hon. Friend the Member for the Montrose burghs (Mr. Baxter) rose he thought they had at last found the individual whom the hon. and learned Member for Maldon (Mr. Sandford) on Monday night, and the right hon. Member for Droitwich that evening, had inquired for in vain, an independent supporter of the Government, prepared to defend and justify the Reform measures which they had introduced. But in this he was sadly disappointed, for his hon. Friend delivered a speech, the first portion of which ought to have been delivered against the Instruction moved by the right hon. Member for Kilmarnock to unite these two Bills and which had been unanimously adopted by the House. His hon. Friend had condemned the Government for having encumbered the Franchise Bill with the Re-distribution of Seats Bill, and for having referred both Bills to the same Committee; he censured the Chancellor of the Exchequer for having threatened them with an autumn Session, the fatigues and anxieties of which he intimated pretty plainly he was not prepared to undergo; and then he proceeded to lecture the whole Conservative party on the folly of allowing the present opportunity of settling the question to pass unimproved, and told them that they would never have such an opportunity again, and that they would repent of the mistake they were now making as they had often repented before. But his hon. Friend did not refer to former debates in support of this opinion; if he had done so he would have found that the Bill of 1852 contained a £5 franchise, which was rejected; that the Bill of 1860 contained a £6 franchise, which was rejected; and that the present Bill of 1866 contained a £7 franchise, which it was also possible the House would reject. So far, therefore, there was no reason to fear that delay would bring worse terms to the Conservative party. His hon. Friend then proceeded to reply to the observations of the hon. and learned Member for Belfast and the hon. Member for Maldon, for what he supposed to have been attacks on the Scotch Members. Now he (Mr. Mowbray) was sure, from all he knew of the hon. and learned Member for Belfast, that if that hon. and learned Gentleman had used the language attributed to him he never meant to imply that unworthy and sinister motives had influenced the Scotch Members in giving their support to the second reading of the Franchise Bill. If any suggestion was made it was only this—that the Scotch Members representing as they did for the most part liberal opinions would naturally be anxious to promote any measure which would give them greater ascendancy to those opinions, and at the same time afforded the prospect of an increase to the number of representatives for that part of the country with which they were more immediately connected. When at length his hon. Friend got to the Bill itself he disposed of it in a very few sentences. His hon. Friend was not prepared to defend the grouping of the boroughs, and said that if any anomalies existed they might be amended in Committee. And this after two nights' debate was literally all that had been said by independent Members in favour of the measure, that it might be mended in Committee; and at last they had got a Member of the Government, the right hon. Gentleman the Chancellor of the Duchy, who said that the merit of the plan of the Government was that it could be amended in Committee. He would pass over the remarks of the hon. Member for Westminster, for his speech was not a defence of the Bill, but could only be regarded as a personal explanation of his own writings, and considering the stupidity, in the hon. Member's opinion, of the party, they were much obliged to the hon. Member for the trouble he had taken in giving them information as to the meaning of his language. He wished to answer within a limited degree the challenge which the right hon. Gentleman the Chancellor of the Duchy of Lancaster had thrown out. There was, indeed, one challenge which he did not think the right hon. Gentleman was entitled to make. The right hon. Gentleman said, addressing the Conservative party, where are your Amendments? You ought to embody your views in a Bill. And then, correcting himself, he added, you ought to embody your views in an Amendment. But the right hon. Gentleman ought to know that it was not the duty of the opposition to embody their views, either in a Bill or in an Amendment. When the leaders of the Conservative party were in office, and had the responsibility of the Government in 1859, they did that which the right hon. Gentleman challenged them to do now—they produced their Bill, and laid it on the table of the House; and that Bill, he ventured to say, was in its completeness, in its elaborate preparation, and in its minuteness of detail in favourable contrast either with the Bill of 1860 or 1866. But, in the language of the late Sir Robert Peel, they had no right to ask a physician to prescribe till he was regularly called in. But the right hon. Gentleman threw out another challenge. He said if there is a blot in the Bill point it out. He (Mr. Mowbray) admitted that was a fair challenge; and in reply to it he would say that there were many blots in the Bill. Certainly, a good many had been pointed out with great care and ability by the hon. and gallant Member for Wells. He was not going to follow the hon. Member through all the grouped boroughs. The right hon. Gentleman evidently shrank from the task—coming from the City of London he turned up his nose at the lacemakers of Honiton and the ropemakers of Bridport. Following up the blots already hit, the objection which he would urge against the Bill was of another character, although coming within the Resolution proposed by the hon. and gallant Gentleman the Member for Wells — that the scheme was not sufficiently matured by the Government. There were two faults that might be found in this Bill—one, that there was such an incongruous and absurd grouping, into which he did not propose to go further; the other was the omission carefully to consider and patiently to investigate the state of the country with reference to its claims for increased representation. When his right hon. Friend the Member for Buckinghamshire introduced the Bill of 1859, the principle laid down was that they should first consider the places that required to be enfranchised. The Government ought to have considered what places required additional Members. They should have looked to the state of the country, not as it existed in 1852, 1859, or 1860, but as statistics showed it to be in 1866. The fault which he thought the Government had committed was that in this measure of enfranchisement and disfranchisement they had neglected to deal with the actual state of the country. He would take, for instance, the county of Durham. Had they considered the increase of population between 1831 and 1861, and the growth of property between 1860 and 1865? The population of the Northern Division in 1831 was 78,151, and in 1861, 169,643; of the Southern Division in 1831, 75,862, and in 1861, 170,412; showing an aggregate population in 1831 of 154,013, and in 1861 of 340,055. He believed the increase in population within that period had been greater in the county of Durham than in any other part of England except Middlesex, while there was reason to believe that between 1861 and the present year the increase had gone on in a more accelerated ratio than in Middlesex. But while such had been the increase in population, the increase of property had been still greater. Looking to the Returns which had been laid on the table before the Franchise Bill, he found that the gross estimated rental of all property in the Northern Division, excluding boroughs, was in 1860, £496,141, while in 1865 it was £715,918, showing an increase of £219,777; while in the Southern Division it was in 1861, £580,500, in 1865, £988,405, showing an increase of £407,825. The rateable value of all property in the Northern Division, excluding boroughs, was in 1860 £437,371; in 1865, £607,773, showing an increase of £170,382; and in the Southern Division, in 1860, £500,713; in 1865, £840,711, showing an increase of £339,998. And what was the state of the representation of the county of Durham as settled by the Reform Act of 1832? The Northern Division had two county Members and six borough Members; the Southern Division was represented by two county Members only, the boroughs in that Division not having a single representative. In North Durham there was one Member for every 44,000, which was about the average of England. The Southern Division had only one Member for every 85,000. One would naturally suppose that the Government, in taking a general survey of the claims of all England, would have admitted that Durham, with such an enormous increase of population and wealth, was fairly entitled to increased representation. But what had they done? It was proposed that in future North Durham should have nine Members and South Durham four. They gave one additional Member to the Southern Division and one to the town of Hartlepool. He had not a word to say against Hartlepool. They had wisely followed the example of Lord Derby's Government in 1859 in giving a Member to Hartlepool, and he was glad to think that the intelligence of that remarkable place was likely to find a fitting representative in the next Parliament. But there were other places that were equally entitled to representation. He would mention two. Did the Government consider the claims of Darlington? Darlington was the chief town in the Southern Division. It was the place where the county Members were returned, and had a considerable future before it; it was midway between the coal-fields of South Durham and the iron-stone districts of North Yorkshire; it was the seat and centre of a widely ramified railway system connecting the east and west coasts of the North of England, it had the greatest agricultural market in the North, except Newcastle; it was full of life, and activity, and intelligence; and its population was increasing from year to year. In 1861 the population was 15,761, and he believed, on reliable returns, it was now 26,000. Was Her Majesty's Government aware of these facts? He asked the question because, in the statistics before the House, the Census of 1861 had been exclusively consulted. Was Her Majesty's Government aware of the increased population of Darlington in 1866 as compared with 1861? But the increase of population in that town had not been more remarkable than the increase in the number of houses, which, he was informed, had been proceeding for the last five years at the rate of 300 a year. He believed that 7,000 of the inhabitants of Darlington had sent up a petition to the House praying that they might have a Member, and he hoped that the Government would take their claim into consideration. There was another point to which he wished to direct the attention of the House. Her Majesty's Government had given a Member to Middlesborough; but he would remind the House that the prosperity of that town was due to the wealth, the intelligence, and the capital of Darlington. But Darlington was not the only town in the Southern Division of the county of Durham which preferred a claim to direct Parliamentary representation. There was Stockton, which dated its charter from the reign of King John, though its claim for Parliamentary representation would rather rest upon the growth of the town in recent years. In 1861 the town of Stockton alone had a population of 13,357, but in 1865 it was estimated that the population had increased to 23,000. And if South Stockton and Norton were added there was in 1861 a population of 19,060, which was now estimated to have increased to 32,500. Nevertheless, Stockton had not been included in the Bill. The number of houses, too, had largely increased; indeed, he had been informed that no fewer than 1,396 had been erected in Stockton during the last five years, and of these 507 were built last year. Notwithstanding all this, Darlington and Stockton were not permitted to have a share in Parliamentary representation, while that privilege was still to be enjoyed by Ashburton and the borough which was situate under the shadow of the ducal castle of Arundel. Then in the county of Durham there was another constituency which ought to have claims upon the consideration of the right hon. Gentleman the Chancellor of the Exchequer, on account of his past career, and also, he trusted, on the right hon. Gentleman the Chancellor of the Duchy of Lancaster. The claims of the University of London, of the Queen's University in Ireland, and of the Scotch Universities, to direct Parliamentary representation, had been recognized by the Government, but why had they not also recognized the claim of the University of Durham? That University, it was true, would not have a very large constituency, but still it was large when the fact was taken into consideration that the charter was only granted about thirty years ago. It would supply a constituency of 600 graduates, 500 of whom were clergymen of the Church of England. It might be objected that such a constituency would be too clerical in its character; but for his part he did not see that there was any force in such an objection—and he might remark that no tests were imposed, either at matriculation or admission to degrees, except theological degrees, so that the University was open to all Her Majesty's subjects. But, though the University was a small one, why should it be more badly treated than the University of St. Andrew's? Why, for instance, could it not be united for the purposes of representation with the University of London? If to the 1,800 constituents of the University of London were added the 600 graduates of the University of Durham, a constituency would be formed which would be fairly entitled to send two Members to the House of Commons. The hon. Member for Montrose had alluded with a good deal of feeling to the remarks which had been made concerning Scotland. He (Mr. Mowbray) did not intend to follow him into that part of the question; he thought, however, the hon. Gentleman could not be aware of certain facts which had been presented to hon. Members in a Return delivered that morning on the Motion of the hon. Baronet the Member for South Devon. That Return showed what a small claim Scotland had for increased representation in consequence of the change which had taken place in the population since 1831, as compared with the population of England. In 1831, when the Reform Act was passed, it was a ground of complaint that the number of English Members was to be diminished in order that the number of Irish and Scotch representatives might be increased. That very question broke up the Parliament, and led to a dissolution, and was, in fact, the cause of much of the excitement which then prevailed. In 1831 the population of England was 13,944,460, that of Scotland being 2,373,561; while in the year 1861 the population of England had increased to 20,119,214, or 43·7 per cent; and during the same period the population of Scotland had only increased to 3,066,633, or 29·20 per cent. Well, if that were the case, what special claims had Scotland to increased representation? Had the advisers of the Crown these statistics before them when they prepared their Bill which proposed invidiously to give increased representation to Scotland, not by adding to the number of Members in the House, but by taking from England the privilege which she had enjoyed for so many years? He thought this part of the measure would be found to be as inconsiderate as the grouping of boroughs. The hon. Member for Montrose, following a very favourite plan on the Ministerial side of the House, had charged those who entertained a doubt of the wisdom and policy of the details of this measure as being enemies to all change and of opposing these Bills as they did the first Reform Bill and Catholic Emancipation for so many years. But hon. Gentlemen opposite had no right to charge those who sat on the Opposition side of the House with being enemies to all change, because they were opposed to these Bills, because the opposition to the Government schemes had hitherto come from hon. Gentlemen who sat behind Her Majesty's Ministers; but no doubt when the time came the Chancellor of the Duchy of Lancaster would be indulged, and gratified to find that Amendments would be proposed from the Opposition side of the House, and, perhaps, plenty of them. Then the right hon. Gentleman the Chancellor of the Duchy of Lancaster had said that the Opposition were only endeavouring to catch votes, and gain as many recruits as they could from the Liberal party; but he at the same time forgot that it was the Government who drew the line that had caused the Bill to be opposed, by endeavouring to draw as many recruits as they could to its support, instead of, like wise statesmen, framing a Bill that would have rendered any change in the Constitution for centuries to come unnecessary. Instead of relying on soundness of principle they had framed a Bill which they hoped would have caught a number of recruits and obtained their support. The right hon. Gentleman the Chancellor of the Exchequer and his Cabinet had, however, pursued the wrong course—they had looked for inspiration below the gangway, instead of support from their old Whig supporters and from those who would have been disposed to assist them in passing a really sound measure. The hon. Gentleman the Member for Montrose (Mr. Baxter) gave them sound advice when he said it was impossible for the Government to carry a measure of Reform without the sanction and concurrence of the Conservative party; and he (Mr. Mowbray) thought that if Her Majesty's Government had taken a comprehensive and impartial view, such as might have been expected from the Chancellor of the Exchequer, he having supported the Bill of Lord Derby in 1859, and such as he might fairly have done without discredit to himself—if the Government had taken such a calm survey of the question and considered what would have pleased their more moderate supporters, and propitiated the feelings of Gentlemen on the Opposition side of the House, and had not looked exclusively to the inspiration of the hon. Gentleman the Member for Birmingham, there would have been a much greater chance of settling the question. The hon. Gentleman the Member for Haverfordwest (Mr. Scourfield) whose calm and sincere tone was appreciated by the House, if not by the Chancellor of the Duchy of Lancaster, and of whose support the late Lord Palmerston was indebted in more than one pinch, had told Her Majesty's Government that they had gone the wrong way about settling the question, that they had not proposed a measure that was likely to conciliate parties or that was intended to be a settlement of the question. Hon. Members on the Opposition side of the House were as sincerely anxious for a settlement of the question as hon. Members on the Ministerial side of the House; but then it must not be like the Church Rate Bill, something which was called a compromise, but which, in fact, was completely one-sided, and without concession. If they expected the Opposition to meet them to pass a measure of this kind they should have met the Opposition in the same spirit; and if they had done so at an earlier period of the Session they would have adopted a wiser course. Admitting that since the death of Lord Palmerston Earl Russell had felt himself compelled by previous pledges, and the Chancellor of the Exchequer by some wild speeches, to introduce a Reform Bill, it would have been much better if they had made a careful and full inquiry into the subject, and have ascertained what would have been the probable result on the constituencies; they would probably have been able by next year to have proposed a measure which would have been acceptable to the House, have done credit to themselves, and they might have gone down to posterity as persons who had conferred a beneficial gift on the people. Not having done so, they could not be surprised that hon. Gentlemen on the Opposition side of the House should support a Resolution in every word of which they agreed, and in respect of which he could quote the words of his right hon. Friend the Member for Oxfordshire that "every word is as true as gospel, and how can I deny it." The Opposition thought that the system of grouping adopted by the Government was neither convenient nor equitable, and that their plan was not sufficiently matured to form the basis of a satisfactory measure. Feeling that to be the case, he felt bound (whatever might be the consequence of carrying the Motion then before the House), without wishing to be factious, or to embarrass the Government, to record his vote in favour of it.

LORD FREDERICK CAVENDISH said, that he would trespass for a short time only on the indulgence of the House while he explained his reasons for cordially opposing the Amendment, and cordially supporting the measure of the Government. The Amendment moved by the hon. and gallant Member for Wells was somewhat ambiguous in its terms ["No!"], and it was not clear whether it was directed solely against part of the Re-distribution of Seats Bill or against the Franchise Bill, though after the remarks of the right hon. Gentleman the leader of the Opposition, he thought it might be assumed that those on whom the Amendment must mainly depend for support, regarded it as a vote directed against the entire scheme of the Government. He did not complain of hon. Members on the Opposition side of the House viewing the Amendment in that light. It seemed to be fair and natural that they should do so, because as far as he could judge, the Government had followed the same principles and had had the same object in both parts of their measure; that object, as it seemed to him, being to adapt the institutions of the country, while strictly adhering to their spirit of the Constitution, to the changes which had been brought about by time. Those who spoke strongly against the Franchise Bill had expressed their apprehension at the enormous power the working classes would acquire through their means of combination. One of the things that had led to such good results in this country, was the fact that every power had been fairly represented, and when they found a great power had grown up that was not represented, a change had come to pass that required to be acknowledged. Owing to the immense development of trade and manufactures those parts of the kingdom that were formerly most populous and most wealthy, were now but slightly populous and slightly wealthy, as compared with those parts where the existence of vast coal-fields had gathered together the manufacturing industry of the country. These changes had necessarily caused a change in the relative proportions of population and wealth in different parts of the kingdom, and Her Majesty's Government, recognizing these facts, seemed in their scheme to have sought to adapt the old institutions of the country to its present condition. He should not trouble the House with many observations on the first part of the scheme, but the right hon. Gentleman the Member for Droitwich (Sir John Pakington) having entered on the subject he would make a few observations. That right hon. Gentleman had told the House that the working classes were largely represented at present; but he had forgotten to mention who were their representatives. The right hon. Gentleman also stated that in a few years they would be the majority in a large number of constituencies. The right hon. Gentleman, however, had overlooked the fact that property had not only an artificial and corrupt influence, but that it had also a just influence, and it was not to be supposed that by simply increasing the number of a certain class of voters the just influence of property could be annihilated. In many towns, even where the working classes formed the numerical majority, the just influence of property would be maintained, and the working classes would be found to act cordially with their employers. Were it not so, the Constitution instead of resting on a firm basis, would be lying over a volcano. It was not necessary for him to weary the House by dilating on the necessity of a re-distribution of seats. The hon. Member who last spoke (Mr. Mowbray) had shown that, in consequence of the rapidly increasing population and wealth of certain parts of the kingdom, some redistribution must take place; no one had advised that the number of Members in that House should be increased, and therefore, if Members were to be given to populous and wealthy places, they must be taken away from existing constituencies. The proposals of the Government in this respect had many recommendations in their favour. Though in each of the small represented boroughs the population was but limited, yet there were many of them scattered over the country, and there was no reason why their wealth in the aggregate should be deprived of representation more than when it was gathered into centres. Another reason in favour of the Government scheme was that all hon. Members hoped that before long some Bill would be passed that would effect a settlement of the question. If, however, the Bill passed, left small boroughs with one Member, it would not effect a settlement. If small towns were grouped, and one or two Members were given to aggregate populations of 80,000, while boroughs with 2,000, 3,000 or even 5,000 inhabitants had an equal share of representation, that could not be regarded as a settlement. If, however, small boroughs were brought together, and large numbers were united in representation, the matter would not require re-settlement in the lifetime of hon. Members. It was said that the boroughs in the proposed groups had not the same interests, and that their populations scarcely knew each other. But was there any single constituency of any magnitude, town or country, in which this was not the case —in which there were not people who were unacquainted with each other, and who had differing, if not conflicting, interests? Then it was said that the distances between the grouped boroughs would make the trouble and expense of canvassing them enormous. A Return had been delivered that morning, giving statistical information respecting the grouped Welsh boroughs, and showing the distances between them; and the average distance between them was greater than would be the average distance from each other of the boroughs it was now proposed to group. In Wales, instead of there being two or three boroughs in a group, there were four and five, and in one case six; but no one had ever heard that the expenses of the elections for these boroughs were any greater than were election expenses in England. On the other hand, the experience of the Welsh boroughs justified the belief that the expenses to be incurred in the elections for groups of boroughs would not be larger than they were in borough elections now. Although he was one of the youngest Members in the House, he might be allowed to give expression to one hope. Whatever course the House might think it wise and prudent to adopt, he hoped it would not adopt that of putting off the settlement of this question to a more convenient season. There had been measure after measure acknowledging that the unenfranchised portion of the people had claims to a share in the Government of the country; those claims had not been once denied and directly refused; but time after time like reasons had been given for not satisfying them. At one time it was a war in which we were engaged ourselves; at another time it was a war on the Continent; at another time it was war in America; and at another time he knew not what—but unwilling people always found some reason for not doing what was required of them. In every speech that had been made against the extension of the people's rights hon. Members had declared that they were not afraid of the people, but were rather afraid of their leaders; but he could conceive of no greater assistance being given to eloquent demagogues than to enable them to say that, although the claims of the people were acknowledged to be right and just, yet that that ground was not sufficient for the House of Commons, but that it required other arguments to overpower existing interests, and that the people must not look to the wisdom and the justice of Parliament, but must wait until they were prepared to urge their claims by arguments to which he would not further allude. He trusted that the House would deal with the question, so that when the time of difficulty and of trouble came, as come it must to us in common with every country in the world, all classes and all interests would be united to defend and advance the general interests of the nation.

Mr. DU CANE said, that whatever opinion there might be as regarded the abstract merits of the Government measure of Reform, it must be, at all events, a matter of universal congratulation that at last they stood face to face with a visible and a tangible scheme. The House now knew the best and the worst of the intentions of the Government as regarded the extension of the franchise and the re-distribution of seats, and hon. Members were no longer called upon to discuss the details of one-half of the scheme in utter ignorance as to what the details of the other half was to be—whether it would be in harmony and symmetrical proportion to it. But although the intentions of the Government on these two heads were no longer a mystery, it was still a perfect mystery to him what substantial advantage the Government had really gained, either for the cause of Reform or for themselves, by the production of their measure in that piecemeal and fragmentary manner which, up to Monday last, they had deliberately chosen to adopt. The only result of this extraordinary method of procedure had been to lose two or three months, at least, of invaluable time; and, after all that had been said and done, the House was only upon the very threshold of the main discussion. True, they had read a second time the two Bills for reducing the franchise and re-distributing seats; but it could not be said that in these second readings the Government had gained any very substantial victory, or that the main question of Reform had made substantial progress. All that they had hitherto done had been to affirm two abstract principles, which he did not think any hon. Member, not even the most obstinate old Tory, would now venture to dispute, which were that a re-distribution of seats and an extension of the franchise ought to form a part of any general and comprehensive scheme of Reform. But it was only on Monday last, by the adoption of the proposal of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie), that they had arrived fairly and openly at the discussion of the main question. The responsibility for this arrival at the eleventh hour at the general question rested entirely with the Government; and it was for the Government to offer to the House somewhat of a plainer explanation than had been vouchsafed by the right hon. Gentleman the Chancellor of the Duchy, why, having two or three months ago declared that the Resolution of the noble Lord the Member for Chester, affirming that the great question of Reform should be treated and settled as a whole, would be considered by them as tantamount to an open declaration of want of confidence, and why, further, after having resisted that Resolution in one of the most obstinate and protracted debates the House had witnessed of late years, they had now virtually adopted its principle at the hands of the right hon. Member for Kilmarnock, and inscribed on their banner, "The Bill, the whole Bill, and nothing but the Bill." He had not had the opportunity of addressing the House on the Motion of the noble Lord the Member for Chester; if he had, he should have stated as he did now that he voted for it not more because he objected to dealing with the question of Reform in a piecemeal and fragmentary manner than because he also thought the actual measure proposed was unjust and dangerous in its details, and ought not to form a part of any comprehensive scheme of Reform at all. He believed that the measure, if carried, would lead to two mischievous results. He believed then, and he still believed, that the Bill reducing the franchise was one which, so far as the counties were concerned, would destroy entirely the present representation of the landed interest. He believed that in the boroughs it would give to the working classes preponderating influence, and far more than their due share. Such was his opinion of the Government Franchise Bill at that time, and that opinion still remained unchanged. He further believed that there was only one class of politicians who could consistently support it, and they were those who believed the true basis of representation to rest upon numbers and not upon interests, and who also believed that any simple extension of the franchise, unaccompanied by any other condition, was a pure and unmitigated boon to the people. With such opinions he had no sympathy, and therefore he voted for the Motion of the noble Lord the Member for Chester quite as much because he disapproved the details of the Franchise Bill as for any other reason. But that Bill having been read a second time, he had still entertained some latent hope that its democratic tendencies might have been found to be somewhat mitigated by the Re-distribution Bill, and that the Government would feel, in any material lowering of the county franchise, it was absolutely necessary to guard against the landed interest being swamped by the influence of large and as yet unrepresented towns; and that, instead of a merely specious recognition of the claims of counties to additional representation, there would have been exhibited a general desire to hold the balance fairly between town and country, and while extending the area of the county franchise to preserve the distinctive character of the county representation. Now, he need hardly say that any hopes he had formed on that head had been completely disappointed on the production of the Bill for the Re-distribution of Seats. Whatever might be the anomalies and injustice of the Franchise Bill, the Re-distribution of Seats Bill was simply a measure in confirmation of, he would go further and say, a measure in aggravation of those anomalies and that injustice. The effect of the Franchise Bill, in the first instance, would be to increase to an enormous extent the existing disparity between the electoral bodies of county and borough constituencies, and the relative number of Members assigned to each; while the effect of the Re-distribution of Seats would be to strengthen and confirm that disparity. It proposed, it was true, to add twenty-six Members to the county representation; but what it gave with one hand it took away with the other, inasmuch as it proposed also to take, by a process of grouping and mutilation, no less than forty-one Members from boroughs situated in agricultural districts, the Members for which, although differing, perhaps, from the county Members on broad questions of party principle, yet might be found fighting on their side in cases affecting agriculture and the land. Now, he maintained that in the face of mutilation of that kind and the further transfer of these seats to the great manufacturing towns of the North and of Scotland, the offer of twenty-six Members to counties, even if the franchise were retained at its present level, was nothing less than a mockery and a delusion. But there was another and a far more serious effect which would be produced by the Franchise Bill, taken in connection with the Bill for the Re-distribution of Seats. The effect of the former, taken by itself, would be utterly and entirely to revolutionize the character of the county constituency. It would sweep away that distinction which had hitherto been maintained between the county and borough franchises—namely, that the one should be based on property and tenure, and the other on occupation. The effect of the Re-distribution of Seats Bill, so far from mitigating, would, in his opinion, strengthen that revolution. The effect of the Franchise Bill would be to give to the larger unrepresented towns in counties complete control over the county franchise; while the Re-distribution of Seats Bill would if anything strengthen that change, by leaving, so far as he could judge, the vexed question of the settlement of borough boundaries entirely an open question to be fought over by excited local agitators and squabbling town councillors. The effect of this undoubtedly would be to keep alive a constant spirit of hot water and agitation, and postpone almost indefinitely any settlement whatever of the borough boundary question. But there was also another important point to be taken into consideration — that those twenty-six counties and divisions of counties to which it was proposed to give an additional Member were precisely those to which the largest number of £14 occupiers would be added by the Franchise Bill. The number of registered electors now to be found in those twenty-six divisions of counties was 246,000, out of which 44,000 were borough freeholders, resident for the most part in represented towns and voting for counties by right of property also situated in represented towns. To those 44,000 borough freeholders it was proposed to add no less than 106,000 £14 occupiers, also for the most part town residents to a man, and thus an existing electoral body of 200,000 voters, by no means exclusively country residents, would be confronted with a fresh body of 150,000 almost exclusively resident in towns. So that, in point of fact, the giving twenty-six Members to counties amounted first of all to swamping, by means of the borough freeholders and £14 occupiers, the county voters. And then, when the rural districts were thus converted by the Franchise Bill into large unwieldy groups of borough constituencies the Government stepped in and generously, with their Re-distribution Bill, made the counties a present of twenty-six new Members. He had no wish after the elaborate discussion which had taken place to weary the House by dwelling on the proposal of the Government with respect to the grouping of boroughs. The objections to which it was open had been clearly pointed out by several speakers, and especially by the hon. and gallant Gentleman the Member for Wells; but he thought the Government Bill for the Re-distribution of Seats might be summed up in the very remarkable words used by a great statesman no less than 100 years years ago. He alluded to Mr. Burke, who, in speaking of the Coalition Ministry formed under the auspices of Lord Chatham, described it as—

> "A piece of joinery so curiously indented and so whimsically dovetailed — so variously inlaid, such a piece of diversified mosaic, such a tesselated pavement, without cement, here a bit of black stone and there a bit of white, that indeed it was a very curious show, but utterly unsafe to touch and unsure to stand on."

As he said before, he did not wish to weary the House with statistics; but he hoped they would permit him to point out how the Bill of the Government would affect the county which he had the honour to represent (Essex). It was proposed to group together the two boroughs of Maldon and Harwich, and to take away from that group three of the existing Members — two of whom were to be handed over to the respective divisions of the county; of the third he did not know exactly what was to become. He did not see why that third Member should be taken away out of the county of Essex; but he supposed the seat was one which the Government proposed to hand over either to Scotland or to some large manufacturing town in the North. Of the utter absurdity of grouping Maldon and Harwich together he would say but little, beyond remarking that those two towns were separated by more than forty miles of railway, by two or three large tidal rivers, and that there was not between them the slightest vestige of a common interest. Nor would he say much as to the transparent injustice of leaving those two boroughs with only half a Member each, when many single boroughs which did not possess above half their aggregate population were allowed to retain their two Members untouched. But as one who formerly represented Maldon, and had therefore some grateful reminiscences of that town, he must say that he thought its case was a particularly hard one. Maldon had at the present moment an electoral body numbering 921 voters — a larger number of registered electors than was to be found in twenty boroughs he could name which were to have their two Members left to them; while the population of Maldon, if estimated as it ought to be in accordance with its Parliamentary instead of its municipal limits, would be found to contain a population of from 20,000 to 30,000. What, however, he wished especially to complain of was the manner in which the county of Essex would be affected by the Bill for the Re-distribution of Seats. In the case of South Essex, for example, large and important agricultural districts would be entirely swamped by the large suburban populations of Stratford and West Ham. That he regarded as extremely unjust; while he had also to complain that the agricultural districts of North Essex would be swamped by the purely manufacturing populations of such places as Braintree and Halstead and Coggeshall. He did not mean to say that he should not like to see those places represented; but, then, he thought it was unfair that they should be allowed to form part of the county constituency, and should thus exercise a predominating influence in returning not one or two but six Members to Parliament. If it was absolutely necessary to take a Member each from Maldon and Harwich, it would, he thought, be a much better course to pursue to give one of the Members so taken in the Northern Division of Essex to the three places he had just mentioned, which were becoming manufacturing towns of great importance; while in the case of South Essex the other Member so taken might be given to Stratford and West Ham, or, better still, those suburban districts might be incorporated with that constituency to which they were bound by every tie, both manufacturing and commercial — he meant the Tower Hamlets. There was also another point in connection with the subject to which he wished briefly to advert. Almost every Member, except those of very extreme views, believed that, if a Reform Bill passed at all, it was of the utmost importance to pass a measure which would be regarded, at all events for many years to come, as a permanent settlement of the question, and which would leave as few sources of discontent as possible. But both the Franchise and the Re-distribution Bill of the Government appeared to be framed with a desire to keep open every possible source of discontent and irritation. They proposed to reduce the borough franchise to £7 and the county franchise to £14, thus giving to unrepresented towns a preponderating influence in the county representation. At the same time, a large mass of house occupiers between £14 and £7 would be left in the unrepresented towns in county constituencies without the franchise; and when, after the passing of this Bill, these persons began to ask why the unfortunate accident of living outside the precincts of a represented borough should deprive them of the franchise, the Government would find a difficulty in answering the question. Such a question would present the greater difficulty on account of the narrow gap which would then be left between the county and borough franchise. In maintaining the county franchise at £50 you could say that that was quite as much a property qualification as one of occupation. A man living in a house of £50, or farming land to that value, must be to a certain extent a man of independent means and capital, and therefore had more or less of a property qualification. If, again, the county franchise were lowered to £20, there was a reason for stopping at that point, for at £20 a juryman's qualification began, and you could base that franchise with especial propriety on the principle that taxation and representation should go together. But the limit of £14 gave no such *locus standi.* In fact, with a borough franchise at £7, a county franchise at £14 would in a few years be untenable, and when you had got a £7 franchise all round the path to electoral districts and universal suffrage would be easy. Disapproving entirely of the proposed grouping of boroughs, he should certainly support the Amendment of the hon. and gallant Member for Wells (Captain Hayter). But the Amendment also affirmed that the Government scheme was not sufficiently matured to form the basis of any satisfactory settlement of Reform. He (Mr. Du Cane) took these words to refer quite as much to the franchise as to the Re-distribution Bill; and in this opinion also he fully concurred. Owing to the loose way in which the whole scheme had been put together, there were many points on which information was essential, but of which information the House was entirely destitute. In the first place, the question, how many voters would be actually admitted by the proposed extension of the borough franchise, had to be unravelled from the tangled web of uncertainty and contradiction in which it was now involved. Then there was the question of the borough leaseholders, respecting which the Chancellor of the Exchequer seemed himself to have been completely in the dark, inasmuch as he was considerably startled by the revelations of his right hon. Friend the Member for Staffordshire (Mr. Adderley.) Lastly, it was most important they should know how far the working man was already in possession of the county franchise, and the Chancellor of the Exchequer, who looked upon the working man in the county franchise as a "fly in the pot of ointment," probably had little idea of the extent to which he had already obtained the county franchise through the medium of building societies. He (Mr. Du Cane) had no wish to weary the House with figures at that late hour, but he had had some statistics put into his hands recently on that head, which he thought would startle the right hon. Gentleman not a little if he had had time to lay them before him. Upon all these grounds he (Mr. Du Cane) should cordially support the Amendment. The House had been told pretty plainly to-night that if the Amendment were carried, it would be a death-blow to the Bill. He supposed it might be gathered from that that one of two results would happen—either the Bill would be withdrawn and a new one introduced, or the whole question of Reform would be postponed till next Session. No doubt the latter contingency would be regarded by many Gentlemen in the House as a very sad catastrophe; but if it were a catastrophe, it was one for which Her Majesty's Government were alone responsible. It was open to the Government at the commencement of the Session to have brought in a measure of Reform based upon a fair and equitable compromise, and to have carried the Bill triumphantly through the stormy waters of this House over the Bar of the House of Lords. But the Government adopted another and a widely different course. They chose to bring in a measure which, revolutionary and dangerous in itself, opened the door to further revolutionary and dangerous changes. They chose, also, in the way in which they produced that measure, to show distrust of the House of Commons with which they had to deal, and to ignore the existence not merely of a Conservative party there, but of a Conservative feeling in the breasts of the people out of doors. Well, he thought that up to the present moment that manner of dealing with the question had not been a very successful one. He would say to the Chancellor of the Exchequer in the language of Byron—

> "You have the Pyrrhic dance as yet—
> Where is the Pyrrhic phalanx gone ?"

The Bill of the Government still, it was true, dragged on a lingering and precarious existence, but where was that triumphant majority of seventy or eighty which they possessed at the beginning of the Session ? A few weeks ago public attention was called to an historical incident in the life of Julius Cæsar. The House heard a good deal about crossing the Rubicon, burning ships and breaking down bridges ; and no doubt in the imagination of the Chancellor of the Exchequer the parallel was to be carried further, and these operations were to be succeeded by a triumphant march upon the Capitol. But as regarded the progress of this Bill, he would venture to suggest another parallel as more appropriate, a parallel drawn also from the annals of an Imperial history. He would venture to suggest the invasion of Russia by the first Napoleon ; and the victory upon the Resolution of the noble Lord the Member for Chester (Earl Grosvenor) might be compared to the battle of Borodino and the occupation of Moscow. Carrying the parallel still further, he ventured to think that now the burning of Moscow and the real disasters of the right hon. Gentlemen were about to commence. If anything could be gathered from the progress of this debate, the remainder of the existence of this Bill would be nothing but a desperate hand-to-hand struggle until the day came when the Bill, if not it authors, would be obliged to succumb to the foes which the Government themselves had raised. In that hour of disaster, the Government would have at least this melancholy consolation—that they had themselves been the cause of their own undoing. At the commencement of the Session they set sail with a fair breeze and calm water ; but, defying the warning voice both of friend and foe, reckless also of a pretty general expression of public opinion, they steered their Reform vessel straight for the rocks that lay black and frowning before them, and knowingly, wantonly, and deliberately rushed to their own destruction.

MR. CANDLISH said, he regretted to see that it was the intention of hon. Gentlemen opposite to destroy, if possible, the Government measure. It had been described as democratic, dangerous, and revolutionary ; but in his opinion a more moderate and conciliatory measure could not have been submitted to the House by any Government. As statistics had been referred to on the other side of the House, he would quote some to the House in support of his view of the Government scheme. In England and Wales, the male population was 5,300,000. Of that number at least 4,000,000 belonged to the working classes. Out of the whole number of the male population only 900,000 possessed the franchise. Of the 4,000,000 of working men it was proposed to admit 200,000, or only 1 in 20, to the possession of the franchise. Of 1,300,000 above the condition of working men 700,000 possessed the franchise, or 1 in 2. Did they propose any revolutionary measure ? So far from it, they proposed not to admit 400,000 working men, but 200,000, and 200,000 above the condition of working men, so that the majority would remain as it was before. In their enfranchisement, out of 3,800,000 unenfranchised working men, the Government proposed to add 1 in 19. Of the 600,000 unenfranchised persons above the condition of working men they proposed to add 200,000, or 1 in 3. After the carrying of this revolutionary measure, as it was called, the proportion of the working men admitted to the franchise would be 1 in 9; whilst the proportion of those above the condition of working men would be 2 in 3. And yet this measure was characterized as revolutionary by hon. Gentlemen opposite. In fact it was impossible for any Government who dealt with the subject at all to propose a more limited measure of enfranchisement. He was quite astonished to hear the hon. Member who spoke last talk of a county grievance. He could not conceive that the measure created any county grievance as against boroughs. If the House looked at the relative growth of county and borough constituencies it would be found that whilst the increase in county constituencies had been 31 per cent since 1832 the increase in borough constituencies had been 67 per cent. And yet the Government proposed to take 26 Members from borough constituencies and transfer them to counties. If there was one part of the Government scheme which called for the forbearance of hon. Gentlemen on this side of the House it was that proposition. There had since 1832 only been an increase of 2,738,000 in the population of the county constituencies upon upwards of 8,000,000, whilst the borough constituencies had increased 3,430,000 upon a population of 5,000,000. The right hon. Gentleman (Mr. Disraeli) complained of the system of grouping, but it was impossible for any party or Government to group in a manner which should not be anomalous in the matter of the re-distribution of seats. If the measure should become law, as he hoped it would do, there must be a perpetuation and continuation of anomalies which could never be avoided in any measure of Reform. He thanked the House for the kindness with which they had listened to the very few remarks he felt it his duty to make.

MR. LOWE: Mr. Speaker, we are now called upon to go into Committee on a Bill which has never been read a second time. The two halves of it have been read, each of them a second time, but the whole measure we have never until this moment had before us. The first half this House was induced—or shall I say coerced?—into reading a second time without knowledge of the other part. The second half was really hurried on so fast to a second reading—only an interval of a week being given to master all its complicated details—that I, for one, was quite unable to take part in the discussion on the second reading for want of time to make up my mind as to an opinion by which I should be willing to stand. I hope, therefore, the House will allow me, even at this stage, to question the principle of the measure. What is that principle? I must apologize to the House for the monotonous nature of my complaints, which are, I think, justified by the uniform nature of the provocation I receive. That provocation is that the Government keeps continually bringing in measures, attacking, as it seems to me, the very vital and fundamental institutions of the country, and purposely abstains from telling us the principle of those measures. I made the same complaint, I am sorry to say, against the Chancellor of the Exchequer on the Franchise Bill. I make it again now. The Chancellor of the Exchequer in introducing the Re-distribution Bill said that the Government was not desirous of innovation—that is to say, they went upon no principle. Their principle, he said, was the same as the principle of every Re-distribution Bill. Now, that appears to me to be impossible, because Re-distribution Bills may be divided into two classes. There is one, the great Reform Bill—the only successful Re-distribution Bill that anyone ever heard of, and then there are the four which succeeded it, and which all failed from one cause or another. The principle of the Reform Bill was one thing, and the principle of the four Bills which followed it was another. The principle of the Reform Bill was, no doubt, disfranchisement. The feeling of the country at that time was that the deliberations of this House were overruled, and the public opinion of the country stifled by an enormous number of small boroughs under the patronage of noblemen and persons of property. That state of things was considered a public nuisance, and one which it was desirable to abate, and hence the principle of the Reform Bill was disfranchisement, and 141 Members were taken away from the small boroughs. The Government proposition was to reduce the number of the House of Commons by fifty, because they were very anxious to get rid of these Members, and they had no means which appeared suitable of filling up the vacancies they had created. It was only on an Amendment carried against the Government that it was determined not to diminish the number of Members in this House. But has that been the principle of any subsequent Reform Bill? I think not; it has been quite the contrary. It has been the principle of enfranchisement; and of disfranchisement only so far as may be necessary in order to fill up the places which require enfranchisement. As I have shown the House, there are two different principles, and the right hon. Gentleman does not tell me which is his, but says the principle is that of all other Re-distribution Bills—this puts me in mind of the story of a lady who wrote to a friend to ask how she was to receive a particular lover, and the answer was, "As you receive all your other lovers." Well, as the Chancellor of the Exchequer will not tell us what the principle of his measure is, I must, I am sorry to say, with the same monotony of treatment, try to puzzle it out for myself, for it seems to me preposterous to consider the Bill without the guiding thought of those who constructed it. There is one principle of re-distribution upon which it clearly ought not to be founded, and that is the principle of abstract right to equality of representation. The principle of equal electoral districts, or an approximation to such districts, is not the principle upon which a Re-distribution Bill ought to be based. To adopt such a principle would be to make us the slaves of numbers—very good servants, but very bad masters. I do not suppose we are generally eager to see the time—

> "When each fair burgh, numerically free,
> Returns its Members by the Rule of Three."

And yet, though few persons stand up for the principle of equality of representation, I cannot escape the conclusion that it has had a good deal to do with the matter, and that the Government will find it exceedingly difficult to point out what other principle than that of a sort of approximation towards numerical equality has guided them. For if it be not a principle of *à priori* rights, it must be some good to the State, some improvement of the House, or the Government—some practical good in some way. Now, the House has had the advantage of hearing the Chancellor of the Exchequer, the Secretary of State for the Colonies, and the Chancellor for the Duchy of Lancaster, and I ask whether any of these right hon. Gentlemen has pointed out any good of any practical nature whatever to be expected from the Bill. I set myself, therefore, according to my old method, to try and puzzle out what ought to be the principle of a Bill for the Re-distribution of Seats. In the first place, I should like to be shown some practical evil to be remedied, but I give that up in despair, for I have so often asked for it and failed to obtain it that I am quite sure I shall not have it on this occasion. But it seems to me a reasonable view of a Re-distribution Bill that it should make this House more fully and perfectly than it is at present a reflection of the opinion of the country. That, I think, is a fair ground to start from. We have suffered in many respects from the arbitrary division of these two measures, and in none more than this — that the arguments for the Re-distribution of Seats have been transferred to this Bill for enlarging the franchise. For, although it is quite true that a Bill for the Re-distribution of Seats should aim at making Parliament a mirror of the country, it is also true that there can be nothing more inappropriate than the argument when applied to the enlargement of the franchise. For to pass a Bill which puts the power in a majority of the boroughs into the hands of the working classes is not to make this House a faithful reflection of the opinion of the country, but is to make it an inversion of that opinion by giving political power into the hands of those who have very little social power of any kind. But that principle applies, to a certain extent, to a Re-distribution Bill, and from that point I take my departure. Any one who makes an examination as to the nature of the deficiency will see whether this House fails in any considerable degree to reflect the opinion of the country. I confess I have found it exceedingly difficult to discover in what respects it fails to do so. I have, indeed, observed some tendency of a kind, which, if we are to have a Re-distribution Bill, ought to be corrected. I think there is a visible tendency to too great a uniformity and monotony of representation. I think there is a danger that we may become too much like each other—that we may become merely the multiple of one number. That is a danger which has occurred to thinking men, and I think it very desirable that in a Re-distribution Bill we should find a remedy if possible for the tendency to this level of monotony, and perhaps mediocrity. I think another great object we must have in view in a Re-distribution Bill should be enfranchisement, and by that I mean not the aggregation of fresh Members to large constituencies, but the enfranchisement of fresh constituencies, and by the enfranchisement of such constituencies the giving more variety and life to the representation of the country, and thus making the House what the country is — a collection of infinite variety of all sorts of pursuits and habits. I think the second advantage is that, by making fresh constituencies by fresh enfranchisements, you do the most efficient thing you can do towards moderating the frightful, enormous, and increasing expense of elections. This is one of the greatest evils of our present system. I am not speaking of the illegitimate expenses of elections, but of the legitimate expenses. We had a paper laid upon our tables this morning giving an account of the expenses of elections from "S" downwards. I take the first few large boroughs, and I will read the expenses.

The expense of the election for Stafford is £5,400; Stoke-upon-Trent, £6,200; Sunderland, £5,000; and Westminster, £12,000. These are the aggregate expenses of all the candidates. I take them as they come, without picking and choosing. I wish to call particular attention to the case of Westminster, not for the purpose of saying anything disagreeable to my hon. Friend (Mr. J. Stuart Mill), for we know he was elected in a burst—I will say a well-directed burst—of popular enthusiasm. That was honourable to him and honourable to them, and I have no doubt that in the course of the election all that could be done by industry and enthusiasm was accomplished — gratuitously; and I am sure that my hon. Friend did not contribute in any way to swell any unreasonable election expenses. His election ought to have been gratuitous, but mark what it cost—£2,302. I believe it did not cost him 6*d.* He refused to contribute anything, and it was very much to the honour of his constituents that they brought him in gratuitously. But look to the state of our election practices when such an outburst of popular feeling could not be given effect to without that enormous sacrifice of money. I will now call attention to two or three counties. This subject has not been sufficiently dwelt upon, but it bears materially upon the question before us to-night. I will take the southern division of Derbyshire. The election cost £8,500, and this is the cheapest I shall read. The northern division of Durham cost £14,620, and the southern division £11,000. South Essex cost £10,000. West Kent cost £12,000; South Lancashire, £17,000; South Shropshire, £12,000; North Staffordshire, £14,000; North Warwickshire, £10,000; South Warwickshire, £13,000; North Wiltshire, £13,000; South Wiltshire, £12,000; and the North Riding of Yorkshire, £27,000—all legitimate expenses, but by no means the whole expense. Now, I ask the House how it is possible that the institutions of this country can endure if this kind of thing is to go on and increase. Do not suppose for a moment that this is favourable to anything aristocratic. It is quite the contrary. It is favourable to a plutocracy working upon a democracy. Think of the persons excluded by such a system! You want rank, wealth, good connections, and gentleman-like demeanour, but you also want sterling talent and ability for the business of the country, and how can you expect it when no man can stand who is not prepared to pay a considerable proportion of such frightful expenses? I think I am not wrong in saying that another object of the Re-distribution Bill might very well be to diminish the expense of elections by diminishing the size of the electoral districts. These are the objects which I picture to myself ought to be aimed at by a Re-distribution Bill. It should aim at variety and economy, and should look upon disfranchisement as a means of enfranchisement. And now, having done with that, I will just approach the Bill, and having trespassed inordinately on former occasions upon the time of the House, I will now only allude to two points. One is the grouping and the other is adding the third Member to counties and boroughs. This word "group" is very pretty and picturesque. It reminds one of Watteau and Wouvermans—of a group of young ladies, of pretty children, of tulips, or anything else of that kind. But it really is a word of most disagreeable significance when analyzed, because it means disfranchising a borough and in a very uncomfortable manner re-enfranchising it. It means disfranchising the integer and re-enfranchising and replacing it by exceedingly vulgar fractions. Well, now, I ask myself why do we disfranchise and why do we enfranchise? I do not speak now of the eight Members got by taking the second Member from boroughs, but of the forty-one got by grouping — by disfranchisement and enfranchisement. And I ask, in the first place, why disfranchise these small boroughs? I have heard no answer to this from the Government. All that was attempted was said by the Chancellor of the Exchequer—that he had in 1859 advocated the maintenance of small boroughs on the ground that they admitted young men of talent to that House, but that he found on examination that they did not admit young men of talent; and, therefore, he ceased to advocate the retention of small boroughs. My right hon. Friend is possibly satisfied with his own reasoning. He answered his own argument to his own satisfaction; but what I wanted to hear is not only that the argument he used seven years ago had ceased to have any influence on his own mind, but what the argument is which has induced the Government to disfranchise the boroughs. Of this, he said not a single syllable. I know my own position too well to offer anything in favour of small boroughs. That would not come with a good grace from me, but I have a duty to perform to some of my constituents. They are not all ambitious of the honours of martyrdom. So I will give a very good argument in favour of small boroughs. What is the character of the House of Commons?

> "It is a character of extreme diversity of representation. Elections by great bodies, agricultural, commercial, or manufacturing, in our counties and great cities are balanced by the right of election in boroughs of small or moderate population, which are thus admitted to fill up the defects and complete the fulness of our representation."

I need not say that I am reading from the work of a Prime Minister. Not only that, but he re-published it in the spring of last year, and in that edition this passage is not there. But he published a second and more popular edition in the autumn, and in the autumn of last year he inserted the passage I am now reading. The Prime Minister differs from the Chancellor of the Duchy, for he seems fonder of illustration than argument—

> "For instance, Mr. Thomas Baring (he goes on to say), from his commercial eminence, from his high character, from his world-wide position, ought to be a Member of the House of Commons. His political opinions, and nothing but his political opinions, prevent his being the fittest person to be a Member for the City of London."

It would be better to have said "his political opinions prevent his being a Member for the City of London," without saying they prevent his being "the fittest person," which is invidious—

> "But the borough of Huntingdon, with 2,654 inhabitants and 393 registered voters, elects him willingly."

Next he instances my right hon. Friend the Secretary of State for the Home Department; but, as he happily stands aside and looks upon the troubles of the small boroughs as the gods of Lucretius did upon the troubles of mankind, I will not read all the pretty things which the Prime Minister says of him. Then we come next to the Attorney General—

> "Sir Roundell Palmer is, *omnium consensu*, well qualified to enlighten the House of Commons on any question of municipal or International Law, and to expound the true theory and practice of law reform. He could not stand for Westminster or Middlesex, for Lancashire or Yorkshire, with much chance of success."

The House will observe that that was written last autumn. If it had been written this morning, I think very possibly the Prime Minister might have cancelled these words, and said, "The hon. and learned Gentleman would have stood for one of those large constituencies with every prospect of success." Now, is it credible, is it possible to conceive, that the writer of these words should actually be the Premier of the Government which, not six months after these illustrations were given, has introduced this new Reform Bill to group and disfranchise the very boroughs he thus instanced? Well, there is a little more—

> "Dr. Temple says, in a letter to the *Daily News*, 'I know that when Emerson was in England he regretted to me that all the more cultivated classes in America abstained *from politics because they felt themselves hopelessly swamped.*'"

These last words are given in italics, the only construction I can put upon which is that the noble Lord thought if many of these small boroughs were disfranchised the persons he desires to see in this House would not come here, else I do not see what is the application of the passage. He goes on to say—

> "It is very rare to find a man of literary taste and cultivated understanding expose himself to the rough reception of the election of a large city."

There is a compliment here to many of the noble Lord's most ardent supporters. But he continues—

> "The small boroughs by returning men of knowledge acquired in the study, and of temper moderated in the intercourse of refined society"—

Where the Members for large boroughs never go, I suppose—

> "Restore the balance which Marylebone and Manchester, if left even with the £10 franchise undisputed masters of the field, would radically disturb."

Whether that means to disturb from the roots or to disturb from radicalism I do not know—

> "But, besides this advantage, they act with the counties in giving that due influence to property without which our House of Commons would very inadequately represent the nation, and thus make it feasible to admit the householders of our large towns to an extent which would otherwise be inequitable, and possibly lead to injurious results."

So that the proposal of the noble Lord's Government, coupled as it is with the disfranchisement of these small boroughs, is in his opinion inequitable certainly, and possibly likely to lead to injurious results. He goes on—

> "These are the reasons why, in my opinion, after abolishing 141 seats by the Reform Act it is not expedient that the smaller boroughs should be extinguished by any further large process of disfranchisement. The last Reform Bill of Lord Palmerston's Government went quite far enough in this direction."

Now, Sir, what did the last Reform Bill of Lord Palmerston do? It took away the second Member from twenty-five boroughs, and that was the whole of it. It did not break up a single electoral district. The present Bill takes away forty-nine Members from these places, and, therefore, according to the words of the Prime Minister, written six months ago, it exactly doubles what the Ministry ought to do in the matter. After that I think the House will agree with me that it would not become the Member for Calne to add anything in defence of his borough; for what could he say that the Prime Minister had not said a hundred times better, and with all the authority and weight of such a statesman, writing deliberately in his study no less than thirty-three years after the passing of the Reform Act? Well, I shall say no more of that, but for some reason which we have yet to hear I will assume that the small boroughs are to be disfranchised. The next question that we have to consider is what is to be done with the seats to be acquired by that disfranchisement. It does seem to me quite absurd to halt between two opinions in this way. I must assume that there is some good and cogent reason for disfranchising the small boroughs, or else I suppose they would let us alone. But if there be a good and cogent reason for disfranchising them, what possible reason can there be for re-enfranchising them immediately afterwards? What reason can there be for giving them back as a fraction that which you have taken away as an integer? The first process condemns the second. It may be right and wise—I do not in my conscience think it is—to disenfranchise these boroughs; but if you do take that course, your business surely should be to do the best you can for the interests of the country at large with the seats you thus obtain. If you are to be influenced by respect for traditions and by veneration for antiquity, perhaps Calne should have some claim, because it was there that the memorable encounter is said to have taken place between St. Dunstan and his enemies, which terminated in the combatants all tumbling through the floor, with the exception of the Saint himself. And I may remind you that in our own times Calne was represented by Dunning, by Lord Henry Petty, by Mr. Abercromby, for some time Speaker of this House, and by Lord Macaulay. That might avail something; but if it is all to go for nothing, I ask on what principle, having first broken up the electoral system of these boroughs and taken away their franchise, you begin to reconstruct them into these groups? If you are actuated by a veneration for antiquity, or by an indisposition to destroy a state of things which is if not carried too far in no slight degree advantageous, and eases very much the working of the Government of the country, besides introducing into this House a class of persons some of whom you would do very badly without—if that be so, leave these boroughs alone. If it be not, deal with the question in a bold and manly spirit; but do not take a thing away from them because you say it is wrong they should have it, and then give it them back again in part because you say it is right they should have it. That involves a contradiction. Look at what you are doing. You take away the franchise from these places and then you limit yourself by giving it to boroughs which have previously possessed it. You unite together boroughs that have been in the habit of engrossing for themselves all the care and attention of a single Member, who is obliged to pay great regard to their wishes, to look after their little wants, to pet them and coddle them and make much of them. That which he has been used to do for one of these boroughs he will still be expected to do, and must do, after they are grouped; and what he does and pays for one of the group he will have to do and pay for all the rest. Not one of the three or four will bate one jot or tittle of its claim upon the Member or candidate, but everything will be multiplied by so many times as there are separate places in the group. You must have as many agents in each of them, you must give as many subscriptions to their charities, their schools, and their volunteers. Everything of that kind, in fact, will be multiplied by this system three or four fold. Now these boroughs at present give you a great advantage. All must admit that there is an advantage, if it is not bought too dear, in having means by which persons who are not of large fortune can obtain seats in this House. But by this Bill you take away that one clear advantage of these boroughs, the one thing for which, I think, they very worthily exist—you make them very expensive constituencies; and you then retain them out of veneration for antiquity and from a traditionary feeling when you have stripped them of the very merit which recommends them to the friends of the Constitution! Well, Sir, it is polygamy for a man to marry three or four wives; but that comparison does not do justice to this particular case, because you enforce an aggravated form of political polygamy by asking a man to marry three or four widows. The House need not be afraid of my pursuing that branch of the subject. The best that can be said for the Ministerial Bill—at least what has been said for it—is that it is intended to remove anomalies. I really know of no other defence that is offered for it than that. Well, Sir, mankind will tolerate many anomalies if they are old, and if as they have grown up they have got used to them. They will also tolerate anomalies if they have been necessarily occasioned by the desire to work out improvements. But when people set about correcting anomalies, and so do their work as to leave behind them and to create even worse anomalies than any they found existing, neither gods nor men can stand it. Is not that the case here? I would briefly call attention to two or three of the proposed groups. In Cornwall you have Bodmin, Liskeard, and Launceston, with 18,000 inhabitants between them, thrown into a group; but the towns of Redruth, Penzance, and others, making up altogether 23,000, in the same county, are left without the means of representation. Then, in the county of Devon you are to have Totnes joined with Dartmouth and Ashburton, and by putting the three places together you only get 11,500 people; but there is Torquay, with 16,000, that you leave entirely unrepresented. I should not object to that, because if a thing works well you do not do wrong in leaving it alone; but if you do begin to meddle with it, it is monstrous to turn everything upside down, and then introduce a thousand times greater anomalies than those you have removed. People will bear with anomalies that are old, historical, and familiar, and that, after all, answer some useful end; but they revolt at them when you show them how flagrant an injustice and inequality the House of Commons or the Government will perpetrate in the name of equality and justice. Then there is the group of Maldon and Harwich thirty miles apart. The Chancellor of the Duchy of Lancaster was much shocked at our objecting to these boroughs being joined in this extraordinary way; but, Sir, were we not told by the Chancellor of the Exchequer that these things were done upon geographical considerations? The geographical considerations referred to by the Chancellor of the Exchequer appear to me to mean, as interpreted by his Bill, that the Members for the towns to be grouped should learn as much geography as possible by having as large distances as possible to travel over. Then we have in Gloucestershire and Worcestershire, Cirencester, Tewkesbury, and Evesham, with 16,000 inhabitants; but in Worcestershire alone you have Oldbury and Stourbridge, with a population of 23,000, which remain utterly unrepresented. Again, there is the case of Wells and Westbury, which scrape together 11,000 inhabitants, while between the two we find Yeovil with 8,000, and for which nothing is done. In Wiltshire, Chippenham, Malmesbury, and Calne have 19,000 inhabitants, but a very few miles from Calne is Trowbridge, with 9,626 inhabitants, the second town in the county, which you leave unrepresented. In Yorkshire, Richmond and Northallerton scrape together 9,000 inhabitants, while for Barnsley, with 17,000, Doncaster, 16,000, and Keighley, 15,000, you do nothing at all. Such things may be tolerable when they have grown up with you, but they are utterly intolerable when a Government interferes, and introduces a measure which overlooks such cases while professing to take numbers as its guide. The Government have repudiated geographical considerations, but it is more absurd if taken numerically. Here is, however, something worse than an anomaly. It is a gross injustice. The House is aware—with the two exceptions of Bewdley and Droitwich, which are probably to be accounted for by haste and carelessness, the matter being a small one—that all the boroughs having a less population than 8,000 inhabitants are dealt with in some way or other. There are two ways of treating these boroughs. There is a gentler and there is a severer form. There are eight boroughs which are picked out for what I will call the question ordinary—that is, losing one Member, and the remainder, a very large number, are picked out and formed into sixteen groups, this being the extraordinary or exquisite torture, being pounded to pieces, brayed in a mortar, and then renovated. In judging of the treatment which these boroughs receive, I think some principle ought to be observed. The geographical principle has been ostentatiously set aside, and look at what has happened to the numerical principle. There is Newport, in the Isle of Wight, with 8,000 inhabitants which loses only one of its Members, and is not grouped; while Bridport, with 7,819 inhabitants, loses both its Members and is grouped. There are seven boroughs having smaller populations than Bridport from which only one Member is taken, and they are not grouped; while Bridport, with a larger population, has both its Members taken, and is grouped. Is it on account of geographical considerations that it is coupled with Honiton nineteen miles off? [An hon. MEMBER: Twenty-one!] That is not an anomaly. It is simply a gross injustice. There is Chippenham with 7,075 inhabitants. Chippenham, as every one knows, is a rising railway town. Yet it is grouped; while there are five boroughs which contain fewer inhabitants than Chippenham which will each continue to return one Member. Going a little further, we find Dorchester with 6,779 inhabitants, and three boroughs smaller than itself. Dorchester loses both Members, while the three boroughs smaller than Dorchester retain one Member. They are Hertford, Great Marlow, and Huntingdon. I can simply attribute the cause of this to the great haste, carelessness, and inadvertency which have characterized this measure. I am far from attributing it to any improper motives. I have not the slightest notion of anything of the kind. It arises, I believe, from the mere wantonness or carelessness of the Government hurrying forward a Bill which they did not intend to bring in, and which they were at last compelled to bring in, contrary to all their declarations. Between Huntingdon, the smallest borough that loses one Member, and Newport, the largest, there are seventeen boroughs, nine of them returning one Member each, and eight returning two, all of which have larger populations than Huntingdon, which is allowed to retain one Member while they are grouped. The reason I cannot tell, but there stands the anomaly. This grouping of boroughs cannot, therefore, I say, be satisfactory to any class of gentlemen. Of course, it is not satisfactory to the small boroughs. They are the material out of which other people are to be compensated, and of course no one likes to be included in such a process. But I cannot imagine that it can be satisfactory to Gentlemen who call for those measures with a view to remove anomalies and promote equality, and make the Parliament a more accurate representative of the population of the country. It seems to me that everybody must be dissatisfied with such a proceeding as this. The House need not take all these groups as they stand because any one of them might be remedied in Committee, but the whole principle of the thing is so bad that it is absolutely impossible to deal with it in Committee at all. I have been assuming hitherto that we have good grounds for getting these forty-nine Members that are wanted, but that depends entirely upon the use the Government make of them when they have them. What do they do with them? They propose to give out of these forty-nine twenty-five as third Members to counties, and four as third Members to large towns, and seven to Scotland. I deny that a case is made out in favour of this arrangement. Hon. Gentlemen opposite with whom I sympathize so much on this question may not perhaps agree with me on this point. I maintain that it is a mere illusion as things now stand, and looking at these two measures as a whole, to talk of county representation; you must look at the two things together, franchise and re-distribution, and you must remember that the counties you give these Members to are to become really groups of towns. Every one knows very well where the houses between £14 and £50 are to be found. They are to be found, not in the rural districts, but in the towns. What you are preparing to do for the county Members is to make a total change in the nature of their constituency. But under the system proposed the county Member would no longer represent a constituency which from its present and peculiar character can easily be worked as a whole. When you lower the franchise as proposed you have taken the power out of the rural districts and given it to the small towns. The Member will therefore have to reckon with so many small towns, with probably an attorney in each. When you speak of giving a third Member to counties you must remember that you are talking of counties not as they are now, but as you propose to make them. It is an illusion, therefore, to say that a great deal is done for the rural districts in thus adding Members to the counties, and this will be the more easily understood if you have not forgotten the opinion of Lord Russell, who says how materially the small boroughs assist the counties in maintaining the balance of power. I altogether decline to be caught by that bait. But, putting that aside, on what principle are we to give three Members to counties? It has been the practice to give two Members to counties from time immemorial, with a slight exception at the time of the Reform which is by no means generally approved. I am willing to accept the fact without stopping to inquire too curiously whether this number was fixed upon because they slept in the same bed or rode on the same horse on their journeys to London. But, if you come to make it a general practice to give three Members to counties, I think we are entitled to ask upon what principle this is to be done. For my own part, I can suggest no other principle than the mere worship of numbers. It is quite a new principle that numbers should not only be represented in this House because they are important, but that that importance should entitle them to more votes. The House will recollect that every Member has two separate and distinct duties to perform. He is the representative of the borough which sends him to Parliament, and he has to look after its local interests to the best of his power. That is a small and, in the mild and just times in which we live, generally a comparatively easy duty, but his greater and more pre-eminent duty is to look after the affairs of the Empire. The real use, therefore, of an electoral district, be it small or large, is one more important than the adequate representation of the numbers of any particular place, so long as they are represented. It is that it should send to Parliament the persons best calculated to make laws, and perform the other functions demanded of the Members of this House. This seems to me to go directly against the principle that these great communities are not only entitled to send competent Gentlemen to represent their affairs, but to send as many Members as will correspond with their weight in the country. If once you grant this principle, you are advancing far on the road to electoral districts and numerical equality. I say this is the mere principle of numbers. If the principle be once established, it is very easy to give it extension. Scarcely a meeting is assembled on this subject without some man getting up and complaining that the Member for a small borough, myself for instance, should have a vote which will counterbalance the vote of the representative of a borough containing 200,000 or 300,000. If it was a fight for the good things of this world between Calne and Birmingham, I could understand how such a principle might be adopted; but when it is a question of making the laws and influencing the destinies of this country, the question is not which is the larger body, but which best discharges its duty in sending Members to Parliament. I cannot find a trace of that principle in the whole of this Bill, for it is clear that there is no such idea in giving these three Members to counties. They are mere concessions to the importance of the constituencies to which they are given, while the small boroughs are grouped in a manner likely to promote mediocrity, because Gentlemen of shining qualities and useful attainments will scarcely be able to contest them, unless possessed of great wealth. I cannot bring my mind to the idea of giving three Members to those large constituencies. We should, on the whole, be far better without those twenty-nine Members. We had better leave matters alone if we can find no better use for them. Now, I have gone through what I have to say upon the details of this Bill; and perhaps the House will allow me to sum up what I think of the whole effect of the Ministerial measure. You say how frightful the expenses of elections are, and declare that they are a cankerworm in the very heart of the Constitution. Yet what is the effect of this Bill with regard to the legitimate expenses of elections? The Government are proposing to increase the size of the constituency of every borough in the kingdom. Will that decrease expense? They propose to disfranchise small boroughs; and instead of subdividing districts with a view to make more manageable constituencies, except in the case of the Tower Hamlets and South Lancashire, a senseless homage is paid to mere numbers, adding to that which is already too much. Then there is another thing. It is the duty of every man who calls himself a statesman to study the signs of the times, and make himself master, as far as he can, of the tendencies of society. What are those signs and tendencies? I suppose we shall none of us doubt that they are tending more or less in the direction, as I said before, of uniformity and democracy. What, then, is the duty of a wise statesman under such circumstances? Is it to stimulate the tendencies which are already in full force and activity, or is it not rather, if he cannot leave matters alone, to see if he cannot find some palliative? If he cannot prevent the change which stronger powers are working, should he not make that change as smooth as possible, and not by any means accelerate it? But the whole of this Bill is not in the way of moderating, but stimulating, existing tendencies. It is not always wise, and the observation is as old as Aristotle, to make a law too accurately in correspondence with the times, or the genius of the Government under which you live. The best law that could be made for the United States would not be one peculiarly democratic. The best law for the French Government to enact is not one of an ultra-monarchical character. There is sound wisdom in this, and it should be kept well in mind; but it seems to have been by no means considered by the framers of the crude measure before us.

> " But our new Jehu spurs the hot-mouthed horse,
> Instructs him well to know his native force,
> To take the bit between his teeth, and fly
> To the next headlong steep of anarchy."

Passing to another point, I have to remind you that the Chancellor of the Exchequer frightened us the other day by giving us a prose version of Byron's poem on "Darkness," when we were told that our coal was all going to be consumed, and then we were to die like the last man and woman of our mutual hideousness. Upon that the right hon. Gentleman founded a proposition, and never was so practical a proposition worked out upon so speculative a basis. You will have no coal in 100 years, he says, and therefore pay your debts; and, addressing hon. Gentlemen opposite, he says, "Commerce may die, navigation may die, and manufactures may die—and die they will—but land will remain, and you will be saddled with the debt." That was the language of the right hon. Gentleman. Now, if we are to pay terminable annuities on the strength of the loss of our coal, do not you think we may well apply the same dogma to this proposed Reform of our Constitution? What is the right hon. Gentleman seeking to do by this Bill? He is seeking to take away power of control from the land—from that which is to remain when all those fine things I have mentioned have passed away in the future—from that which will be eventually saddled with the whole burden of the debt, and to place it in these fugitive and transitory elements which, according to the account he gave us, a breath has made and a breath can unmake. I ask, is that, upon the right hon. Gentleman's own showing, sound prospective wisdom? I do not deal myself with such remote contingencies, I offer this simply as an *argumentum ad hominem.* I should like to hear the answer. I have a word to say with regard to the franchise. We have had a little light let in upon this subject. We are offered, as you all know, a £7 franchise. It is defended by the Chancellor of the Exchequer upon two grounds—flesh and blood, and fathers of families. The £7 franchise is defended by the hon. Member for Birmingham upon another ground; he takes his stand on the ancient lines of the British Constitution. I will suggest to him one line of the British Constitution, and I should like to know whether he means to stand by it. In his campaign of 1858, in which he had taken some liberties with the Crown and spoke with some disrespect of the temporal Peers, he came to the spiritual Peers, and this was the language he employed. He said, "That creature of monstrous—nay, of adulterous birth." I suppose there is no part of the British Constitution much more ancient than the spiritual Peers. Is that one of the lines the hon. Gentleman takes his stand upon? Again, the Attorney General, having recovered from the blow the grouping of Richmond must have been to him, has become a convert, and like most converts he is an enthusiast. He tells us that he is for the £7 franchise because he is in favour, like the hon. Member for Birmingham, of household suffrage. These are the reasons which are given in order to induce us to adopt the £7 franchise. I ask the House, is there any encouragement in any of these arguments to adopt it? The Chancellor of the Exchequer says it is flesh and blood; it is a very small instalment of flesh and blood, and none can doubt that any one asking for it upon that ground only asks for it as a means to get more flesh and blood. The hon. Member for Birmingham stands upon the Constitution, and he puts me in mind of the American squib, which says—

> "Here we stand on the Constitution, by thunder,
> It's a fact of which there are bushels of proofs,
> For how could we trample upon it, I wonder,
> If it wasn't continually under our hoofs."

Well, the hon. Gentleman asks the £7 upon the ground that it is constitutional—

that is, upon the ground of household suffrage. He wants it with a view of letting us down gently to household suffrage. The Attorney General, of course, means the same. In fact, he said we ought to do it at once. But see what a condemnation the Attorney General passes upon the Government of which he forms a part. He says, "You have taken your stand upon the £7 franchise. The ground you take is so slippery and unsafe, so utterly untenable, that I would rather go down to household suffrage at once—to the veriest cabin with a door and a chimney to it that can be called a house. There I may, perhaps, touch ground." What encouragement do these Gentlemen give us to take the £7 franchise? Yet the hon. Member for Westminster says that £7 is no great extension, and out of all comparison with universal suffrage; so he excuses himself for having thrown overboard all the safeguards which he has recommended should be girt round universal suffrage. I do not object to his throwing them overboard. Checks and safeguards, in my opinion, generally require other safeguards to take care of them. The first use universal suffrage would make of its universality would be to throw the safeguards over altogether. He says the £7 franchise has nothing to do with safeguards. The Chancellor of the Exchequer goes to universal suffrage, and the other two to whom I have referred profess they go to household suffrage. Do you think you could stop there? You talk of touching ground—would it be solid ground or quicksand? You think that when you have got down to that you can create a sort of household aristocracy. The thing is ridiculous. The working classes protest even now against what they call a brick-and-mortar suffrage. They say, "A man's a man for a' that." The Bill appears to me to be the work of men who—

> "At once all law, all settlement control,
> And mend the parts by ruin of the whole.
> The tampering world is subject to this curse
> To physic their disease into a worse."

What shall we gain by it? I have not, I think, quibbled with the question. I have striven to do what the Government have evaded doing—to extract great principles out of this medley, for medley it is, composed partly out of a veneration for numbers and partly out of a sort of traditional veneration for old boroughs, which are to be preserved after what is beneficial in them has been taken from them. Then we have to consider the proposed county franchise, founded, as has been said, upon utter ignorance. It is quite evident that this Bill has been framed without information, because the Chancellor of the Exchequer, as is well known, has told us that the only copy he had—I may be right; at any rate, I cannot be wrong until I have stated it somehow. The Chancellor of the Exchequer told us that the only copy he had of those statistics was the one that he was obliged to lay on the table of the House. If I am wrong, let the right hon. Gentleman contradict me.

THE CHANCELLOR OF THE EXCHEQUER: I spoke of the last absolutely finished copy. The substance of those statistics, as far as regarded the general bases of the measure, had been in our hands for weeks before that time, but was not in a state to be placed on the table of the House until all the columns had been filled in.

MR. LOWE: Well, Sir, that finished document is what I call a copy. It may be that the Bill was originally drawn for £6 and £12, and that at the last moment £7 and £14 were substituted, and that it was regarded as a matter of little consequence what the exact figures were. As to the element of time, I suppose, however, I must not say anything, or the right hon. Gentleman will be angry with me. The twelve nights that he gave us for the Franchise Bill are pretty well gone, and we have now got what he never contemplated we should have, a Re-distribution Bill as well. I suppose I had better say nothing about the support the Government will have, or I had better veil it in a dead language and say, *Idem trecenti juravimus.* I would ask the Chancellor of the Exchequer how he can expect to get the Bill through Committee under those circumstances, bearing in mind that most of the newspapers that lay claim to intelligence and write for educated persons, having begun with rather vague notions of liberality, have written themselves fairly out of them, and that educated opinion is generally adverse to this measure. These, Sir, are the prospects we have before us. We have a measure of the most ill-considered and inadequate nature, which cannot be taken as it is, and which, as I understand it, is based on principles so absolutely subversive and destructive—the grouping, for instance—that if we were ever so anxious to aid the Government we could not accept it. Well then, Sir, what objection can there be to the advice given to the Government by my hon. Friend the Member for Dumfries—no hostile adviser—to put off the question for another year, and give the educated opinion of the country time to decide on this matter? What are the objections to such a course? There are only two, that I know of. One is, that hon. Gentlemen are anxious, and very naturally anxious, for a settlement. But are there materials for a settlement in the Bill before us? How, for instance, can you settle the grouping? If you retain the principle on which the Government act, that of grouping those boroughs that have already Members, you may do a little better than they have done, because they seem to have gone gratuitously wrong; but you cannot make an effective measure of it, and one that would stand. I am convinced it would generate far more discontent than it allayed, and create far more inequality than it seeks to remove. Then, the giving constituencies three Members is a principle of the greatest gravity and weight, not only for its actual results, but because it really concedes the principle of electoral districts. That, surely, is a matter not to be lightly disposed of; nor do I see how it can be compromised, because if the Government gives it up, it must select some other apportionment, which can only be done by creating other electoral districts. Then, as regards the franchise; no doubt that we could get through, because it would only be dealing with a figure, and I dare say there are many hon. Gentlemen whose opinions are entitled to great weight who would like a compromise on the franchise. But then you have to consider this, that a compromise on the franchise is a capitulation. Take what I said of the opinions of the Chancellor of the Exchequer, the hon. Member for Birmingham, and the Attorney General, and it is just as true of £8 as of £7 and of £9 as of £8. If you once give up the notion of standing on the existing settlement, so far as the mere money qualification for the franchise is concerned, whatever other qualifications you may add to it, you give up the whole principle. As the Attorney General himself sees, you must go down to household suffrage at last—whether any further is a matter on which men may differ, though, for my part, I think you would have to go further. I must say, therefore, that I can see no materials for a compromise in the borough franchise part of this Bill, and I come therefore to the conclusion that, desirable as it would be, weary as we all are of the subject, and anxious as we all are to get rid of it, there is no place for a compromise. The divergence is too wide, the principles are too weighty, the time is too short, the information is too defective, the subject is too ill-considered. Well, then, the other objection to a postponement is that, as my right hon. Friend the Secretary for the Colonies told us, the honour of the Government would not permit them to take that course. Now, I think we have heard too much about the honour of the Government. The honour of the Government obliged them to bring in a Reform Bill in 1860. It was withdrawn under circumstances which I need not allude to, and as soon as it was withdrawn the honour of the Government went to sleep. It slept for five years. Session after Session it never so much as winked. As long as Lord Palmerston lived honour slept soundly; but when Lord Palmerston died, and Lord Russell succeeded by seniority to his place, the "sleeping beauty" woke up. As long as the Government was kept together by having no Reform Bill, honour did not ask for a Reform Bill; but when, owing to the particular predilections of Lord Russell, the Government was best kept together by having a Reform Bill, honour became querulous and anxious for a Reform Bill. But that, Sir, is a very peculiar kind of honour. It puts me in mind of Hotspur's description—

> "By Heaven, methinks, it were an easy leap,
> To pluck bright honour from the pale-fac'd moon;
> Or dive into the bottom of the deep,
> Where fathom-line could never touch the ground,
> And pluck up drowned honour by the locks;
> So he, that doth redeem her thence, might wear,
> Without co-rival, all her dignities."

That is, as long as honour gives nothing she is allowed to sleep, and nobody cares about her, but when it is a question of wearing "without co-rival all her dignities," honour becomes a most important and exacting personage, and all considerations of policy and expediency have to be sacrificed to her imperious demands. But then there is another difficulty. The Government have told us that they are bound in this matter. Now, "bound" means contracted, and I want to know with whom they contracted? Was it with the last House of Commons? But the plaintiff is dead, and has left no executor. Was it with the people at large? Well, wait till the people demand the fulfilment of the contract. But it was with neither the one nor the other, because the Under Secretary for the Colonies let the cat out of the bag. He said that he himself called upon Earl Russell to redeem their pledge. I suppose he is Attorney General for the people of England. He called upon the Government to redeem their pledge. Now, one often hears of people in insolvent circumstances who want an excuse to become bankrupt getting a friendly creditor to sue them. And this demand of the hon. Gentleman has something of the same appearance. But there has been a little more honour in the case. The Government raised the banner in this House, and said they were determined we should pass the Franchise Bill without having seen the Re-distribution Bill. Well, they carried their point, but carried it by that sort of majority that though they gained the victory they scarcely got the honour of the operation, and if there was any doubt about that I think there was no great accession of honour gained last Monday in the division, when the House really by their vote took the management of the Committee out of the hands of the Executive. All these things do not matter much to ordinary mortals, but to people of a Castilian turn of mind they are very serious. Sir, I have come to the conclusion that there must be two kinds of honour, and the only consolation I can administer to the Government is in the words of Hudibras—

> " If he that's in the battle slain
> Be on the bed of honour lain,
> Then he that's beaten may be said
> To lie on honour's truckle bed."

Well, Sir, as it seems to be the fashion to give the Government advice, I will offer them a piece of advice, and I will give them Falstaff's opinion of honour—

> "What is honour? . . . a trim reckoning. . . . I'll none of it. Honour is a mere scutcheon, and so ends my catechism."

Sir, I am firmly convinced—and I wish, if possible, to attract the serious attention of the House for a few moments—that it is not the wish of this country to do that which this Bill seeks to do. There is no doubt the main object of this Bill is to render it impossible for any other Government than a Liberal one to exist in this country for the future. I do not say that this object would appear an illegitimate one in the eyes of heated partisans and in moments of conflict, for we are all of us naturally impatient of opposition and contradiction, and I dare say such an idea has occurred to many Governments before the present, and to many Parliaments before this; but I do say that it is a short-sighted and foolish idea, because if we could succeed in utterly obliterating and annihilating the power of hon. Gentlemen opposite, all we should reap as the reward of our success would be the annihilation of ourselves. The history of this country—the glorious and happy history of this country—has been a conflict between two aristocratic parties, and if ever one should be destroyed the other would be left face to face with a party not aristocratic, but purely democratic. The hon. Member for Birmingham said with great truth the other day that if the purely aristocratic and the purely democratic elements should come into conflict the victory would, in all probability, be on the side of democracy. The annihilation of one of the aristocratic parties—and I know it is in the minds of many, though, of course, it is not openly avowed—would be a folly like that of a bird which, feeling the resistance the air offers to its flight, imagines how well it would fly if there was no air at all, forgetting that the very air which resists it also supports it, and ministers to it the breath of life, and that if it got quit of that air it would immediately perish. So it is with political parties; they not only oppose, they support, strengthen, and invigorate each other, and I shall never, therefore, be a party to any measure, come from whichever side of the House it may, which seeks so to impair and destroy the balance of parties existing in this country that whichever party were in office should be free from the check of a vigorous opposition, directed by men of the same stamp and position as those to whom they were opposed. I do not believe that is an object of this Bill which the people of this country will approve, nor do I believe that they wish materially to diminish the influence of hon. Gentlemen opposite. There are plenty of gentlemen who do wish it, but I do not believe it is the wish of the country, and therefore I believe they would have looked with much greater satisfaction on the principle of grouping if it had not been so studiously confined to represented boroughs, and if, instead of first swamping the counties by a low franchise and then offering the illusory boon of three Members, it had relieved the county constituencies of considerable portions of the great towns by an efficient Boundaries Bill, and had erected some of the towns which now almost engross the county representation into distinct constituencies. And while passing by that point, let me say that the provisions with regard to boundaries appear to me to be one of the most delusive parts of the whole Bill, because the effect of them is that no suburbs not now included in the municipal district can be included in the Parliamentary district, unless those who live in these suburbs are content to saddle themselves with municipal taxation. I do not believe the country wishes to see the door to talent shut more closely than it is, or this House become an assembly of millionaires. I do not believe the country would look with satisfaction on the difference of tone within the House which must be produced if the elements of which it is the result are altered. Nor do I believe that it will look with satisfaction on that inevitable change of the Constitution which must occur if these projects are carried into execution—a change breaking the close connection between the executive Government and the House of Commons. I believe sincerely that this House is anxious to put down corruption, and I will say again, at any risk of obloquy, that it is not the way to put down corruption to thrust the franchise into poorer hands. If we are really desirous of achieving this result there is but one way that I know of, and that is by taking care that you trust the franchise only to these persons whose position in life gives security that they are above the grosser forms of corruption. And if you do prefer to have a lower constituency, you must look the thing in the face—you will be deliberately perpetuating corruption for the sake of what you consider the greater good of making the constituencies larger. These are things which I do not believe the people of this country wish to have. And, therefore, I believe you will be acting in accordance with sound wisdom and the enlightened public opinion of the country by deferring this measure for another year. I press most earnestly for delay. The matter is of inexpressible importance; any error is absolutely irretrievable; it is the last thing in the world which ought to be dealt with rashly or incautiously. We are dealing not merely with the Administration, not merely with a party, no, not even with the Constitution of the kingdom. To our hands at this moment is intrusted the noble and sared future of free and self-determined Government all over the world. We are about to surrender certain good for more than doubtful change; we are about to barter maxims and traditions that have never failed, for theories and doctrines that never have succeeded. Democracy you may have at any time. Night and day the gate is open that leads to that bare and level plain, where every ant's nest is a mountain and every thistle a forest tree. But a Government such as England has, a Government the work of no human hand, but which has grown up the imperceptible aggregation of centuries this—is a thing which we only can enjoy, which we cannot impart to others, and which, once lost, we cannot recover for ourselves. Because you have contrived to be at once dilatory and hasty heretofore, that is no reason for pressing forward rashly and improvidently now. We are not agreed upon details, we have not come to any accord upon principles. To precipitate a decision in the case of a single human life would be cruel. It is more than cruel—it is parricide in the case of the Constitution, which is the life and soul of this great nation. If it is to perish, as all human things must perish, give it at any rate time to gather its robe about it, and to fall with decency and deliberation.

> "To-morrow!
> Oh that's sudden! spare it! spare it!
> It ought not so to die."

THE ATTORNEY GENERAL: I am most deeply sensible of the difficulty of following such a speaker as my right hon. Friend. To a speech such as has been just delivered it would be upon any question difficult to reply, but upon a question of such moment as this the difficulty is increased immeasurably. It is an intellectual delight of the highest order to listen to my right hon. Friend. He speaks with infinite wit, with wonderful eloquence and power; he raises and conjures up spectres of evil, and he is lost in contemplation of the ruin which is threatening our land. He is so acute a critic that I venture to think no one who hears him can doubt that whatever Bills a Government which does not possess his confidence might lay upon the table for the alteration of the franchise or the re-distribution of seats would be dissected and cut to pieces with the same lively imagination, the same profound logic, and the same admirable arguments that we heard to-day. My right hon. Friend reminds me of a painting which the painter thought so good that he exposed it to public view, and invited all who saw it to take the brush and paint out the part of the picture which they did not admire. My right hon. Friend has taken the brush and painted it all over—and I venture to think that, however good the Bills might be, and however striking their merits, my right hon. Friend would have found in them something to criticize and much to find fault with. Well, after we have heard, with a pleasure which it is impossible not to feel, the observations of my right hon. Friend, we cannot help asking ourselves, What do they all mean? What is the political result my right hon. Friend is driving at, and whether if the House means to identify itself with his conclusions the country will indorse the determination. My right hon. Friend said, "This is the state of the case; what shall we do?" I think I could answer the question somewhat more in accordance with my right hon. Friend's own mind than by the words which he himself used. The answer should have been, "Why, do nothing at all." That is really what my right hon. Friend means—we are all under a mistake in imagining that there is any question here which deserves or requires any settlement. The only thing which will avert these frightful anticipations of ruin, anarchy, democracy, and destruction in which he always indulges, is simply to stand on things as they are because they are so — not because they ought to be as they are for any particular reason. My right hon. Friend does not pretend to say that the £10 franchise rests on any principle capable even of being explained to the House and the country; all he says is, "Move an inch from that point and you are lost—you are on the high road to ruin." That is really the state of the argument; and when he implores and entreats us to defer this Bill for another year, I will tell my right hon. Friend the year to which he wishes us to defer the consideration of this subject—it is to the Millennium. [An hon. MEMBER: Hear, hear!] Well, there are some, undoubtedly, who would not be unwilling to accept that solution; but I venture to think they are in a minority, even on the opposite side of the House. If the House will have patience with me at the late hour at which we have arrived (five minutes to twelve o'clock) I will endeavour to imitate one quality which my right hon. Friend, with all the charm of amusement that he throws round his speeches, never fails to exhibit—the quality of sincerity. There is no man who feels less confidence in his own judgment than I do, but I should be very sorry on such a subject as this to address the House without endeavouring to speak as I really think. I would not willingly reserve from the House anything which I feel ought to be stated, nor will I say anything now that hereafter I should be sorry to have said. And therefore I will state frankly that I start from the same point as my right hon. Friend. I start with the same common views in substance on which he takes his stand. My views upon this question are not based upon any notion of abstract right. I agree with my right hon. Friend that practical good government and the means of practical good government already exist. I agree with him that the present system has worked on the whole well, and in a manner of which we have no reason to be ashamed. I agree with him in being unwilling to change till I see that the time has come when some change is necessary; and I have hitherto abstained from voting for any propositions which have been made to this House when I doubted whether they were made in a time and in a manner which would render them practical. I am convinced, however, that the time has come now when, either by those who are now in power, or by those who shall succeed them, or by those who, at no distant time, may replace those successors, this question must and will be settled. I am convinced of that by all that has taken place with regard to this subject. I will not go back into the long series of years during which this question has been in agitation, but will take up the very period of time to which the right hon. Gentleman has referred. The right hon. Gentleman adverted to the policy pursued by Lord Palmerston, and he said that after the Bill brought in by the Government of the noble Lord this question went to sleep for five years, and that the noble Lord was not disposed to revive it; and it has been several times said in the course of the recent debates, and truly, that my right hon. Friend the Secretary of State for the Home Department, before the general election, distinctly stated in this House that the Government would not go to the country pledged to introduce any measure whatever on the subject of Reform; they would not take upon themselves the responsibility of trifling with the country upon such a question; not sure how far the country were disposed still to keep that question alive, and to look to the present time for a settlement of it. My right hon. Friend therefore said that the Government would not take the responsibility upon themselves of making the matter of Reform a question by which parties should stand or fall at the elections. Now, what took place? Did the country at those elections permit that question to be treated as one the time for which had gone by, and for which there was no demand? I will not refer to the numbers of Members who pledged themselves upon the subject on the one side of this House or the other; but I will refer to what came from persons of high authority sitting on the front Bench opposite. What was the language of the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) to the electors at Aylesbury? Was the right hon. Gentleman then willing that the question of Reform should go to sleep? Was he willing to admit that it was a question which required no settlement? To do him justice, I have many times listened to the right hon. Gentleman in this House when speaking on this question; but never, at any time, did I hear fall from his lips the sentiment that there should be no Reform, or that there is no need of any change in the representation of the people. Uniformly, as far as my observation has gone, the right hon. Gentleman has uttered language consistent with his conduct as a Minister in the year 1859, when he introduced a Bill upon this subject, and in the year 1860, when he was prepared to introduce another Bill involving still further change. The right hon. Gentleman, at the last election, took occasion to remind his constituents of that measure of 1859, saying, he thought that on reflection it had approved itself to the mind of the country, and he used very remarkable expressions—he urged the importance of clear and definite opinions on the question of Parliamentary Reform, observing that—

> "The question, sooner or later, must regulate the formation of Governments and the construction of parties. It is the interest of some to divert your attention from these great questions, and to talk to you of the management of finances and the maintenance of peace—two very important topics, no doubt. You may depend upon it that you must not allow your mind or attention, whatever the conclusions you may arrive at, to be diverted from these great questions if you wish to keep the position as Englishmen which your fathers occupied before you."

It would be impossible to read those words without feeling that the conviction of the right hon. Gentleman was, that this was a question which could not drop, and which must be brought to a settlement. The right hon. Gentleman naturally thought that he had proposed the right mode of settlement, and I can well believe that he sincerely preferred his own method of dealing with the subject to the method adopted by the Government. But then, let us not be told by anyone that the Government has stirred up this question unnecessarily. We find the right hon. Gentleman at the head of the Conservative party opening the question himself to the electors, and insisting that their minds should be more fixed upon it, even more earnestly than upon almost any other question, and that it was a question by which Governments and parties must stand or fall. But it was not only the right hon. Gentleman who talked in this strain to the electors; the noble Lord the Member for King's Lynn (Lord Stanley) did the same. In his address to his constituents, what did the noble Lord say? He said distinctly that he was against any Bill for lowering the franchise below £10; but he added, that he was for making a very large addition to the electoral body by letting in lodgers, and those who had funds in savings banks. What was the extent — perhaps he estimated the numbers upon incorrect data, but that is of no importance now —to which the noble Lord thought practical and safe to go? He estimated the numbers who would be added to the electoral lists by his plan at 250,000. The noble Lord further said that he was in favour of a very considerable measure of disfranchisement, and that he "was not opposed to a re-distribution of seats, provided the balance was fairly kept between towns and counties; but was against the disfranchisement of a number of small boroughs, to turn over all those seats to the great towns." Well, that, at all events, the Government have not proposed to do. Do not suppose I am referring to the opinions of the noble Lord and the right hon. Gentleman to show that they were in favour of the identical propositions made in the Bills the Government have proposed; I am only referring to them to show you that in the minds of those very eminent persons the time had come at which you could not think of getting rid of this question; that it was in their judgment necessary to keep it before the minds and the eyes of the public, and obviously with a view to a settlement upon terms which they might hold to be satisfactory. I should like also to ask whether any different conclusion as to the general mind of the House can be drawn from what has here taken place during these debates. Why, nothing could be more remarkable than the zeal with which those who got up to oppose the Government Bills on the one side of the House and on the other took pains to disclaim the notion that they were averse to Reform. We heard that Members opposing these Bills were for Reform, for a considerable extension of the franchise, and, though all of them were dissatisfied with the mode in which the Government had dealt with the subject, it was almost unanimously agreed that the question must be dealt with, and if not solved by the present Government, and in this way, it must receive before long some other solution. Nothing else could possibly explain the course taken on the second reading of the Franchise Bill. The criticism, of course, was a very legitimate one, that the whole of the effects of the Franchise Bill could not be fully calculated till we had before us the whole scheme of the Government. But if hon. Members opposite had been in principle opposed to any reduction of the franchise, why manifestly they would have taken the straightforward and manly course of rejecting the second reading of the Bill upon the principle to which they were opposed. The course they took speaks for itself. They were not prepared to vote against the principle of the reduction of the franchise; they desired to consider it in connection with other measures; and it is plain, therefore, that in both the House and the country the general opinion arrived at was that this question is in a condition which requires some settlement. Then how is this question to be settled? In the observations I am about to make I shall limit myself strictly to the principle of the Bill. We have to consider whether the objections to the principle of the Government propositions are sound or not? No one can seriously deny that, if a considerable extension of the suffrage can be made safely, it is a positive good in itself, as tending to increase confidence and sympathy between the different classes of the community. What, then, is the principle of the extension proposed by the Government? I assert that it is the same principle as that upon which the existing franchise rests; it rests upon property, local connection, and payment of rates. In the boroughs the class of householders and ratepayers possesses the franchise, and in counties the owners of property and the occupiers of property have it. In enfranchising those classes you have placed a limit—a mere arbitrary limit—on the extent of the application of that principle. You do not go as far as to include the entire class; but you limit it by £10 in boroughs, and by £50 in counties. It it impossible not to see that the principle is one thing, and the limitation of the practical application of the principle another. You do not depart from the principle when you vary the scale of the limitation. If an arbitrary limitation can be safely dispensed with, it is better dispensed with; but the general opinion is that it would not be quite safe as yet to go to the extent of dispensing with the limitation altogether, and giving a vote to every rated householder. At some future time the principle will have its full development, whatever that may be, and one arbitrary limitation will not be more final than another. I acquiesce, not without some reluctance, in the judgment of those who take the view that a settlement which will last for twenty or thirty years may now be a good one. But the question for us to consider is, whether we have sufficient reason to believe that you may advance with safety as far as the Government propose the franchise should be advanced. I will state my reasons for believing that there is no ground for entertaining any alarm as to the results of lowering the franchise to the extent proposed by the Bill. No one who has watched the progress of the country generally, and who has witnessed the growth of the intelligence of all classes since 1832, can doubt that those who would receive the franchise now, if the qualification were reduced to £7, are equal in intelligence to the £10 householders who received it in 1832; yet the measure of 1832 was a far more trying one to the institutions of the country than that now proposed. That measure was a violent one, effected by means almost revolutionary, and at a time when Europe was in a state of convulsion from one end to the other, and therefore at a time when it might have been fairly supposed that the change would be attended with danger. But no evil results followed from that measure, and those admitted to the franchise by it showed themselves to be persons who might safely be intrusted with a share in political power. At the present time the whole of the attendant circumstances are reversed—the country is in a state of peace and prosperity, there is no discontent, there is a great union of classes, and in every way the times are more favourable for effecting a change in the balance of political power than they were in 1832. If, then, so large an addition was safely made at that time under such circumstances, there can be no substantial grounds for regarding with alarm the change now proposed when the state of things is so much more favourable. The general conduct and behaviour of the masses furnishes an excellent test of the fitness of those whom it is now proposed to enfranchise to exercise political power—not that I wish to be understood to say that every person who conducts himself properly is entitled to the franchise—but I say that the general conduct of the masses of the people, and the manner in which they discharge their social duties, show that there does not exist in this country any spirit of anarchy or disturbance, that there is no animosity of class against class, but that, on the contrary, classes are united to classes, and that all classes practically occupy their respective positions harmoniously and with goodwill. This, in my opinion, is the strongest possible reason for believing that no danger can possibly arise from admitting, at all events, the uppermost stratum of those classes, such as are heads of families and householders contributing to local taxation according to the ancient rule of the constitution. I, therefore, altogether dismiss from my mind the chimera that there is any danger of a revolutionary tendency, or of the subversion of the interests of any particular class in admitting those whom it is proposed to enfranchise by the Bill. Another argument used against the measure is that it will tend to increase corruption. I should be very sorry to undervalue that argument, but I must ask the House to observe that the danger of corruption, great and serious though it be, stands on quite a different footing from that of the subversion of the order of society, and, although we should do all in our power to extirpate the evil, we must not confound it with those dangers which threaten the existence of society. I confess I cannot understand the justice of the argument which says that the whole source and fountain of corruption is traceable to the lower classes of the community, and that any reduction of the franchise below £10 must have a tendency to increase the corruption. In point of fact, that argument would only apply to the case of comparatively small places, as in the larger corruption is not found to prevail to any very great extent. But whence does corruption proceed — from below or from above? Does it proceed from those who are corrupted, or from those who corrupt? And if those who corrupt belong to the middle and upper classes, the evil must rest with those who have wealth, and the only way to stop it is by proper legislation—by passing stringent measures calculated to deter members of those classes from corrupting those beneath them, and not by excluding from the franchise classes or persons well qualified to exercise it. Then as to the argument that this measure will have a tendency to create a demand for further change, I have already said — and I do not wish to conceal my opinion from the House — that I think this measure cannot be regarded as absolutely and permanently final more than anything else which rests upon an arbitrary basis. I have no doubt in my own mind that the time will come when we shall be of opinion that all rated householders may be intrusted with the franchise safely, and with benefit to the country. I do not agree with the right hon. Member for Calne (Mr. Lowe) that a rated household suffrage is not a place we can stop at. On the contrary, I think that that is a ground upon which we may very safely take our stand as the limit of reduction in accordance with the principles of the Constitution. I wish to offer one or two other reasons for not participating in the alarm of the right hon. Member for Calne. Although I do not regard the various Reform Bills that have been brought before this House by different Governments as in any way binding this House to go on with Reform, still I may safely refer to every one of those Bills and to the opinions of all the Ministers who introduced them as proving that those different Governments believed that a Reform Bill might be passed without serious danger to the country; and I cannot for a moment bring myself to believe that the right hon. Gentleman opposite who, in 1860, stated that his Government was prepared to introduce a Bill which would effect a considerable, a substantial, and a liberal reduction in the borough franchises, thought that such a measure would tend to the ruin of the country. I believe neither he nor his Government would have held office for a single moment on the terms of bringing forward a Bill which they did not believe would be consistent with the welfare of the country, and which might have been adopted without danger to the Constitution. I draw the same inference from the present state of public opinion throughout the country. If the people at large participated in the alarm felt by the right hon. Member for Calne, and believed that we were on the high road to ruin, I do not think they would be quite so quiet as they are now. We are told by hon. Gentlemen opposite that there is no very great excitement in favour of the Bill. But what excitement there is in favour of the Bill. All the petitions and all the meetings that have been held upon the subject have been in favour of the Government measure, and if the people supposed that a great and serious danger threatened the country, I do not think there is so little patriotism in the country, or so little life in the Conservative party, that public meetings and petitions would not be got up to defend us from the anticipated danger. The conclusion I have come to is that the right hon. Member for Calne is almost the only person who thinks we shall run any serious risk from the passing of this measure. No doubt others may believe, and perhaps fairly believe, that they could settle these questions better than we can, and I entirely recognize the right of those who differ from us to hold that faith. And this brings me to an observation I am anxious to make—namely, that I should entirely agree with the right hon. Member for Calne in condemning any measure of this kind which was brought forward for the purpose of crushing political opponents or to exclude them from their due share of political power. But I believe this Bill would have no such tendency, and that whether it be a good or a bad measure the party opposite could not in any way suffer from it in the event of its passing, as far as their proper influence in the country is concerned, unless indeed their opposition to the Bill may have some unfavourable effect upon the opinion of the country towards them. I utterly disclaim any intention on the part of the Government to tamper by means of this Bill with the interests of the party opposite. I am aware of the disadvantages I am labouring under in addressing the House at so late an hour, but I am anxious not to pass over the alternatives which have been proposed by hon. Gentlemen opposite in place of this measure. I have not forgotten for a moment that our mode of dealing with this question is not the same as that which has been proposed on the other side of the House, and I wish now to refer to the modes of dealing with the question which are proposed as alternatives to that adopted in our measure, to which the country must look forward from the other side, in the event of the settlement of this question falling into their hands. Certainly we have heard very different plans proposed by different Gentlemen on that side. I will first allude to the views of my hon. Friend the Member for North Devon (Sir Stafford Northcote). He expressed himself in favour of an educational franchise—and I wish the House to consider what that is. Of course my hon. Friend did not exactly state the precise tests which he would apply, nor could he have been called on to do so; but I take the liberty of expressing the opinion that such a plan is infinitely more dangerous, and tends in a very much greater degree to universal suffrage and democracy, than anything which the Government have proposed. I contend that the Government adhere to the old lines of the Constitution—I use the words purposely, as they are words quoted from the hon. Member for Birmingham by my right hon. Friend the Member for Calne—in reducing the borough franchise to £7, and the county franchise to £14. When you depart from those lines, and get into a merely personal qualification, you may think you can limit the extension of the franchise; but depend upon it you will be told that your limitations are not in accordance with your principle. Your principle is this—that those who can pass an examination in reading, writing, and whatever else you prescribe, must get the franchise. Laying down that principle, you will not fence it round with inconveniences; you will make it as convenient as possible, and unless you fix your educational test so high as to exclude all but the highly educated, you must have it so low as to admit every one who has got a good education for his station. Looking at the march of education now, that is manhood suffrage in embryo. I should have no hesitation in saying of such a principle that which my right hon. Friend the Member for Calne says of the proposal of the Government—that whatever may be the intention of those who propose its adoption, its tendency would be to pure democracy. Once you depart from the established principle of the Constitution and introduce a merely personal qualification there will be no limit whatever. In the Reform Bill brought forward by Lord

Derby's Government, the right hon. Gentleman the Member for Buckinghamshire introduced a number of what were called "fancy franchises"—franchises which might be obtained by persons not possessing any local property qualification. These were personal qualifications, and again diverging from the old principle of the Constitution; and from every point of view, when that system is examined, it is found full of danger, and attended with no advantage whatever. By means of it you merely give a supplementary franchise to outlying members of classes abundantly represented already, and who make no demand for it, while you exclude those who do demand it—and exclude them in the most invidious manner, by giving it to persons who do not want it, because they are already within the real circle of the franchise, and may readily obtain it if they think fit to do so. That is a very strong objection; but there is a further objection to such franchises in the fact that they would put a greatly increased pressure on the arbitrary line of £10. You may fix the arbitrary line at that sum or at £7 or £8, or any other amount, and all below that line are unenfranchised; but if you endeavour to make the franchise as universal as possible among all above that line, you render the pressure on the dividing line, as against those below, still more heavy; and that appears to me to be as dangerous a proceeding as could be adopted. The noble Lord the Member for Kings Lynn adopts the principle to a limited extent. He would give the franchise to lodgers, and he would also give it to depositors in savings banks, on some such plan as that which appears to me to be by no means the best part of the proposal of the Government. All such systems as that proposed by the right hon. Gentleman the Member for Buckinghamshire would tend to obliterate, get rid of, and exterminate the existing landmarks of the franchise—all are a departure from the principle on which the franchise is now based. On the other hand the Government, while lowering the arbitrary line, keep within the principle already known to the Constitution, and therefore their proposal appears to me to be more Conservative than that of an educational franchise now so strongly advocated by some Gentlemen on the other side of the House. But I must take the liberty of reminding the House of something which has been said on this subject by a right hon. Gentleman who from his sagacity and his character is as much respected as any Member of this House—I allude to the Member for Oxfordshire (Mr. Henley). That right hon. Gentleman spoke on this subject in a remarkable manner at the last election. I have referred to the addresses delivered by eminent men at the last election for two reasons—first, as showing how much alive they all were to the necessity for settling and getting rid of this question; and secondly, because in those addresses we have opinions deliberately and dispassionately expressed by Gentlemen on the other side of the House. The right hon. Gentleman the Member for Oxfordshire is against any alteration; certainly he is against any enlargement of the franchise; but the views he expressed struck me most forcibly. Speaking in July, 1865, he said—

> "You all know that Reform has never been my trade—I have never been much in it; but I hold the opinion, if there is to be any Reform, it is of no use if it does not go down-hill, and take in a much larger number than at present. I do not understand lateral Reform."

Then, referring to the Members who sit for small boroughs, the right hon. Gentleman said—

> "When there are a good many people of that sort in Parliament it gives any Reform a very dirty chance."

The right hon. Gentleman also made these remarks—

> "I have not been able to make out why a man who rents an £8, or £6, or a £5 house should have a vote. I cannot see it. I have, therefore, come to this conclusion—if there is to be a change we should go back to our old system of household franchise. That is my opinion; and being of that opinion I am not in favour of a change."

I think of the two opinions to which I have called attention that held by the right hon. Gentleman is the wiser one; but being thoroughly convinced as I am that it is impossible to avoid doing something—that there must be some Reform; believing from what we have seen that a larger measure than the one proposed by the Government would not be acceptable to the House; and being of opinion that this measure will settle the question—at least for a time, and until the House and the country are ripe for a further change—I think it is advisable to adopt it. But when the question comes to be considered hereafter, at that reasonable distance of time when we may now contemplate its being examined again, if the country should think a further change necessary, I do not disguise my opinion that the change which will ultimately be made ought to be a change to the old constitutional principle of rated household suffrage. I wish now to say a few words on the principles of the measure of Re-distribution, for the principle only is now involved, and not the details. Those who represent, as I have the honour to represent, a small constituency, will have an opportunity of urging, as I shall feel it my duty to do, the reasonable claims and proper suggestions of those constituencies. I feel it an honour to represent the constituency who have returned me, and not the less so because I am sure that, whatever may be their own opinion, they are not a constituency to wish that their local interests should be opposed to the public good. As to the details of the measure, they have yet to be considered ; and it will be for the House to say whether sufficient reasons are given for the changes which are proposed to be made. This Bill also seems to proceed on the principle of adhering to the old methods and landmarks of the Constitution in all essential points. The proposal of the right hon. Gentleman opposite (Mr. Disraeli) for eliminating from the counties all the unrepresented towns, appears to me to depart from all the existing principles both of the county and town representation. The principle of the town representation is that when large communities are sufficient to require separate representation they should receive it, and accordingly you bestow new Members on communities which appear to have such interests and such population as to require them. The endeavour to group together places which have hitherto had no share in the representation and no plea of vested interests to be considered so as to form electoral districts has no precedent; it certainly is not natural ; it materially departs from the principles of borough representation and tends to disturb and destroy the principles which have hitherto prevailed in the county representation. It is of the greatest importance that the mutual influence of county upon town and town upon county should be considered, and that their union and connection should be maintained, not destroyed. Scotland and Wales afford sufficient examples of the practicability and good working of the system of grouping. It has been said that no distinguished men have represented these groups ; but I am much mistaken if Sir George Lewis did not represent the Radnor district. As to the increase of expense which was apprehended from these groups, I have never seen any evidence to show that the grouped boroughs of Scotland or Wales have entailed any extraordinary expenditure on the candidates for their representation, and I do not think there is any such ground for alarm as some would have us suppose. My right hon. Friend the Member for Calne seemed rather to think that the immense expenditure was connected with the counties. With regard to other objections, it has been said that the plan of the Government tends in counties to diminish the influence of the land. ["Oh!"] Well, if there be anything of the kind in the Bill, surely the measure of the right hon. Gentleman the Member for Buckinghamshire which reduced the county franchise to £10 was much more liable to this objection. The right hon. Gentleman the Member for Calne also objected to the Bill—and this is an example of the almost indiscriminate way in which he felt it his duty to attack the measure—on the ground that it was proposed to add to certain counties a third Member ; as if we had not gone on since 1832 upon that principle. Nobody suspected there was any harm in that plan till the present moment. Really, I was very much struck with what the right hon. Gentleman the Member for Calne said on this subject, as if we were now for the first time introducing that fatal principle of the mere influence of numbers. But the argument was, in fact, inconsistent with our whole practice on the subject hitherto. Numbers have always hitherto been considered an important element in all changes of this kind. They are the sole justification of the increase already made both in the metropolitan and in the county representation, and in the representation of all the great towns which have been subdivided ; and we are, therefore, not departing from old landmarks in increasing the number of those counties which are to have a third Member. Let me before I sit down say a few words on the consequences of rejecting this Bill. What will the Government who may succeed us do? I can only say I wish them well through it. I should be exceedingly glad if we cannot settle the question to see it settled by others ; but one thing is certain, whatever Government succeeds us must settle the question. It is impossible for any Government long to exist that does not settle it ; and it is equally certain that it cannot be settled except by some considerable reduction of the franchise. That was distinctly admitted in 1860, it was admitted by the right hon. Member for Oxfordshire last year, and it would be worse than idle to think that satisfaction could be given to those whom we ought to satisfy, and put an end, for a considerable time at all events, to the desire for further change on any other principle. If hon. Gentlemen opposite think they have a favourable prospect for settling the question I congratulate them upon it; but with the discordant opinions which prevail on the Benches opposite—with the opinions of the noble Lord the Member for King's Lynn, one of those Gentlemen whose opinions I most respect in this House — with the opinions of the hon. Member for Stamford and the opinions of the right hon. Gentleman the Member for Oxfordshire, I think they will have considerable difficulty in satisfying the country that they have any prospect of settling this question. What may be the consequences to themselves and their party it is not my business to inquire. All I venture to say is that the time has arrived when this question must be dealt with, and dealt with seriously; instead of which the proposals of the Government have been met by Motions of an evasive character, tending to elude and put off the real question, and by reasons as to time and procedure which may always be found in abundance with regard to any measure. These two Bills having been read a second time, I think it would be wise and advantageous to all parties to proceed to the consideration of their details. If any of the details can be amended, it will be in the power of the Committee to amend them. And, if the Bill should pass as proposed, I cannot but think that the object of settling this question and of putting an end to it for the space of a generation—for twenty or thirty years—without further agitation, and without departing from any of the fundamental principles on which the representative system of the country has hitherto rested, is an object of the greatest public importance. It would, in my opinion, be better for hon. Gentlemen opposite to accept the present measure, instead of making Reform a subject of continued and inveterate party contention and of serious agitations hereafter. If this Bill be rejected, every subsequent measure on the subject will be progressively less Conservative, and it would be wise to make a change now, when it can be done safely, instead of waiting till a time when, perhaps, influences will be at work over which you may not be able to exercise an equal control.

Sir **HUGH CAIRNS** moved the adjournment of the debate.

Debate *further adjourned* till *To-morrow.*

BRIDGWATER ELECTION.

JOINT ADDRESS.

Colonel **TAYLOR** moved that Mr. Speaker do issue his warrant to the Clerk of the Crown to make out a new Writ for the electing of a Burgess to serve in the present Parliament for the Borough of Bridgwater, in the room of Mr. Henry Westropp, whose election has been determined to be void. The evidence taken before the Election Committee had been in the hands of Members for a fortnight, and he hoped that those who had read it had come to the same conclusion as the Election Committee that it was not desirable that a Commission of Inquiry should issue on this case.

Motion made, and Question proposed,

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of a Burgess to serve in this present Parliament for the Borough of Bridgwater, in the room of Henry Westropp, esquire, whose election has been determined to be void."—(*Colonel Taylor.*)

Sir **HARRY VERNEY** moved an Amendment that a Commission be appointed to inquire into the proceedings connected with the Bridgwater election. The Committee which had already sat on the case, had reported that at the last election for that borough corrupt practices had extensively prevailed, and the usual course in such cases was the appointment of a Commission to investigate further into the matter. He believed there was an honest desire on both sides of the House to put down bribery and corruption, which formed a plague-spot on the Constitution of the country, and they ought to strike at the root of the evil and find a remedy for it. The last election for Bridgwater had produced so much demoralization there that the innocent men had sent in a petition praying that the borough might be disfranchised.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, as followeth:—

Most Gracious Sovereign,

We, Your Majesty's most dutiful and loyal Subjects, the Commons of the United

Kingdom of Great Britain and Ireland in Parliament assembled, beg leave humbly to represent to your Majesty, that a Select Committee of the House of Commons, appointed to try Petitions complaining of an undue Election and Return for the Borough of Bridgwater, have reported to the House that there is reason to believe that corrupt practices have extensively prevailed at the last Election for the Borough of Bridgwater :

We therefore humbly pray Your Majesty, that Your Majesty will be graciously pleased to cause inquiry to be made, pursuant to the provisions of the Act of Parliament passed in the sixteenth year of the reign of Your Majesty, intituled, 'An Act to provide for more effectual inquiry into the existence of Corrupt Practices at Elections for Members to serve in Parliament,' by the appointment of Mr. George Chance, Mr. Henry Mather Jackson, and Mr. James Eardley Hill as Commissioners for the purpose of making inquiry into the existence of such corrupt practices.

That the said Address be communicated to The Lords, and their concurrence desired thereto."—(*Sir Harry Verney.*)

Mr. DARBY GRIFFITH hoped the House would not agree to the Motion for the issue of the Writ, but that they would bear in mind that only on Monday last they agreed to a Motion to discourage and put down bribery as far as they possibly could. They would stultify themselves and negative that decision if they issued this Writ. He was unable to understand why the usual course should be departed from by the issue of a Writ in such a case. What sort of spectacle would they present to the country if they voted for putting down bribery on Monday, and on Friday flew in the face of an Act of Parliament ?

Mr. MORRISON hoped hon. Members on the Opposition side of the House would not vote inconsistently with the vote they gave on Monday last, and suggested that there might be discourtesy in dealing with the question without waiting for the expected clauses on the subject of bribery.

Lord HENRY SCOTT said, the Committee of which he was a Member could not conscientiously report that corrupt practices did not extensively prevail, because the evidence compelled them to unseat the Member ; but, on the other hand, the evidence was not sufficient to warrant the Committee in recommending a Commission.

Mr. WYVILL supported the Amendment, and expressed the hope that the hon. Baronet would divide the House.

Mr. YORKE drew attention to two cases in which it was reported that corrupt practices had prevailed, and in one of which only a Commission was issued, the Member being unseated.

Another hon. Member, who was one of the Committee in this case, said, there were others in which a similar report had been made, and yet no Commission had issued. He was authorized to speak for the Members of the Committee not in the House, and to say that they were unanimously of the opinion, not expressed in the Report, that a Commission should not be issued.

Sir GEORGE GREY said, it was a mistake to suppose that Reports of this kind were made by Committees without ulterior measures being taken. A Commission would be moved for in the case of Galway. Inquiry by Commission did not depend upon the unseating of a Member—the House had agreed to an Address for a Commission in the case of Yarmouth, although the Member was declared duly elected. He regretted the absence of the Chairman of the Bridgwater Committee, because they had taken a course that placed the House in difficulty, by reporting in the words of the Act, "that corrupt practices prevailed extensively," and afterwards stating that the evidence would not justify a Commission—an opinion which, he hoped, future Committees would, if necessary, embody in their Reports. The Act of Parliament did not say that in every case of this kind Parliament should address the Crown for a Commission ; but only said that upon an Address from both Houses a Commission should issue ; and, therefore, the Act of Parliament would not be violated if there were no Commission.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided* :—Ayes 123 ; Noes 12 : Majority 111.

Main Question put, and *agreed to.*

REPRESENTATION OF THE PEOPLE BILL.—OBSERVATIONS.

Mr. DISRAELI said, that as many hon. Members wished to address the House in the discussion on this Bill, it could hardly be expected that the debate could be brought to a close to-morrow night. He thought, however, he might undertake, on the part of his Friends around him, to state that they did not desire it to be prolonged beyond Monday. He trusted the Government would consent to come to an understanding as to its closing on that night.

Sir GEORGE GREY said, that he had hoped the debate would be brought to a conclusion to-morrow night; but as the right hon. Gentleman seemed to think it could not close before Monday, he should assent to the arrangement which he suggested, on the understanding that it was then to terminate. He trusted that with a view to facilitating that arrangement those hon. Members who had notices on the paper on going into Committee of Supply to-morrow evening would not object to postpone them.

GENERAL POLICE AND IMPROVEMENT (SCOTLAND) ACT (1862) AMENDMENT.

On Motion of Sir JAMES FERGUSSON, Bill to amend "The General Police and Improvement (Scotland) Act (1862), *ordered* to be brought in by Sir JAMES FERGUSSON and Mr. HENRY BAILLIE.

Bill *presented*, and read the first time. [Bill 171.]

House adjourned at a quarter after Two o'clock.

HOUSE OF LORDS,

Friday, June 1, 1866.

MINUTES.]—*Took the Oath*—The Bishop of Lichfield.

PUBLIC BILLS—*First Reading*—Customs and Inland Revenue * (137).

Second Reading—Landed Property Improvement (Ireland) * (117); Drainage Maintenance (Ireland) * (113); Exchequer and Audit Departments (108).

Selling and Hawking Goods on Sunday (121); Question, "That the Bill do pass," *negatived.*

THE FENIAN CONSPIRACY.

QUESTION.

LORD DUNSANY rose to ask Her Majesty's Ministers, Whether they have received any Information of the Circumstances under which a Man named Cryan or Bryan was, on the 7th Instant, at Sligo Petty Sessions, sentenced to Two Months Imprisonment for the serious Offence of endeavouring to seduce Two Soldiers from their Allegiance and engage them in the Fenian Conspiracy? Having regard to the present state of Ireland, and to the frequent attempts that had been made to corrupt the soldiery, he thought their Lordships would not think the inquiry he put to Her Majesty's Government wholly unnecessary. He did not mean to say that the Irish executive Government was responsible for the sentences that had been passed upon the class of offenders to whom he referred, but he hoped to elicit from Her Majesty's Government, who were probably well informed of all the circumstances relating to the subject, some information which would have the effect of relieving the apprehension that was at present entertained with regard to the attempts which had been made to seduce the soldiery from their allegiance. Their Lordships were aware that the distinguishing feature of the Fenian conspiracy in Ireland was the attempt to corrupt the soldiery by means of agents. It might be supposed that those agents were miserable, ignorant creatures; but the fact was otherwise, for in many cases they claimed high military rank in the American army—in one case the agent styled himself a colonel in the American army. However hopeless such attempts might appear, probably there were no barracks or military stations in the country which had not been visited by these persons and had exercised their calling with more or less success; and this was the most serious feature in the Fenian conspiracy. From the efficient manner in which the Law Officers of the Crown had conducted the recent prosecutions, there could be no doubt that had sufficient evidence been procurable, those agents would have been brought to justice; but as a matter of fact they had hitherto escaped, and it was, therefore, of the more importance that where a conviction could be obtained adequate punishment should follow. He did not wish to impugn the conduct of the magistrates in the case of the man Cryan, but it was somewhat strange that they should have dealt with it summarily, for the Act 37 *Geo.* III. declared the offence of attempting to seduce solders or sailors from their allegiance to be a felony, involving sentence of death, and there was a proviso that the parties guilty of it might be indicted for high treason. That Act was contemporaneous with the mutiny at the Nore in 1797, and it was probable that some persons suffered the capital penalty under it. A statute of the same date rendered the administration of an oath, such as that of the Fenians, a felony likewise. It was true that a later Act abolished the punishment of death for felonies of this character, but high treason still remained a capital offence. It was, therefore, rather surprising that the magistrates should have adjudicated in so serious a matter. By subsequent legislation the penalty had been mitigated, and these offenders were liable to the penalties attached to what was now called treason felony. Nevertheless, in the particular case to which he had directed their Lordships' attention, the magistrates had summarily convicted the offender for the offence of attempting to seduce soldiers from their allegiance, awarding the slight punishment of two months' imprisonment, without even, so far as he knew, the addition of hard labour. It was stated by the first Minister of the Crown, on the occasion of the Suspension of the Habeas Corpus Act, that a considerable number of the soldiery had been tampered with, and the failure of such attempts was surely no reason for a lenient sentence, for soldiers, like many other people, were very apt to be carried away by a sudden impulse. Had any number of them been seduced from their allegiance in some of the country stations, it was difficult to conceive how far the mischief might not have extended, and after throwing off all the restraints of discipline any imaginable atrocities might have been committed in the neighbourhood. These agents were still continuing their attempts to create disaffection, and though one of the Ministers of the Crown had expressed a wish in another place that they would take themselves out of the country, it would to his mind be far more satisfactory if they could be brought to condign punishment. At all events, if this could not be done, the reason should be generally known; for the punishment of their miserable dupes contrasted unsatisfactorily with the escape of the principals. He hoped the Government would offer an explanation of the apparently inadequate sentence passed upon Cryan, and of the impunity hitherto enjoyed by these men.

LORD DUFFERIN said, the facts of the case as stated by the noble Lord were substantially correct. The evidence of the guilt of the man was complete, and he quite agreed that on the face of the evidence a far more severe punishment than was inflicted was deserved. The Government, however, must not be held responsible for whatever course magistrates in Petty Sessions might, in their district, think proper to adopt. In this case they resolved to adjudicate summarily, and though there was a difference of opinion on the bench as to the penalty to be awarded, the majority determined to inflict the lesser punishment to which the noble Lord had referred. He might state, however, that directly the Report of the Inspector of Constabulary was received at Dublin the legal advisers of the Crown signified their opinion that it would be desirable to have the case sent for trial at the assizes; but unfortunately, it had been already disposed of summarily by the magistrates, and the Government had, therefore, no opportunity of interfering. As to the noble Lord's question, why more of these Fenian agents had not been convicted, he was unable to give a specific reply, but he could assure him that no effort had been spared by the Irish Government to bring those offenders to justice.

THE MARQUESS OF WESTMEATH said, he was surprised that the Inspector of Constabulary, who lived on the spot, and whose duty it was to inspect the register of proceedings in Petty Sessions, did not immediately inform the Government that such a case was awaiting investigation, so as to afford them an opportunity of giving directions in the matter. If the Government had known the fact no doubt they would not have allowed the case to be dealt with as it had been. As it was the case had been treated in a very absurd manner, and the Government should hold the constabulary officer responsible for his remissness.

THE MARQUESS OF CLANRICARDE observed, that the case had not been dealt with by the constabulary at all. A military officer had brought it before the magistrates, and for the lightness of the sentence the magistrates, not the constabulary, were responsible. He quite agreed that the punishment was inadequate.

SELLING AND HAWKING GOODS ON SUNDAY BILL—(No. 121.)

AMENDMENT ON THIRD READING.

Order for resuming the further debate on the Amendment moved on Third Reading —namely, to leave out Clause 4, — (*Lord Portman*,)—read.

LORD TAUNTON gave notice that on the Motion that the Bill do pass he would take the sense of the House against it.

Debate *resumed*.

LORD REDESDALE stated that since the Bill was last under discussion a deputation of tradesmen, who were most anxiously promoting this Bill, had waited upon him, and in the strongest manner urged that it should be passed for their protection. and they stated that rather than jeopardize the measure they wished the clause relating to the police to be omitted. Under these circumstances, and with the view of securing as general an assent to the Bill as possible, he would move that the clause referred to be struck out of the Bill.

THE LORD CHANCELLOR said, he was very glad to hear what had just fallen from his noble Friend. Since the matter was before the House on the previous occasion he had felt it his duty to communicate with Sir Richard Mayne on the subject, who informed him that from the manner in which the clauses had been drawn it was objectionable; and that there was no precedent for requiring the police to interfere in the manner proposed. Under the Smoke Nuisance Act the regulations for the interference of the police were to be drawn up under the direction of the Secretary of State and the Commissioners of Police. Under the Metropolitan Police Act in case of a fair in the neighbourhood of London protracted beyond the lawful time a constable might interfere; but in no other case were the police ever to interfere except under special directions. He had suggested when this subject was last under discussion that regulations should be made by the Commissioners of Police; but he found no authority for that except in cases relating to the regulation of processions or large parties in London, or the entrance of the police into gaming houses, or doing that which would be a trespass ordinarily but might be done under the direction of the Commissioners. He thought it right to mention so much, but he was very glad it was proposed to omit the clause relating to the action of the police altogether.

LORD PORTMAN also expressed his approval of striking out the clause.

THE EARL OF ABINGDON said, he had given notice of an Amendment—

> "That the Police shall not assist or interfere in any manner whatsoever in carrying out the Provisions of this Act."

If they were allowed to interfere there would be petty vexations and interference with small tradesmen. He had seen from the police reports that the keeper of the refreshment department at the Great Western Station had been summoned by the police because he had given refreshment to a person who was not a passenger, within the prohibited hours. He could state as a fact, having inquired into the circumstances of the case, that a very large excursion train being about to start the police got into the refreshment room where they had no right to be; that they saw a person take some refreshment; they tracked him about the station till the train started; finding he did not go by the train, having come to see a friend off, they summoned the refreshment room keeper, who told him that he had been three times summoned under similar circumstances, and the magistrate decided in each instance in his favour; that he had been put to considerable expense each time; that this vexatious interference on the part of the police continued at all the railway stations, till an appeal against a conviction took place, and the matter was settled against the police by an appeal to a higher court. If the police were not restricted from interfering the result would be that the Sunday League would have their emissaries to look out for hawkers who would be taken up by the police on the pretext that they were obliged to take persons up when given into their charge. This had been done over and over again, and they would be safe from actions for false imprisonment the parties being too poor to bring them. He well remembered the breaking of windows when a Bill of a similar nature was before their Lordships, and seeing in Grosvenor Square the police assembled to protect the houses of persons who had rendered themselves obnoxious. What was his surprise when, a year or two afterwards, on taking an excursion to Windsor one Sunday afternoon, he saw one of those persons who had been mainly instrumental in putting down the bands in the parks on Sunday on the terrace listening to the band playing. He should find a similar inconsistency if he went into the house of any of their Lordships between ten and one on Sunday morning. He should probably see them enjoying a comfortable breakfast, while they would refuse to the poor man the same opportunity of enjoying that meal. He should, no doubt, also find them with a newspaper, unless, indeed, they thought it a profanity to read a newspaper on Sunday. He should, perhaps, see *The Observer* or *The Sunday Times* on their Lordships' table, while they denied to the poor man the privilege of buying a newspaper at that hour; and while their Lordships had their servants employed in preparing breakfast, boiling eggs, and cooking fish and cutlets, a poor hawker would, for selling some article, be summoned before the police court. They had heard a good deal lately about the dangers of an extension of the franchise to their Lordships' House, but he thought there was much more danger in class legislation of this arbitrary nature. He remembered, upwards of thirty years ago, a right rev. Prelate who, now from advanced years, was unable to take part in their debates, had told them "that if this House falls it will fall not from without but from within," and there never was a truer saying. It was presumed, he supposed, that the present measure would have the effect of coercing or encouraging people to go to church; but a better plan would be, instead of closing shops, to open the churches from seven to ten o'clock, and, following the example of the Royal chapels, to curtail the service, so that the poor people might be enabled to enjoy themselves afterwards. He thought it would have been much better, instead of introducing the present measure, to have brought in a Bill to repeal the obnoxious acts on this subject which were a disgrace to the statute book of a free country. On a Sunday morning the police, who ought to be employed in looking after the security of property, were engaged in a system of espionage in looking after publicans, whilst robberies were taking place throughout the country. During the week days people wondered that they could not find the police; but the fact was that they were loitering about the police courts with the persons whom they had summoned for offences committed on Sunday. He had heard it said on some occasions, "Thank God, there is a House of Lords;" but if this Bill, interfering, as it did, with the privileges of the labouring classes, should be passed by their Lordships, he should alter the phrase and exclaim, "Thank God, there is a House of Commons." He had intended to propose an Amendment to the effect that the police should not assist or interfere in any manner whatsoever in carrying out the provisions of the Bill, but, as the noble Lord had intimated that the clause would be withdrawn, he would not, under the circumstances, move the Amendment.

The Earl of HARROWBY hoped that the emphatic denunciation of the Bill which they had just heard would not prevent their Lordships from giving a calm consideration to the measure. It was one of very considerable importance to a considerable body of their fellow-citizens, who desired to abstain from Sunday trading. As the Bill was now freed from the clause in reference to the police he entreated their Lordships to look at it as necessary to cure a particular grievance. He should propose an Amendment restricting the operation of the Bill to the metropolis, on the ground that legislation against Sunday trading was specially required in the metropolis; and, in deference to the petitions of many thousands of tradesmen, who asked that the Bill might pass as a protection to themselves, he entreated their Lordships to consider whether, if confined to the metropolis, this measure would not be free from objection, and also prove a great practical remedy for a great practical grievance, checking a growing evil in certain parts of the metropolis. So far from apprehending that it would be treated with disrespect in the House of Commons he believed that the Metropolitan Members would be requested by their constituents to support it.

Lord HOUGHTON said, that the Bill was becoming "small by degrees and beautifully less," and he really did not know that there was any practical objection to the Bill as it now stood. The only question was whether it was worth while to enter into a new course of legislation for so small an object as the matter was now reduced to. He was inclined to regard the proposition to close shops during the hours of Divine service in the morning as very reasonable; but it had been brought to his notice by persons familiar with the habits of the class of society among whom the abuses against which the Bill was directed existed, that the time of Divine service with them was not the same as in that part of the town where their Lordships resided. In such localities the people attended Divine service more in the afternoon and evening than in the morning; and, therefore, though this measure might ensure external accord between different parts of the town, it would by no means give additional solemnity to the Sabbath, and impress that solemnity upon the minds of the people. Their Lordships, in legislating upon such a matter, had to do with habits and feelings different to their own, and it would not do to import their own habits into different localities, but rather to some extent to take things as they found them.

The Earl of DALHOUSIE said, he had always been of opinion that all attempts at legislation on this subject would be useless; and he believed that the object desired could only be attained by the diligent labours of zealous persons, and by bringing public opinion to bear on the subject. When he looked at the Bill he thought that the effect of it would be to proclaim to all people that, except between the hours of ten and one o'clock, Sunday trading was legal, and that consequent upon its passing into a law a great deal of Sunday trading would spring up where it did not now exist. The way to put down Sunday trading was for all employers to pay wages on Friday and give a half-holiday on Saturday. Then the poor man would make his market on the Saturday evening, and there would be no occasion for any law to put down Sunday trading, for it would put down itself. He was opposed to the Bill, because he thought it would operate in a direction contrary to that in which its supporters desired it should act. He was sure there was not one of their Lordships who was not anxious that the poor man should be secured in the fullest enjoyment of the Sunday, but that object could not, he believed, be best attained by the proposed legislation.

Lord TAUNTON said, he had hoped that, after what had passed on a former night on the discussion, the noble Lord the Chairman of Committees would have deemed it desirable that it should be withdrawn; but as such was not the case, he trusted their Lordships would not assent to its passing. He feared it would give occasion to a great deal of vexation and discontent. He had, as well as other noble Lords, he supposed, received a circular signed by a rev. gentleman, who was Secretary to the Society for Promoting the Better Observance of the Lord's Day, who stated on behalf of that Society that he was convinced the present state of public opinion on the subject with which the Bill dealt was such that far more good would be effected by leaving the course of the due observance of the Sabbath to the efforts of the clergy and the persons associated with them in the cause than by means of any compulsory interference with it by legislative enactment. As to the Amendment, by which it was proposed to limit the operation of the Bill to the metropolis, he could only say that he did not think it was one which the House ought to adopt. If legislation could be had recourse to with advantage on the question at all it would be better to have a general measure, or one, at all events, extending to the large towns throughout the country, than one whose operation would be thus restricted; because legislation so partial would tend to produce no confidence in the public mind, and it would certainly interfere very much with the convenience of the public. He had within the last few weeks been in communication with several persons on the subject, and so far as he could learn there was a great improvement in the attendance of the very poor and necessitous class, whom the Bill would affect, at Divine worship on the Sunday. That attendance, however, was not from eleven to one o'clock, when the woman of the house was occupied in domestic arrangements, but in the evening; and it would, he thought, be a very erroneous course to take to deal with the habits of these poor people as if they resembled those in that respect of the wealthier classes, who could go to church without inconvenience in the morning.

The Duke of ARGYLL said, that the Bill as it stood was quite a different measure from that which had been originally proposed, and that he had come down to the House with the impression that it was a piece of legislation too small to justify their Lordships in giving to it their assent. After the statement, however, which had been made by the noble Lord the Chairman of Committees, to the effect that those tradesmen who were from the first in favour of the Bill were still anxious that it should pass in its present shape, he could not help feeling that some practical grievance existed in the metropolis which it might tend to remedy. The chief arguments urged against the measure were based on the assumption that its object was to enforce theological opinions. He, for one, must disclaim having any such object in view. So far as he was concerned he wished to leave the observance of the Sunday to be guided by public opinion and the action of such religious bodies as those to which reference had been made. But he could not, nevertheless, concur in the view that all legislation with respect to the Sabbath was a thing to be avoided. Indeed, he was surprised to hear such a view propounded by his noble Friend below him, who was a strenuous supporter of the Forbes Mackenzie Act. He might also remind the House that the Act of Charles II. involved the principle of making exceptions introduced by the noble and learned Lord oppposite (Lord Chelmsford) into the Bill under discussion.

The Bishop of LONDON said, the noble Lord had mentioned that the secretary of one of the Societies for Promoting the Observance of the Lord's Day had stated that the Bill would probably have an injurious effect. But it should be remembered that there were several societies of the same kind, that they were not agreed upon this point, and therefore the opinion of one should not be taken as representing that of all the societies. Feeling the difficulty of the case, he had taken an opportunity which had been presented to-day of consulting a considerable number of clergy of the diocese who happened to be assembled at one of the rural deaneries. The general opinion was that though much was not to be expected from the Bill, yet some good might still be done; and one of the benefits to be expected was the defence of those poor persons who complained so much of the way in which their liberty was interfered with by those who set at nought the laws at present existing, and who insisted not only on keeping their shops open on the Sunday, but on hawking goods about the streets. It was necessary to turn from the great thoroughfares into the small streets to see how great the evil was, and what a large number of tradesmen were forced into Sunday trading, much against their will, by the competition of the hawkers. Moreover, the people dwelling in these neighbourhoods did not wish to be disturbed by the cries of those persons. His own opinion was that those best acquainted with the state of London were very anxious that this Bill, small as it was, should pass, and were of opinion that the poor especially would be very grateful for it.

LORD TEYNHAM asked their Lordships to vote against the passing of the Bill, and thus show their compassion for the poorest of the poor. The noble Duke and other noble Lords grounded their support of the Bill on the circumstance that petitions had been presented from tradesmen in favour of the measure; but he would read a few words from a letter which he had received on the subject—

> "My Lord,—It is my pleasing duty to convey to your Lordship the thanks of the Traders' and Hawkers' Committee, who at their last meeting unanimously voted their hearty thanks for your Lordship's efforts in opposition to the Bill."

There was one point in the Bill, which was wellnigh its most material element, but which had been passed over by almost every noble Lord, and that was the cumulative nature of the penalties which was most objectionable. No one could be satisfied at the Sunday trading carried on in the metropolis, but he did not believe that any public evil could be remedied by violent attacks on the pockets of the community. The best way to proceed was by gentleness and good example, and by these means they would prevail.

THE MARQUESS OF BATH held that the Amendment, as limiting the scope of the Bill, would also limit the evils which would be created by it, and he would therefore support it. But he hoped his noble Friend the Chairman of Committees, after the expression of opinion which he had heard, would consider whether it would not be the more advisable course not to proceed with the Bill at all. It was a piece of class legislation, and would inflict evil on one class exclusively. The noble Lord had called attention to the little benefit that would be conferred on the working classes by the Bill in the way of enabling them to attend Divine service, because they were in the habit of attending in the afternoon or evening instead of in the morning. But there was another point deserving of attention which had not been alluded to. The working man, especially after the labours of the week, was in the habit of making Sunday the day of rest, and of indulging himself and his family in a rather better dinner than usual. Very few working men had such appliances in their own houses as would enable them to cook their dinners at home, and therefore they took them to the cooks' or bakers' shops in the neighbourhood and brought them home soon after the hour of one. But by this Bill they would shut up the bakehouses during the very hours they were required for the comfort of the labouring classes. The right rev. Prelate (the Bishop of London) had mentioned that complaints were made by people in the back streets of the cries of the hawkers; but their Lordships should bear in mind that those hawkers would not go about the streets crying out their goods for amusement, and the fact of their going about showed that there was a want to be supplied. Though voting for the Amendment, he would vote against the Bill.

LORD LYVEDEN said, it appeared that this Bill had been brought forward at the request of a number of tradesmen who had not the courage to close their shops, and came to their Lordships to protect them. He did not approve legislating in such circumstances. In no country in the world was the Sabbath better kept than in England. We avoided at once the rigour of the Scotch and the laxity of the Continental system. He could not help thinking that there was a great appearance of hypocrisy in a Bill which did not affect either their Lordships or the Members of the other House of Parliament, or the richer classes generally, but which was entirely directed against the poor providing for themselves on Sundays.

LORD REDESDALE said, he must admit that there were reasons for confining this Bill to the metropolis. He believed that the necessity for this Bill arose from the fact that there were in many quarters of the metropolis a large number of persons of the Jewish persuasion who had no religious scruples against keeping open their shops on the Lord's Day. If this Bill effected the privileges of the lower class of persons, it would receive no support from him; but he believed, on the contrary, that it would be of very great advantage to them. They could buy what they wanted before ten in the morning; and then, if the shops were closed for the hours enacted by the Bill, they would not again be opened. By this means the traders who wished to observe the Sabbath would be relieved from a competition which was a great burden to them. He had received a letter from the secretary of a society favourable to the measure, stating that the limitation of the hours was generally approved, and that there were not two opinions as to the merits of the Bill, the opinion of the tradesmen being that it would put down Sunday trading. From all he could hear, the passing of the Bill was regarded with the greatest possible anxiety by the tradesmen of the metropolis.

Amendment *agreed to.*

Moved, That the Bill do pass.

On Question? their Lordships *divided*:—Contents 40; Not-Contents 69: Majority 29:—*Resolved* in the *Negative.*

CONTENTS.

Canterbury, Archp.

Cranworth, L. (*L. Chancellor.*)

Richmond, D.

Bristol, M.
Westmeath, M.

Bandon, E.
Belmore, E.
Camperdown, E.
Denbigh, E.
Derby, E.
Fortescue, E.
Graham, E. (*D. Montrose.*)
Grey, E.
Harrowby, E. [*Teller.*]
Nelson, E.
Powis, E.
Russell, E.
Shrewsbury, E.
Stanhope, E.
Stradbroke, E.
Strange, E. (*D. Athol.*)
Verulam, E.

Clancarty, V. (*E. Clancarty.*)

Bangor, Bp.
Gloucester and Bristol, Bp.
London, Bp.

Blantyre, L.
Bolton, L.
Colchester, L.
Crewe, L.
Egerton, L.
Heytesbury, L.
Lyttelton, L.
Methuen, L.
Redesdale, L.
Rossie, L. (*L. Kinnaird*) [*Teller.*]
Saltersford, L. (*E. Courtown.*)
Scarsdale, L.
Sheffield, L. (*E. Sheffield.*)
Sundridge, L. (*D. Argyll.*)

NOT-CONTENTS.

York, Archp.

Devonshire, D.

Bath, M.
Normanby, M.

Abingdon, E.
Airlie, E.
Albemarle, E.
Amherst, E.
Cardigan, E.
Cathcart, E.
Chichester, E.
Clarendon, E.
De Grey, E.
Ellenborough, E.
Granville, E.
Hardwicke, E.
Leven and Melville, E.
Malmesbury, E.
Minto, E.
Pomfret, E.
Romney, E.
Spencer, E.
Strafford, E.

De Vesci, V.
Eversley, V.
Halifax, V.
Hardinge, V.
Lifford, V.
Sidney, V.

Carlisle, Bp.
Oxford, Bp.

Belper, L.
Brodrick, L. (*V. Midleton.*)
Camoys, L. [*Teller.*]
Carew, L.
Carrington, L.
Castlemaine, L.
Chaworth, L. (*E. Meath*)
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Clermont, L.
Congleton, L.
Dartrey, L. (*L. Cremorne.*)
De Tabley, L.
Feversham, L.
Foley, L.
Granard, L. (*E. Granard.*)
Harris, L.
Hastings, L.
Houghton, L.
Hunsdon, L. (*V. Falkland.*)
Kilmaine, L.
Lyveden, L.
Mostyn, L.
Northbrook, L.
Overstone, L.
Oxenfoord, L. (*E. Stair*)
Panmure, L. (*E. Dalhousie.*)
Ponsonby, L. (*E. Bessborough.*)
Portman, L.
Romilly, L.
Silchester, L. (*E. Longford.*)
Somerhill, L. (*M. Clanricarde.*)
Southampton, L.
Stanley of Alderley, L.
Talbot de Malahide, L.
Taunton, L. [*Teller.*]
Teynham, L.
Vaux of Harrowden, L.
Wrottesley, L.

EXCHEQUER AND AUDIT DEPARTMENTS BILL—(No. 108.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading read.

LORD BELPER wished to know why the conduct of this Department had been intrusted to an individual instead of to a Board, and what were the duties to be performed by the Assistant Auditor General?

Moved, "That the Bill be now read 2^a."—(*The Lord President*).

EARL GRANVILLE said, the reason was that the peculiar business of this Department could be better transacted by a single individual than by a Board. With regard to the second question, it was requisite that there should be an Assistant in case of any unusual pressure of business.

LORD NORTHBROOK thought the Bill required a closer examination than it could receive in a Committee of the Whole House, as it was very important that the efficiency of the Audit of the public money should not be impaired. He would ask the noble Earl, whether he would consent to refer it to a Select Committee?

EARL GRANVILLE said, he could not give a definite answer to the question at that moment, but his present impression was that it would be undesirable to refer the Bill to a Select Committee, their Lordships having so much difficulty in dealing with particular clauses on account of the privileges of the other House of Parliament.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

THE ROYAL PATRIOTIC FUND.

QUESTION.

EARL NELSON begged to assure the noble Duke opposite, the First Lord of the Admiralty, that in asking the Questions of which he had given notice he was actuated by no hostile feeling. It was now nearly two years since the present Royal Patriotic Fund Commissioners had held a meeting, and it was generally understood that a new Commission with additional powers, which were felt to be necessary, would forthwith be issued. He had no doubt there had been difficulties in the immediate appointment of that Commission, but in the meantime, of course, the present Commissioners were answerable for the distribution of the Fund, and he therefore hoped they would shortly be called together to receive the Report of the Executive Committee and draw up the Report to Her Majesty which ought to be presented annually. He therefore begged to ask the noble Duke the first Lord of the Admiralty, (1) Whether any, and if any, what steps have been taken towards the Appointment of a new Commission, with additional powers, for administering the Affairs of the Royal Patriotic Fund? (2) When a meeting of the present Commissioners will be assembled to prepare their Annual Report to Her Majesty, and to receive Reports from the Executive Committee?

THE DUKE OF SOMERSET, in answer to the noble Earl, must first state that the noble Earl was somewhat in error, as the last meeting of the Commission took place on the 10th March, 1865, when he (the Duke of Somerset) thinking the administration of the Fund very unsatisfactory, brought the subject before the Commission. The Commissioners agreed with him as to the mismanagement of the Fund, admitting that it had been injudicious; but, at the same time, the Commissioners did not think it necessary to remove the Executive officer under whom the mismanagement had taken place. That being the case, he (the Duke of Somerset) had declined any further responsibility in connection with the Commission, and accordingly he withdrew his name from the Board. Since that time, therefore, he was in no way responsible for the acts of the Commission. With respect to the noble Earl's question as to whether any steps had been taken for the appointment of a new Commission, it was true that in 1865 he was considering the propriety of such a step, because on the large fund which had been subscribed for the Crimean war all the legitimate claims were exhausted, and in his opinion they ought to become available for other purposes connected with the army and navy. With those views he had made inquiries, and had ascertained that a new Commission could not be appointed without an Act of Parliament. The taking of that step was prevented by his own retirement from the Commission. He was still of opinion that a Bill ought to be brought in, but he did not know what steps had been taken with that view.

EARL NELSON said, he was much obliged for the answer he had received, but it had not met his difficulty. He did hear that the noble Duke had expressed his intention to resign, but did not know the fact as no meeting had taken place since. The Commissioners were in this awkward position, that there was no mode of summoning the Commission except through their President, and their President having resigned there was no one to summon a meeting.

THE DUKE OF SOMERSET said, that the late Duke of Newcastle had been

President, and it was only after his death that he (the Duke of Somerset) was requested to issue the summonses. He, in fact, never was President, and he ceased his connection with the Commission on the 10th March, 1865.

THE EARL OF LONGFORD was of opinion that the proceedings of the Commission were very unsatisfactory. It was to be hoped that some Report of its proceedings would shortly be laid before Parliament.

THE NEW FOREST.

MOTION FOR RETURNS.

EARL NELSON *moved* an Address for—

1. The Names and Quantities of the different Enclosures in the New Forest which were in existence at the Time of the passing of the Act 14th and 15th Vict. Cap. 76., and the Authority under which the same were made :
2. The Names and Quantities of the above old Enclosures since that Date unenclosed :
3. The Names and Quantities of new Enclosures made since the same Date, and the Authority under which the same were respectively made :
4. The Names and Quantities of all Enclosures now existing, with the Date when and Authority under which such Enclosure were made :

And Order for the Names and Quantities of Land in the New Forest marked out for Enclosure during the present Year by Commissioners acting under the Authority of the Act 14th and 15th Vict. Cap. 76.

There were rumours in the Forest that very large inclosures were about to be made, and he, therefore, wished to add to the above the words "or to be brought under the consideration of the Commission of Selection."

EARL GRANVILLE had no objection to the Return, but he would rather not have the words proposed to be added without communication with the Office.

Motion *agreed to.*

House adjourned at half past Seven o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, June 1, 1866.

MINUTES.]—SELECT COMMITTEE—On Railway Companies' Securities ; Railway Debentures, &c., Registry *nominated.*

PUBLIC BILLS—*Resolutions in Committee*—Industrial Schools [Expenses] ; Reformatory Schools [Expenses].

Committee—Representation of the People [68], and Re-distribution of Seats [138], adjourned debate *resumed* and again *adjourned;* Indian Prize Money * [146] ; Marriages (Sydmonton)* [167].

Report—Indian Prize Money * [146] ; Marriages (Sydmonton) * [167] ; Vaccination * [33].

Third Reading—Lunacy Acts (Scotland) Amendment * [127] ; Glebe Lands (Scotland) * [165], and *passed.*

SURVEYORS OF IRON PASSENGER SHIPS.—QUESTION.

MR. O'BEIRNE said, he would beg to ask the Vice President of the Board of Trade, What are the qualifications of the Surveyors of Iron Passenger Ships under the Merchant Shipping Act of 1854 ?

MR. MONSELL said, in reply, that the surveyors appointed to survey iron passenger steamships were required to have an actual practical knowledge of the property of iron and the mode of construction of iron ships. Before a surveyor was appointed he was obliged to produce indentures showing that he had served his time to the trade, and he was subject to personal examination before one of the head surveyors of the Board of Trade.

HYDE PARK—THE SERPENTINE.

QUESTION.

MR. HARVEY LEWIS said, he wished to ask the First Commissioner of Works, Whether his attention has been called to the practice of permitting Sheep to be washed in the Serpentine in the same spot where bathing is allowed ; and, whether it is true that last year an express promise was given that the pollution of the water from such improper practice should not be again sanctioned ?

MR. COWPER, in reply, said, the practice complained of was contrary to the regulations, and had taken place without permission.

THE CATTLE PLAGUE.—QUESTION.

MR. GORE LANGTON said, he would beg to ask the Secretary of State for the Home Department, Whether the Government have determined what compensation shall be given to owners of stock for loss on cattle slaughtered by order of Inspectors previous to the passing of the Cattle Plague Act ?

SIR GEORGE GREY: Sir, the Government are not in possession of the full information which is necessary for the decision of this question. A circular was addressed some time ago from the Privy Council Office to the different local authorities throughout Great Britain with a view to obtain information with respect to cattle slaughtered by order of inspectors between the 26th of August and the 23rd of November last, at which date the power to slaughter ceased. The information required was the date of slaughter, the place where slaughtered, the name and address of the owner, the description of animal, and, if purchased within three weeks of the slaughter, the price that had been given for it, the market value when ordered to be slaughtered, and the compensation, if any, which had been received. Of the 356 local authorities to whom this circular was addressed in England returns have as yet been received from little more than one-half; and of the 108 to whom it was addressed in Scotland returns have been received only from seven. Of the actual estimated market value of the cattle slaughtered, according to these returns, compensation to a considerable amount, approaching nearly to one-third of the whole amount, has been already received from various sources.

CATTLE PLAGUE IN IRELAND, &c.

QUESTIONS.

Mr. OWEN STANLEY said, he wished to ask the Chief Secretary for Ireland, How many cases of Rinderpest in Ireland have been reported to the Irish Government, and from which districts; whether there is reason to believe that the Lung Disease, or Pleuro-Pneumonia, is prevalent in many parts of Ireland; what system of inspection of cattle and certificate for removing them has been adopted; and if care is taken to prevent diseased cattle being passed through Dublin and other ports in Ireland for exportation to England and Scotland? He also desired information as to whether the case of a cow which had been taken from Dublin to Birkenhead and had been pronounced to be ailing, not only from Pleuro-Pneumonia, but Rinderpest, had been brought before the Irish Government and reported upon?

Mr. CHICHESTER FORTESCUE, in reply, said, there had been only seven cases of cattle plague in Ireland, and the whole of them came from three farms in a small district in county Down, near Lisburn. There was reason to believe that lung disease had prevailed to a considerable extent, both in that district and other parts of Ireland. Many suspicious cases had been made known to the Government, and in all of them the inspector had examined and reported. All but seven were pronounced to be something other than cattle plague. No case had occurred since the 22nd of last month, and he had been informed that there was great reason to hope that the cattle plague in the county Down had stopped. As to the Birkenhead case, he was unable to give any detailed account of it. So far as the Government knew, there had been no case of cattle plague, except in this particular district of the county of Down, and there was no reason to believe that the animal that was at Birkenhead came from an infected quarter. As there was a difference of opinion among the veterinary surgeons, he hoped the case might prove to be not one of cattle plague. The Irish Government had no reason to believe that there had been any cases beyond those he had mentioned.

Sir ROBERT ANSTRUTHER said, he would beg to ask the Lord Advocate, whether in his opinion the provisions of Section 47 of the Order in Council, dated 11th April, 1866, which, in some parts of Scotland, render the movement of sheep almost impossible, may not with advantage be relaxed?

The LORD ADVOCATE said, in reply, that he would communicate with the Privy Council on the subject of whether the provisions of Section 47 of the Order in Council, dated 11th April, 1866, might not with advantage be relaxed.

Sir JOHN PAKINGTON said, he wished to ask, whether Her Majesty's Government contemplate making any provision to meet the extraordinary loss and sufferings which have occurred in consequence of the outbreak of the cattle plague in Cheshire?

Sir GEORGE GREY said, he had received several deputations with reference to the cattle plague in Cheshire, and much correspondence had also taken place between the local authorities and the Government upon the subject. A rate had been made by the county; but at present not one farthing of it had been levied. Looking at the special circumstances of the case, the Government would be disposed to ask Parliament to authorize a loan on more favourable terms than those at present sanctioned by law, if they were assured that a rate would be levied.

Mr. O'NEILL said, he would beg to ask the Chief Secretary for Ireland, Whether Her Majesty's Government, with a view to the better working of the Cattle Diseases (Ireland) Act, intend to take measures for requiring all drovers and dealers landing in Ireland to submit to a disinfecting process; and whether, considering that the hay-making season is approaching, it would not be most desirable to take similar measures with respect to labourers arriving in Ireland from an infected district?

Mr. CHICHESTER FORTESCUE said, in reply, that such measures as the hon. Gentleman alluded to for the disinfection of drovers and dealers had been taken some time back by the Irish Government under the Irish Orders in Council, and all drovers and dealers and persons in any way having charge of cattle were required to submit to a process of disinfection either at the port of landing or on the steamer, generally the latter, and he believed with very great success. With respect to the latter suggestion of the hon. Member, he (Mr. Fortescue) was in communication on the point with his noble Friend the Lord Lieutenant. There would be considerable practical difficulties in extending those stringent regulations to so large a body as the Irish labourers, but it was a point worthy of consideration.

Mr. OWEN STANLEY said, he wished to know, If drovers left their infected clothes at Holyhead?

Mr. CHICHESTER FORTESCUE said, that special provision was made on that point by an Order in Council, which required drovers to leave their clothes and rugs and other articles which they carried with them, or to have them disinfected.

CATTLE PLAGUE—FORAGE FOR THE ARMY.—QUESTION.

Mr. BEACH said, he would beg to ask the Secretary of State for War, Whether it is true that large quantities of hay have been purchased from infected districts in Cheshire, and sent to Aldershot and to other places?

Mr. HEADLAM said, the contractors who supplied hay to Aldershot were liable, the same as any one else, to the penalties inflicted upon those who broke the restrictions placed on moving cattle and materials from infected districts; but he had no knowledge that what was alleged by the hon. Member to have taken place had occurred.

Mr. BEACH said, he asked the question because the report which induced him to do so had come to him on the authority of the station master at Farnborough.

Mr. HEADLAM said, the matter would be investigated, but the War Department had no knowledge of it at present.

ARMY—THE CRAWLEY COURT MARTIAL. QUESTION.

Colonel HERBERT said, he would beg to ask the Secretary of State for War, Whether any further expenses have been incurred in consequence of the Court Martial on Lieutenant Colonel Crawley being held in England than the sum of £18,378 17*s.* 6*d.*, reported to Parliament in Paper 98, dated 28th February, 1864; if so, whether he will state the amount; and whether all claims upon the part of the Indian Government or individuals have been settled?

Mr. HEADLAM said, a further sum of £1,131 12*s.* 4*d.* had been expended upon the matter in addition to the sum mentioned by the hon. and gallant Gentleman.

Major DICKSON said, he wished to know, whether any intention exists to compensate Colonel Crawley for being brought from India to be tried?

Mr. HEADLAM said, he could not answer that question.

CHILE—BOMBARDMENT OF VALPARAISO.—QUESTION.

Mr. DARBY GRIFFITH said, he wished to ask the Under Secretary of State for Foreign Affairs, What steps the Government have taken to obtain an explanation of the discrepancy which exists between the account of the British Admiral on the one hand, and of the British Merchants and the American Commodore on the other, relating to the alleged offer made by the latter to co-operate with the Admiral in resisting the bombardment of Valparaiso?

Mr. LAYARD: No such steps, Sir, have been taken, nor do I believe that the Government intend to take any such steps. No doubt the hon. Member has read the full statement of Admiral Denman as published in the papers laid on the table of the House. I have only to add that Her Majesty's Government place the fullest reliance upon such a statement coming from a British officer.

RAILWAYS CLAUSES BILL.

QUESTION.

Mr. HORSFALL said, he would beg to ask the President of the Board of Trade, If he will state what are his intentions with regard to Clause 61, affecting terminal charges, which still appears in the amended Railways Clauses Bill ?

Mr. MILNER GIBSON said, that he proposed to move the omission of the clause.

LONDON GAS SUPPLY.

QUESTION.

Mr. T. J. MILLER said, he would beg to ask the Secretary of State for the Home Department, Whether it is his intention to bring in a Bill during the present or the next Session, founded upon the Report of the Select Committee on the London Corporation Gas, &c., Bills ?

Sir GEORGE GREY said, he had read the Report of the Committee some days ago but without the evidence, which had only been issued that day. The Report contained some important suggestions and recommended that the Metropolitan Gas Act should be amended ; but as he had been unable to read the evidence, it would be premature in him to say more than that, if he saw that it would be right to give effect to the recommendations of the Committee, he would propose an amendment of the law. It would be impossible, however, without more careful consideration, to give a positive pledge. The Metropolitan Board of Works had appointed a Committee of their own body to consider the Report of the Select Committee : and, under these circumstances, it would probably be impracticable to pass a Bill this Session.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Sir WILLIAM STIRLING-MAXWELL said, in compliance with the request of the Government, he would postpone, until this day week, calling attention to the Returns recently presented relating to the office of Lord Lyon King-at-Arms in Scotland.

Sir GEORGE GREY said, he was obliged to the hon. Gentleman for so readily acceding to the request of the Government to allow the Reform debate to be proceeded with as early as possible, and he trusted that the hon. Member for Peterborough (Mr. Whalley), who stood next on the paper with a Motion for a Select Committee to inquire and report as to the origin, object, and extent of the late Fenian conspiracy, would follow his example.

THE FENIAN CONSPIRACY.

MOTION FOR A SELECT COMMITTEE.

Mr. WHALLEY said, he regretted he could not consent to postpone his Motion, but in moving it he would make very few observations. The hon. Gentleman proceeded to address the House amidst repeated interruptions and signs of impatience. His Motion was for a Select Committee to inquire into the origin, object, and extent of the Fenian Conspiracy, and especially whether, and in what degree, it was connected with any form of religious belief. What he had to say would in some degree account for the efforts the Government had made to prevent the subject being brought forward. The opinion which the Government had expressed in the Queen's Speech at the opening of the Session respecting the Fenian Conspiracy, had been entirely negatived by subsequent events. At the time the speech was delivered from the Throne, the Government had in their possession a letter from the Lord Lieutenant, stating that, in his opinion, it would be necessary to apply for a suspension of the Habeas Corpus Act ; and, notwithstanding that letter, the Government penned the passage in the Royal Speech concerning Fenianism, and stated that it was condemned by all creeds alike —a statement which it behoved them to explain to the House. In the other House, it was clearly stated by the noble Lord at the head of the Government that the conspiracy had its origin in the cessation of the Civil War in America, and Lord Derby pointed out, as he himself had often done ineffectually in that House during the last five or six years, that the leaders of the conspiracy were actually under bail for their complicity in former conspiracies, and might have been arrested at any time. The proposition which he had to submit to the House was that this Fenian Conspiracy was neither more nor less than the disaffection in another form which had existed towards England on the part of Ireland from the time of the Reformation. The present, however, was the most formidable shape in which it had yet manifested itself. In every large workshop throughout the Kingdom where Irish Roman Catholics were employed there were either avowed Fenians or sympathizers with Fenianism, ready to commit any outrages which persons in their position were capable of devising and taking part in. The Government must know this well, for within the last twelve months they had under their eyes the fires which had taken place on the banks of the Thames. If his Motion were granted he would undertake to show before the Committee what the facts really were, and the views on the subject entertained by the insurance offices. ["Oh, oh!"] In bringing forward subjects of this nature he had great difficulties to contend with from the inadequacy of his own ability, and it was unfair of hon. Gentlemen to increase those difficulties. He had no wish to be an alarmist, but for some years past the influx of Roman Catholic soldiers into the army had concentrated itself in a remarkable degree upon the artillery, a branch of the service which the late Duke of Wellington, before the days when Roman Catholic chaplains were appointed, declared ought never, under any circumstances, to bear a divided allegiance. The artillery had contributed a great number of men to be tried as avowed Fenians, and he believed that four-fifths of their number were Roman Catholics. In the police force, too, there was a large number of Roman Catholics; for Sir Richard Mayne had stated that he was far too liberal to inquire into the religious opinions of candidates for admission into that service. Of course he could only assent to the liberality, but to him it seemed exceedingly unwise that such a vast stake should be intrusted in times like the present to the keeping of men of whose sentiments nothing was known, and he believed that if a Committee were granted he would be able to prove that Romanism and Fenianism were coincident. Much information reached him upon questions of this nature, which was not communicated to other hon. Gentlemen, and he happened to know that of the great railway companies having their centres in this metropolis, two of the largest were entirely under the control of gentlemen professing the Roman Catholic religion. The telegraph office was likewise to a certain extent under the control of Roman Catholics. If, then, these Roman Catholics in the workshops, in the army, in the police, in the railways, and in the telegraphs, were really Roman Catholics—not like the Roman Catholics one saw in the House of Commons, or met in society, but men really and in earnest attached to the faith they professed—there could be no doubt that they could at any time be called on either to give up their faith, or put in exercise the power in their hands, to the utter destruction of every interest under their control or command. The question, then, was whether Fenianism was or was not of Roman Catholic origin, whether it was originated by the priesthood for their own purposes, whether we now had only temporary peace, whether Fenianism was now being bought off by a system of almost daily concessions which the Government were accumulating on the heads of the priests, and whether the danger which we were now in consequence avoiding might not shortly be renewed with increased power? It was incumbent on the Government, not only out of respect to the House, but from consideration for Her Majesty, to give some rational intelligible account of what was the origin of Fenianism, and to state whether it was not in fact a continuation of the Irish disturbances of past days? Would the House permit him to read some passages from an address of the late Sir Robert Peel? Lord Derby, in a debate on the Suspension of the Habeas Corpus Act, clearly identified the Fenian Conspiracy with previous disturbances, with regard to which no one had ever expressed a doubt that they originated with the Roman Catholic priesthood. If the Government chose to make concessions to the Roman Catholics, let them not at the same time sacrifice, on the same altar, the fair fame of the nation. But what said the late Sir Robert Peel? When he brought forward his Bill for the emancipation of the Catholics, did he say, as the hon. Member for Birmingham, that we owed a deep debt of gratitude to the people of Ireland, or that we had oppressed them? No such thing. He enumerated the various coercive measures, the various efforts made by Parliament to conciliate Ireland; and then he said, in substance, "this concession is given in the hope that we may at last conciliate that country." But the words with which he concluded his speech on that memorable occasion were worthy the attention of the House and of the nation. He said—

"I trust that by the means proposed the moral storm may be lulled into a calm, the waters of crime may subside, the elements of discord be stilled and composed. But if this expectation be disappointed, if unhappily civil strife and contention shall arise, if the differences existing between us do not spring out of a desire for equal privileges with other religious sects, but if there be something in the character of the Roman Catholic religion not to be satisfied with equal participation in privileges, nor with anything short of superiority, then, if the battle must be fought, if the contest which we would avoid cannot be averted by these means, let the worst come to the worst, and the battle will be fought, and the contest will take place on other ground, the contest will then be not for an equality of civil rights, but for predominance."

Well, had that measure "lulled the waters of strife?" Had the "moral storm been abated?" On the contrary, had it not from that time gone on increasing? In 1859 Lord Derby, speaking of the measure of 1829, said it had been in all respects a failure, so far as conciliating the Roman Catholics was concerned. His Lordship added that the power given to the Roman Catholics by that measure had only been used for purposes of disaffection. He had ventured on former occasions to point out shortly, and, as he believed, to the satisfaction of the House—well, at least he had done so to his own satisfaction—that this was the natural, and necessary, and inevitable result of the doctrine taught at the expense of the country. The Roman Catholic papers had always sympathized with the enemies of the country in the time of war, but those journals had met with no censure or denunciation from the priests. For instance, in the Crimean war and the Indian mutiny, there were numerous manifestations of that spirit. In December, 1857, an Irish paper said—

> "Whenever England draws the sword or lights the match, Ireland prays for her defeat; and at no time has she thus prayed more fervently than now, when the patriot sepoys are fighting for their homes."

In another paper, *The Tablet,* the editor "wished the Sepoys success." *The Nation* newspaper, a journal receiving its inspiration from Maynooth, called Havelock and his Highlanders fiends who dared call themselves men; and, speaking of the day appointed for fasting and humiliation, said it was a "mockery of devilworship." And the late Mr. Lucas, of *The Tablet,* writing during the Crimean war, said—

> "It is most unquestionable that, of all Her Majesty's subjects, the Roman Catholics have the least personal interest in the nation's victories abroad."

It was in the power of a few hon. Gentlemen to make it appear that the discussion of this question was distasteful to the House, but he was not aware that he was trespassing on its indulgence more than other Gentlemen were in the habit of doing. It was a fact that we paid £1,000,000 a year to enable Roman Catholics to extend their creed. He believed that Her Majesty's Government and hon. Gentlemen generally had been under a misapprehension as to the origin of Fenianism. It had been stated by the right hon. Gentleman the Member for Bucks that the Roman Catholic priesthood discouraged the movements of the disaffected population, and opposed revolutionary proceedings, as they had always done, and as became the priesthood of an ancient Church; but the right hon. Gentleman had previously expressed his belief in one of his published works that the nations which were most devoted to liberty in former ages had been unable to resist the organization of the Roman Catholic priesthood. The hon. Member, amidst loud and continuous interruptions proceeded to read extracts from the writings of the late Mr. Lucas, Dr. Manning, and from a lecture delivered by a priest in Ireland, who stated that in 1847 and 1848 England had murdered a million of the Irish people—that the opportunity of Ireland would soon come, and that every emigrant from that country carried away with him undying hatred of England—that the day of retribution would come, and that the people were being educated and prepared to embrace the opportunity when it did come. He had himself been an eyewitness of the "murder of millions," having visited Ireland for the purpose of administering relief during the famine; and on returning from his mission he entered a Roman chapel at Cahirciveen, and there he heard language similar to that which he had quoted. The priest, addressing the people, asked if O'Connell had not proved that England had robbed Ireland of hundreds of millions, and were they going to accept the mess of pottage which those miscreants — and he named him (Mr. Whalley) as one of the miscreants—and this priest advised the people to reject the money which had been sent to them as an insult. He would just read another extract or two if the House would permit him to do so.

Sir PERCY BURRELL: I beg leave to move, Sir, that the House be counted.

Mr. SPEAKER having counted and declared that there were more than forty

Members present appealed to the House and to the hon. Member for Peterborough whether it was not desirable under the circumstances, and considering the length of time that had already been spent, that he should exercise forbearance, and not proceed further with his address.

Mr. WHITESIDE said, he would mention one fact to the hon. Gentleman—namely, that the papers on this subject were being printed, and he expected they would shortly be delivered to hon. Members.

Mr. WHALLEY said, he felt he had discharged his duty in the course he had pursued, and after the appeal which had been made to him from the Chair, he had nothing further to say. He would not have gone through the subject were it not that a distinct charge had been made against him by the hon. Member for Cashel, who said that he (Mr. Whalley) had made statements which he was not prepared to justify. He had endeavoured to discharge his duty to the best of his ability, and was but too happy to be relieved from making any further statements.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

REPRESENTATION OF THE PEOPLE BILL, [Bill 68.] AND RE-DISTRIBUTION OF SEATS BILL [Bill 138.]

(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers.*)

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [28th May], "That Mr. Speaker do now leave the Chair;" and which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "this House, while ready to consider the general subject of a Re-distribution of Seats, is of opinion that the system of grouping proposed by Her Majesty's Government is neither convenient nor equitable, and that the scheme is otherwise not sufficiently matured to form the basis of a satisfactory measure,"—(*Captain Hayter,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Sir HUGH CAIRNS: Like my right hon. Friend the Member for Calne, I also desired to discover if I could the principle of the Bill for the Re-distribution of Seats, and when I saw the hon. and learned Attorney General rise to address the House I thought that although I might, perhaps, not agree with the opinions which he might announce, yet, at all events, I should hear the principle stated in words as to which there could be no mistake. I must own that in this I was somewhat disappointed. The Attorney General, following the speech of my right hon. Friend (Mr. Lowe)—a speech which it will take much more than the lapse of one night to efface from our memories; a speech which was devoted in great part to a comment upon the Bill for the Re-distribution of Seats—the Attorney General, answering that speech, did indeed at the commencement of his observations refer to the Bill. He said that he would not argue the question upon details, but that he would contend for the principle of the Bill. "At last," I thought "we are going to have the principle;" but the Attorney General only said that the principle of the Bill was its adherence to the old methods and landmarks of the Constitution. Then, he said as to details, that he intended to represent to the Government some results of the Bill with which his constituents at Richmond were dissatisfied; and having given that statement of the principle and this comment on the details of the Bill, he left the entire subject. Well, we must take what we have got, and I shall endeavour to find out if I can whether the Bill does adhere to the old methods and constitutional landmarks.

First, let me take the question of the grouping of boroughs. What constitutional landmarks have we got for our guidance in the grouping of boroughs? There is Scotland. Now, as to Scotland I must take leave to say at the outset that the English Parliament has never grouped the Scotch boroughs. The Solicitor General the other night spoke in ignorance upon this subject, and attributed this grouping to the Reform Bill. Not at all. We got the Scotch boroughs grouped at the time of the Union; and if any one will take the trouble of referring to the Act of Union, he will find that it recites a Scotch Act of Parliament, which handed over to us the boroughs of Scotland in the groups in which they have remained substantially to the present day. I say substantially because one alteration has been made. As towns such as Glasgow, Greenock, Perth, Dundee, and Aberdeen increased in size—they have been extricated from the groups to which they originally belonged, and that explains a circumstance at which the Chancellor of the Duchy expressed his surprise last night—namely, that close by Glasgow there are certain represented boroughs which have not been incorporated with that city, but belong to other groups. Now, for what purpose was it that the Legislature of Scotland grouped these boroughs? The grouping took place more than a century and a half ago, at a time when the boroughs were small and few in number, and the difficulty was to secure a borough representation. Having regard to the condition of the country, there were no other means of securing the representation of boroughs. Then take the case of Wales. The boroughs in Wales have been grouped for something like 300 years, and have continued in that state to the present day, with the exception of an unsubstantial alteration at the time of the Reform Bill, when a few additional districts were thrown in. Now for what purpose were these boroughs grouped? The object again was to secure a borough representation, because there could not have been such a representation at that time in Wales, except by aggregating the towns which formed these groups. Then what have we in England with respect to the grouping of boroughs? I know of nothing but two examples which occurred at the time of the Reform Bill, which may fairly be called grouping. I refer to the case of Penryn and Falmouth, Falmouth being added to Penryn, which was previously a represented borough; and to the case of Sandwich, to which Walmer and Deal were added at the time of the Reform Bill. There, again, the object was to secure and preserve borough representation, so that Penryn and Sandwich might be made large enough, by the addition of other places, to retain their position as represented boroughs. This, then, having always been the object of borough grouping in Scotland, Wales, and England, observe the three different modes of grouping which are practicable. You may group unrepresented boroughs together. You may take a represented borough and add to its area some adjacent borough which is not represented. Or, thirdly, you may take represented boroughs and group them together. The difference between these three operations is this:—In the first and second case it is an operation with which our Constitution is familiar, and which has been resorted to in order to preserve the borough representation; but in the third case, which is that adopted by the Bill of the Government, you group boroughs in order to destroy their representation. Taking, therefore, the test of the Attorney General, who tells us that the principle of the Bill is adherence to the landmarks of the Constitution, I find that under the name of grouping an operation is performed, which is exactly at variance with all the constitutional landmarks that we possess upon this subject.

I say, then, that the system of grouping adopted in this Bill in reality means disfranchisement, that it is new in principle, and is vicious in effect. I think I have proved that it is new; and I own that I was surprised to hear anybody deny that it means disfranchisement. The Solicitor General, however, says that it is not and cannot be disfranchisement, because these places are afterwards represented in the groups to which they are joined. Now, the test of disfranchisement is not that electors afterwards have an opportunity of voting as a part of some other constituency. If you disfranchise a borough altogether, it is represented in the county to which it belongs, and the votes of all or of many who voted for the borough are afterwards given for the county. But the test of disfranchisement is this—Do you destroy the political existence and identity of the constituency? Of course, if the question were the disfranchisement of an elector, it would be an answer to say that he retained his vote, and could afterwards exercise it in another place; but in the case of a constituency you disfranchise altogether, when you destroy its identity and its life. Well, then, I say that the proposal of the Government is not only disfranchisement in reality, but it is vicious in effect. First, let me take the question of the expense of elections. I am not going to compare the expense which would attend the representation of one of these groups with the expense of a county contest. That is not a fair subject of comparison. The representation of one of these groups must be compared in respect of expense with the representation of a borough of about the same size as the united population of the group, and I undertake to say that the expense of contesting one of these groups will be three or four-fold the expense of contesting a single borough of the same size. I will tell you why. All these boroughs have their traditions; they have what I may call their establishment expenses, their agents, their various officers, all of whom must be employed at the time of an election. A certain scale of, I will say, legitimate expenditure has become habitual in each of those boroughs, and it would be utterly impossible to reduce or depart from that scale of expenditure by the mere act of adding the particular borough to other boroughs in the group. You would therefore have a treble or quadruple expenditure incurred on every occasion of an election. And not only that, but as we heard the other day in this House, the annual expenses connected with the representation of a borough would be increased. Those sort of expenses I mean will occur not at, but subsequent to the election, which are held to be quite legitimate, which recur year after year, and the nature of which every hon. Member in this House perfectly well knows. These expenses will have to be paid not for one borough only, but for each borough in the group. In addition to that we must remember another circumstance with reference to expenses at elections. Suppose that one borough in the group has been in the habit, when alone, of occasioning a less degree of expenditure at a general election than another. I think I may say of expense as was said the other day of disease, that it is catching. You may rely upon it that if you throw into a group several boroughs with a different scale of expenditure, the expenditure of each borough in that particular group will rise to the level of the expenditure in the highest. You will therefore not only have treble or quadruple the present expenditure, but the expenditure in each group of boroughs will mount to the highest rate in any one of them. We have lately had a paper laid on our table as to the cost of elections in boroughs; and I will take from it one item which, to my mind, is more instructive than any aggregate example. It is the case of a borough which is included in one of these proposed groups. I will not mention its name—that is not necessary; but it is a borough that has not 300 electors. There was no contest there at the last election; and there is an item in the legitimate and sanctioned expenses which I would state to the House. It is this:—"Retainers, £210." There are the usual fees for the election agent, the proper professional fees, but over and above those there is this item of £210 for retainers in a borough not containing 300 electors, and that, too, when there was no contest. I say that is a very good illustration of the kind of expenditure which will be deemed legitimate in the boroughs of this description, however small they may be. The candidates will have to deal with that expenditure not in one, but in two, three, or four boroughs; and if one candidate is not willing to make that expenditure, another candidate will be; and the man who is willing to do it will be the man to represent the group. So much, then, for the question of expenses.

My next objection to this system of grouping is that it is not natural; there is no harmony between the boroughs that you put together; but as far as there can be antagonism between boroughs of this kind there is that antagonism in the case of many of the places which you group; and here I would make a remark upon the view of the Chancellor of the Duchy of Lancaster on this matter. The Chancellor of the Duchy, addressing himself to this question yesterday, said, "You make objections on the ground of geography, and of geographical difficulties in regard to these groups." And, in reply to the hon. and gallant Member (Captain Hayter), who moved this Amendment, he observed, "You assume that geographical difficulties are an objection to our mode of grouping. You have not proved that there is any valid objection in a geographical difficulty, or shown that that is any condemnation of the plan of grouping which we propose." Now, Sir, it is not very easy to discover between different Members of the Government any agreement on this question. I take the principle put forward by the Chancellor of the Exchequer on the subject of geographical difficulties, and what does he say? Why, that—

> "The second part of our proposal is to group as many of these boroughs as can be joined together with geographical convenience. It appears to us that geographical convenience forms one of the most important considerations in dealing with this subject, although the term must, of course, be understood with a certain latitude."

I agree with the right hon. Gentleman that latitude is a very good thing, especially in geography; but then the Chancellor of the Duchy tells us that geographical convenience has nothing to do with it—that if we say it has, we only assume the question and do not prove it. However, the Chancellor of the Exchequer, in speaking of eight boroughs containing fewer than 8,000 inhabitants, said—

> "In the case of eight towns, containing less than 8,000, we have not found it possible, having

regard to local reasons and geographical convenience, to form any groups."

I should like, therefore, if the two right hon. Gentlemen would settle it between themselves which is wrong and which is right on this point, the Chancellor of the Exchequer or the Chancellor of the Duchy. But I think the House will agree with me that geographical convenience has a good deal to do with the matter. I will not enter into the question of the various groups at any length, because that has been done already by previous speakers — and very effectively; but I may take one case which has been mentioned before — namely, the case of Andover and Lymington. Now, Lymington is a seaport town and Andover is an agricultural borough. We are told that they are separated on the map by a distance of thirty miles, but I am informed that in order to pass from the one to the other you must necessarily traverse forty miles, and yet these places are to be grouped together and called the Andover boroughs. Now, although the name of a borough is a very small matter where there is much that is more important than a name, yet the adoption of names is very singular in this case, because here you group places like Andover and Lymington, which are forty miles asunder, nine-tenths of the inhabitants of either one of which I venture to say never saw and never knew the inhabitants of the other, and yet they are to be termed "the Andover boroughs." Why Lymington should be called an Andover borough it passes my wit to imagine; and the same remark applies to every one of the group. Well, what is the answer which the Chancellor of the Duchy makes to that? He says there is nothing in the world better than the admixture of various classes of constituencies—that the agricultural classes occupy the one borough and the seafaring men occupy the other; and, he asks, "Is there anything inharmonious in their voting together for the election of the same Member; is it not the best thing in the world?" He says, in effect, "Why, look at Westminster. The virtue of a great constituency like that of Westminster is that it comprises every class of constituents—the trading men, the non-trading men, the professional men, the educated men, and many others; and what could be better than that they should all join together in returning the same Member or Members to Parliament." I quite agree with him, Sir, that there is a great advantage in an admixture of that kind. I admit that if, for example, you take a constituency which I will suppose to have 100 men engaged in the cloth manufacture, another 100 men engaged in the cotton manufacture, 100 more men occupied in commerce, another 100 men who are learned and highly educated, another 100 men in seafaring employment, and so on—if, I say, you could have a constituency such as that, living together in the town, knowing each other, acquainted with each other's wants, and in the habit of depending upon each other for assistance in their various avocations, then you would have as good a constituency as any one could desire. But to take 100 men occupied in the woollen manufacture of Yorkshire, and 100 other men occupied in the ceramic manufactures in the Potteries, and another 100 men of learning resident at Oxford, and another 100 men occupied in commerce at Liverpool, and another 100 seafaring men at Plymouth, and then to say, "there is nothing like a mixed constituency, and we shall therefore combine all these persons together for the purpose of returning the same Member to Parliament," is a view of the matter from which I wholly dissent. Yet that is the view of the Chancellor of the Duchy. He thinks that a set of men in an agricultural town like Honiton, and a set of seafaring men living in a seaport town like Bridport, although they may have never once seen each other or interchanged a word in their lives, simply because they would vote for the same Member of Parliament, would form a mixed constituency. I deny that altogether. The meaning of a mixed constituency is a constituency composed of men living together, conversant with each other's pursuits and requirements, and rubbing off the rough corners from each other; and such a constituency consisting of elements all of a homogeneous character is the mixed constituency which possesses a representative advantage; and not the constituency, which has no principle of cohesion but this—that you take one town here, another there, and a third somewhere else, and combine them together in order to elect one Member to this House. So much for that objection.

The next objection I take to this system of grouping, which we are told adheres to the landmarks of the Constitution, is that it leads you, in going from one represented town to another, of necessity to pass over the unrepresented towns situated in the intervening spaces over which you travel. And here I take but one instance, though many more might be given. I take Westbury, where you have a manufacturing town with, in round numbers, 6,500 inhabitants, and four miles off from Westbury is Trowbridge, another manufacturing town with 9,600 inhabitants. But you pass over Trowbridge that you may arrive at Wells, a cathedral town, twenty miles off, with only 4,600 inhabitants. And that you must do if your theory is to pass over the unrepresented towns.

Then as to the question of bribery, the Chancellor of the Exchequer argued that this mode of grouping would have some advantages, because you would have the electors scattered over certain distances, and polling at towns situate at some intervals from each other, and there would not be the same opportunities in sharp contests for the exercise of unfair means towards the close of an election as present themselves when the electors all live within a narrow space. Now, I believe that to be an entire delusion on the part of the right hon. Gentleman. There might, perhaps, have been some force in that remark a generation ago, before the electric telegraph existed. But in days when you may know the exact state of the poll in each polling district at any given point within a few minutes after the votes are recorded, there is no more advantage in having your polling places twenty or thirty miles apart than in having them all confined to one small town. It is perfectly well known throughout the day of election what progress the polling is making at any hour in any district, and if there is any desire on the part of anybody to make use of that knowledge for corrupt purposes, the opportunity of doing so will equally remain, whether you group these boroughs or whether you do not.

There is another point which I think this House should consider very gravely. I do not say that this measure affords an opportunity for arrangements with regard to groups which are politically unfair. I will not accuse the Government of any desire of that kind. But are you sure that people out of doors will not think there is something unfair in the mode in which these groups are formed, and in the manner in which these boroughs are dealt with by the Government? What did the Chancellor of the Duchy tell us last night? He said that this Bill was made to pass. What does that mean? Do you think that people out of doors will not know what that means, or that they will not put their own construction upon it? Do you think that the people out of doors will not say that the meaning of such a phrase is, that the Government in selecting the groups have had but little regard to the boroughs of their opponents, whose votes they had little chance of gaining, but that their endeavour has been to give as little offence as possible to those who sit on their own side of the House—to make, indeed, the measure as acceptable as they could to their own supporters? Now, let me ask the House to consider one or two matters with regard to these boroughs, which I think are worthy of notice. Let us see how many seats altogether are disturbed, because, even when a borough possessing two Members is deprived of one of its Members, both the seats are disturbed in the process. There are, accordingly, seventy-nine seats disturbed. Of these seventy-nine, thirty-one I find to be occupied by supporters, and forty-eight by opponents of Her Majesty's Government. That is at the line of 8,000; but let us go a step further. The line before fixed upon, as we all know, has been 10,000. The Chancellor of the Exchequer told us that his definition of small boroughs was boroughs containing 8,000, 10,000, or 12,000 inhabitants. This Bill takes the line at 8,000; but what would have been the result if it had gone up to 10,000? If I have fallen into any error I am quite open to correction; but, as I understand it, there are between the limits of 8,000 and 10,000 eighteen more seats, and of these fourteen belong to supporters of the Government and four to their opponents. Now, let us try it another way. Suppose you were to take one Member from every borough with less than 10,000 inhabitants which has two Members, you would by this process obtain thirty-nine seats, and the boroughs disturbed would be occupied, thirty-eight of them by the supporters of the Government, and forty by their opponents—a division as equal probably as it would be possible to arrive at. Again, there are eight boroughs which are not grouped, but from each of which you take one Member. But among those grouped I find nine boroughs every one of which has a population of between 6,000 and 8,000, and has two Members. These nine boroughs, which are exactly within the line, are grouped, while the other eight are dealt with in an entirely different manner. Allow me to give the House one more illustration, and it shall be the last. I will take three sets of six boroughs each, just to show the House what different treatment is accorded to different boroughs. Every one of the boroughs I have to mention have populations between 6,000 and 9,000. The first six that I will refer to are Maldon, Dorchester, Chippenham, Devizes, Cirencester, and Ludlow. These six boroughs are all of them grouped, merged, and annihilated by the proposal of Her Majesty's Government. The next six—Newport, Bridgnorth, Cockermouth, Buckingham, Marlow, and Huntingdon—are not grouped, but lose each one Member. The last six are Tavistock, Malton, Wycombe, Chichester, Guildford, and Stamford. The populations of these last six are within the same line, and yet they each retain their two Members. Now, let us see how far these three different sets are occupied by supporters or by opponents of the Government. The first half-dozen, which are annihilated, have one supporter of the Government among them. The second half-dozen, which retain a Member each, have three supporters of the Government among them ; but the happy last half-dozen, which retain their two Members each, return to Parliament eight supporters of the Government. Then, Sir, when we point out these anomalies, and ask upon what principle the Bill was framed, the Chancellor of the Duchy turns round upon us and says, in language which reminds me of the story, too familiar to be quoted, of the seller of worthless razors — "What was it made for? Why, it was made to pass." So much, then, for standing upon the old ways of the Constitution.

Now, what are the other principles announced as the principles of the Bill? The Chancellor of the Exchequer on the one hand, and the Chancellor of the Duchy and the Solicitor General on the other hand, are at variance upon this matter. The Solicitor General the other night characterized these small boroughs as worthless, on account of their being nomination boroughs, and asserted that by the passing of this measure these nomination boroughs will be swept away. Some one suggested across the table that Tavistock came within the number of nomination boroughs, but this the Solicitor General denied. Whether Tavistock, however, is a nomination borough is a matter of opinion. The Chancellor of the Duchy holds an opinion similar to that of the Solicitor General, because he says that if we left these boroughs untouched we should be perpetuating decayed boroughs. The Chancellor of the Exchequer, however, thinks differently, for he says, "My opinion is, on the one hand, that the small boroughs are not open to any charge of corruption beyond large boroughs, and, on the other hand, I do not think they are of the use I once thought them to be. The Government and I cannot therefore proceed to deal with the small boroughs on any principle condemnatory of them, but we deal with them not on account of any offence which they have committed, but because we find large constituencies not sufficiently represented. We must get Members for these large constituencies, and we cannot get them except we take them from the superabundance of the small boroughs." Which opinion, then, is the true opinion? If the Solicitor General and the Chancellor of the Duchy are right, why are the eight boroughs preserved in the schedule of the Bill? But if, on the other hand, the principle of the Chancellor of the Exchequer be the right one, what possible ground can there be for annihilating no less than forty-two boroughs, when I have shown you that thirty-nine Members can be obtained by taking one Member from boroughs with less than 10,000 inhabitants, and that this could be done without destroying the identity of any political constituency in the kingdom?

But then the Chancellor of the Duchy says that it is absurd for the supporters of the Amendment to complain that the principle of the Bill is not equitable because equity has nothing to do with the matter, and really it would seem that one Member of the Government rose simply for the purpose of answering what another had said. The Chancellor of the Exchequer, in stating that the Government had sought to make provision for the representation of large and growing constituencies, said—

> "It has been a great object with the Government to consider in what way they can most conveniently and equitably apply this principle to the small boroughs of the country."

And when, accordingly, an hon. Gentleman behind the Government moves an Amendment and complains that the proposal of the Government is not equitable, the Chancellor of the Duchy straightway declares that equity has nothing at all to do with the matter.

But I will take another view of this Bill. I want the House to consider what is proposed to be done with these seats. The first thing that strikes one as remarkable and unprecedented is the fact that with forty-nine seats for distribution, there are only ten new boroughs enfranchised—that is to say, that thirty-nine seats out of the forty-nine are assigned to existing constituencies. This raises an important question, which I venture to think has scarcely met with that full attention from the House which it deserves. I allude to the question of the accumulation of Members in particular constituencies. Do not let us be misled by the idea that the principle is already in operation. We have at present seven three-cornered constituencies, as they are called. How did that happen? We know the principle upon which the Reform Bill of 1832 proceeded. The House was called upon to disfranchise a great number of boroughs, because it was improper that they should retain the representation at all. With the seats taken from those boroughs the Bill enfranchised as many places as from their population and position were entitled to enfranchisement, and when this had been done seven seats remained over. The arrangement made was not effected as a part of the system, or with a view of introducing any new principle into the representation of the country. It is a very remarkable thing that it has never been a part of the Constitution of this country to provide for a perfect representation of minorities; but we have secured the representation of minorities in another and very effectual way, by having varied and numerous constituencies without accumulating Members in any one constituency. The circumstance that some constituencies have two Members does not proceed from any desire to give to one constituency more Members than to another. It is a curious fact that in the first Session of Henry VIII's Parliaments there were 111 boroughs sending to Parliament exactly 224 Members. Each place sent two Members, save London, which for the last 700 years has sent four. At that time a constituency sending one Member was perfectly unknown, and the practice continued unknown, I believe, until it was adopted in Wales. It was by having a uniform number of Members to represent small and large constituencies alike that the representation of minorities was secured, because the party which prevailed in one constituency would probably be in a minority in another. I might illustrate this by supposing that the whole of England was made into one large constituency returning 500 Members. In that case the majority alone would be represented. And if the whole of the Lancashire Members were returned by the entire body of town and county electors as one constituency, no minority in Lancashire would be represented. It is simply a question of degree. Exactly in proportion as you accumulate on any one constituency a number of members, and lessen the total number of your constituencies in the country, you lessen the representation of minorities in this House. Then let us observe what is done by this Bill, which, it is said, has been framed in accordance with the Constitution. It aims a double blow at the representation of minorities. It proposes to diminish the number of constituencies by seventeen, and in addition to that it gives twenty-five seats to constituencies which already have two Members. Add these twenty-five to the seven already existing and you have thirty-two constituencies on which Members are accumulated, and you have also thirty-two Members who might be made the means of enfranchising thirty-two other districts. In addition to that we have minor objections to the proposal. Any one who has observed the course of these elections, knows perfectly well that in these large over-grown constituencies a very insufficient proportion of the electors vote. Then, again, we find that the large constituencies are the most expensive, both on account of their magnitude and because they are almost sure to be contested. The smaller constituencies escape a contest now and then; but the larger ones have so much at stake, and are so much divided, that the candidate is seldom or never allowed to obtain quiet possession of his seat. Now, I must say that when the noble Lord at the head of the Government introduced his Bill in 1854, he was perfectly alive to the importance of this matter. The House remembers what was proposed by that Bill. Lord Russell proposed to create a number of additional three-member constituencies, but he proposed that each elector should vote for only two out of the three Members, in order to provide for the representation of minorities. I will not now discuss that proposition, but certainly, if you adopted the course of having thirty-two constituencies of three Members each, it would be a matter for grave consideration whether it would not be absolutely necessary for this House to provide a scheme for the representation of minorities such as that contained in the Bill of the noble Lord.

I come now to the seven remaining Members. What do you propose to do with them? You propose to give them to Scotland. But before I discuss that proposal I would express my great surprise at what fell from the hon. Member for Montrose last night, when he charged me with having said the Scotch Members bargained for those seven seats, and accepted them as a bribe to support the Government Franchise Bill. I never said anything of the sort; I never dreamt of making such a charge. What I said was this:—In the very critical division on the Franchise Bill the majority of the English Members, including those who were Members of the Government, voted against the Bill; the majority of Irish Members voted against the Bill; and the Government attained their majority of five by the votes of the Scotch Members. But it would be most absurd and unjust to accuse the Scottish Members of having given their votes upon that occasion in order that they might secure those seven additional seats, because they always vote for the Government. They are about the most consistent supporters of the Government in this House; and what I said was, that it was very natural to think that the Government, appreciating the quarter from which they obtain so much support, should desire to increase their numbers. I am not going to enter into the question of the claim of Scotland to have more Members; but I want to know why England should be held to have lost her claim to retain her present number of Members. Has any alteration taken place in the population of England, her wealth, or interests, which justifies the proposal that she should lose seven of her Members now, while in 1832 she was permitted to retain them? I believe on the contrary, that the population, wealth, and interests of England as regards representation have increased to an extent which is double in proportion to what the interests of Scotland have increased. Therefore, it is not the abstract claim of Scotland to new Members—the case which has to be made out is the expediency and the justice of depriving England of seven of her existing Members. Now, we may be told that in 1832 we gave five additional Members to Scotland; but let us see upon what grounds this was done? The question was discussed at great length in this House, and formed the subject of a celebrated Amendment which was carried against the Government of the day. In order to show the principle upon which that proposition was made, I will read what Lord Althorp, then Chancellor of the Exchequer, said—

> " We have all along stated the mode in which we intended to proceed—that is, finding it desirable to disfranchise a certain number of the smaller boroughs, the next point we had to look to was to find out places on which we could confer the franchises thus required. It was in the first instance proposed that these franchises should be given to a certain number of large towns, and by the Amendments which we intended to bring forward in Committee this number of large towns will be increased; so that I believe it will be seen that no place of proper magnitude will require further Representation. With regard to the proposed additions to the Representation of Ireland and Scotland, we have added Representatives to flourishing places in both. This is the principle that has guided us, and the only principle on which we have acted."—[3 *Hansard*, iii. 1569.]

That was the principle. Lord Althorp said we obtained our seats first, and we obtain them because we found it was necessary to disfranchise unsound boroughs. Having the seats to dispose of we looked about to see what places in England wanted them; and when we had satisfied all the claims of England we turned to Scotland, and found it was desirable to give Scotland five more Members. A very eminent man of that day, Mr. Cutlar Fergusson, an able supporter of the Government, made use of the following remarkable words:—

> " I would not sacrifice any part of the sound representation of England for the purpose of giving Members to my own country."

Now I say that was a prudent and perfectly unobjectionable mode of proceeding. If you have unsound representation in England, to which it is well to put an end, by all means put an end to it and acquire the seat; and if you can show that England does not want the seat in some other place, then you may give it to Scotland, but not before. I suppose I may be told that Scotland and England are one country. But I say that consideration must not be given too much weight. Scotland, it so happens, is happily joined with England, and I must say that Scottish business in this House is conducted with a degree of harmony and a rapidity which affords a model to the other divisions of the Empire; but, at the same time, we must not forget that Scotland is a country having separate laws, separate judicial systems, and separate municipal and social institutions; and that Scotland is justly proud of these differences, and is unwilling to relinquish any one of them. I believe that by reason of these differences of interests questions as to legislation upon one side of the Tweed and the other will be continually arising, and it must by no means be assumed that there exists that complete identity of interests between the two parts of the kingdom which would make it a matter of indifference whether Members were now taken from England and given to Scotland. So much for the mode in which this Bill proposes to deal with the seats.

I hope the House will now allow me to allude to another very important question. I have already endeavoured to show what the Bill does; I shall now try to show what it does not do. Now what was the statement of the Chancellor of the Exchequer upon the question of boundaries of boroughs? In introducing the Franchise Bill to the House, the Chancellor of the Exchequer explained why a complete measure could not be brought forward at that time, and he specified what he conceived to be all the parts of a complete measure of Parliamentary Reform. He said that one of the parts was the rectification of the boundaries of boroughs, and he made use of this remarkable expression—

> "This is a question which you cannot avoid dealing with in any complete measure of Parliamentary Reform."

It was very true that at that time he was endeavouring to frighten the House from the idea of dealing with the whole question of Parliamentary Reform in one Session. At the same time, it may be supposed that he was serious when he said that the question of boundaries was one that he could not avoid dealing with. The other night the Secretary for the Colonies accused this side of the House of having the desire to eliminate the commercial element from the county constituencies, and he said that nothing was so good as the admixture of the various elements, the agricultural and the commercial, in the constituencies. I must point out that that principle means nothing but electoral districts; the confusion of all the elements which go to make up the country, without reference to localities or to the various interests to be represented, and without reference to town or country, would simply produce electoral districts. Do not let it be supposed that I want any innovation on the Constitution. I agree with the Secretary for the Colonies as to the principle he laid down on this point, although I do not apply the principle in the same way he does. I wish to stand on the old lines and the old methods of the Constitution. You can never have a sharp line drawn between boroughs and counties, it is not in the nature of things; you need never be afraid of doing it, all the ingenuity of man could not draw such a line. I contend that you have got your borough and county constituencies, and borough and county franchises, as the Constitution has given you them; and although you cannot draw a very sharp line of demarcation between the two, I apprehend that when the Constitution gives you these different constituencies and franchises, the meaning is that, as far as reasonable and practicable, you should have separate borough and county constituencies, otherwise the difference we make is altogether unmeaning. If what the Secretary for the Colonies said is right, if for admixture's sake it is desirable to have it, what would he say to mixing up 2,000 or 3,000 agricultural electors with those of Birmingham or Manchester? If it is so good in the one case, surely it must be so in the other. I suppose it may be said there are some boroughs which include large agricultural outskirts. Quite true; but what was the reason the outskirts were thrown in? Was it to get an admixture? No; but to enlarge the area of the boroughs and to give a greater number of electors, because the area of the borough proper, under the original arrangement of boundary, did not afford a sufficient number of electors to make a proper constituency. It was not an admixture in order to combine the commercial and agricultural element. You need not be in the least anxious about the question of boundaries for the sake of admixture, because even if it were possible to draw the line sharply, you will always have a large admixture in the borough freeholders. In the West Riding of Yorkshire, a remarkable case, the total number of electors is 22,800; and in that division we find the towns of Bradford, Halifax, Leeds, Ripon, Knaresborough, with ten Members. But, in addition to that, the number of borough freeholders who have votes for the county is 6,127 out of the 22,800 electors. There are two reasons why it has become all important to deal with the question of borough boundaries now; and the first is that the population has increased enormously since 1832. A Return just laid upon the table of the House shows that the population of England has increased 43 per cent since 1832; and that increase has taken place to a very large degree in the suburbs of large towns. The second reason arises out of the alteration of the county franchise. As long as you preserve in the counties a £50 occupation franchise, the question of boundaries is of little consequence, because the franchise makes its own boundaries, the £50 occupier being generally outside the populous suburban district. The moment, however, you alter the franchise and bring it down to £20 or £14 that moment you assimilate it so closely to the borough franchise that you not only do not preserve the old boundaries, but you run the counties into the towns and the towns out into the counties; you practically obliterate the old boundaries, while you make no provision for new ones. I will mention one or two instances. In Middlesex there is a county population of 368,000, excluding the represented towns; the metropolitan population outside the boundaries is 192,000; there are 14,800 county electors, and of these no fewer than 6,700 are borough freeholders, so that very nearly half of the county electors are borough freeholders, and out of a whole county population of 368,000, 192,000 persons are virtually town population. In the county of East Surrey there are 6,700 county voters, and 2,800 borough freeholders; the county population is 209,000; the metropolitan population outside the borough boundaries is 87,500; the populations of Croydon, Kingston, and Richmond give 37,500, which, added to 87,500, gives a total of 125,000 out of 209,000. The population of the Parliamentary borough of Huddersfield is 37,000, and the town population 100,000; in Halifax, the population of the Parliamentary borough is 38,000, while the town population numbers 100,000; and the population of the Parliamentary borough of Nottingham is 74,000, while the estimated population of the town is 130,000. Let the House observe the effect of a change in the county occupation franchise from £50 to £14. In South Lancashire, at a rental of £50 and over, there are 6,399 electors, but between a £50 rental and a £12 rating (the same as the £14 rental in the Bill) there are 14,751, so that that number of electors would be added from the suburbs of the populous towns. In Middlesex, to 7,785 would be added 19,094; in South Stafford 4,949 would be added to 1,721; and in the South West Riding of Yorkshire 8,467 would be added to 3,702; and there would be the borough freeholders besides. These might be good or bad constituencies, but they would not be county constituencies. It has become too much the habit to refer to the writings of the hon. Member for Westminster and to taunt him with having changed his opinions. Far be it from me to do anything of the kind; he has spoken in this debate, and cannot, therefore, reply to me. If I read a sentence from what he has written, it is because it expresses what I desire to say in language much better than I can command. He may have changed his opinion —I do not taunt him with that—but, speaking of the Bill introduced by Mr. Locke King to reduce the county franchise to £10, he wrote—

> "If, indeed, every elector in the disfranchised boroughs, and every £10 householder in the unrepresented towns, obtains a vote for the county, by the adoption of the new Reform Bill of Mr. Locke King, these objections will give place to a still more fatal one; for such a measure would be little less than the complete political extinction of the rural districts. Except in the few places where there is still a yeomanry, as in Cumberland, Westmoreland, and in some degree North Yorkshire and Kent, there exists in the agricultural population no class but the farmers, intermediate between the landlords and the labourers. A £10 franchise will admit no agricultural labourer; and the farmers and landlords would collectively be far outnumbered by the £10 householders of all the small towns in England. To enable the agricultural population to hold its fair share of the representation under any uniform and extensive suffrage short of universal, it seems absolutely necessary that the town electors should, as a rule, be kept out of the county constituencies. And the sole alternative is to form them, or the great bulk of them, into constituencies by themselves."

I say these are wise and judicious words, and they are a strong condemnation of the Bill of the Government.

As to the unrepresented towns, we have got a Return upon the table which shows that there are in England 121 with a population exceeding 5,000 each, and making a total unrepresented town population of 1,117,000. I do not exaggerate when I say that adding the population of the unrepresented towns and the outside boundary town population, you have got an aggregate population of something like 2,000,000. The county population at present is about 11,500,000, and the represented town population about 8,500,000. If, therefore, you want to equalize the two—I do not say that you can do it altogether, but you may do so to a certain extent—take the 2,000,000 that are unrepresented from the county side of the account and put it to the town side; the better you succeed in accomplishing this, the better you will avoid those anomalies of which so much has been said. But what does the Bill of the Government do? We are told by the Chancellor of the Exchequer that he could not avoid dealing with the boundary question. The first thing it does is to provide that if the municipal boundary is larger than the Parliamentary, the Parliamentary boundary shall be extended. But for all practical purposes that provision might as well be left out of the Bill. It is all the other way at present. The Parliamentary boundary generally is very much larger than the municipal, and there are very few instances where the municipal boundary is the largest. But the Bill, or rather the statement which accompanied the Bill, went on to say that by the concurrence of inhabitants inside the boundary and of those residing in the district outside—evidenced, I presume, by a majority of the householders in each case—a memorial might be forwarded to the Queen in Council or to the Secretary of State, and such memorial having been assented to, the limits of the town so memorializing might be extended; but the extension was not to have any force until the order was laid on the table of the Houses of Parliament and had been approved of. I want the House to consider the effect of that proceeding. In the first place, I say the great probability is that it will not work at all, for the obvious reason that persons dwelling outside the boundaries of populous towns, though gladly enjoying the advantage of the position, might think it a very different matter to be called on to pay the borough rates. I should be very much surprised, therefore, to find a majority of the householders outside the Parliamentary limit agreeing with the majority inside to memorialize for an extension of the borough. But supposing the scheme did work, the result would be that you would have the inhabitants perpetually in hot water and excitement, wherever politics ran high, with regard to the extension of the boundary, not for municipal but for political purposes. According as one party happens to be in the ascendant or in the minority, you would have struggles, not at one time and then at another, but at all times; you would have a perpetual fret and sore in the borough—a continuous conflict between parties, one seeking to have a particular outside district taken in, another preferring a different outside district; you would have something like a perpetual contested election going on the borough, nominally for municipal but really for Parliamentary purposes. But that is not all. I heard objections made the other day to a Bill upon which the House was deliberating, because the examination under which the franchise was to be conferred would be held and decided by officers appointed by the Government. But what have we got in the present scheme? The executive Government are to be made the judges of the extension of the franchise by wholesale. You have got the Secretary of State and the Queen in Council—that is to say, the executive Government, and to them is to be sent the memorial, and they are to determine when and how much, and in what direction, these Parliamentary boundaries are to be extended. [The CHANCELLOR of the EXCHEQUER: It is to be laid on the table.] You say that the Order in Council is to be laid on the table of Parliament, but what does that amount to? After the matter has been argued before the Council, and after the decision has been arrived at and given by the Secretary of State, or by the Queen in Council, then Parliament is to have an opportunity of undoing what has been done already, if it can make out a case for that purpose. But practically, what has once been done outside the House in this manner is never undone afterwards. The proper mode of proceeding is to bring in a Bill, as was done in 1832, and to alter no boundary without the consent of Parliament. If this measure does work at all, what will happen? The extension and definition of these new boundaries will not take place at once, or it may be, for many years. In the meantime, these men in the outside districts will be voting in the counties; so that five years, or possibly ten years hence, you will be coming forward to transfer by an Order in Council men who have always recorded their votes in counties, and to make them voters for boroughs. It is the height of absurdity to say that a proposition of this kind should ever be seriously entertained by this House. I deny altogether the view put forward by the Secretary of State for the Colonies that the municipal test is the proper test for Parliamentary boundaries. We do not adopt it at present in the great majority of our boroughs; the whole principle of our modern legislation by our Cemetery Acts, Public Health Acts, and Local Government Acts, is to relieve large bodies of persons dwelling together from the necessity of forming themselves into municipalities with all the pomp and pageant attendant on bodies of that kind, in order to obtain the benefits of local taxation and local self-government.

But the Chancellor of the Exchequer says there is another difficulty that you cannot get over—there are no Commissioners to define the boundaries of boroughs, and no principle on which they could be defined. But if you merely take the line of continuous houses as shown upon the map, you do the great bulk of what requires to be done ; and the Chancellor of the Exchequer surely forgets what his own Bill proposes on this question. In the Re-distribution of Seats Bill I find it provided in Schedule F, with reference to Gravesend and other five towns, that the boundaries are to be the existing municipal boundaries; and the 28th clause of the Bill provides that the Inclosure Commissioners shall appoint special assistant Commissioners to examine the boundaries of these very boroughs. These Commissioners are to give the necessary notices, to receive evidence, and to make their report to the Secretary of State as to whether any enlargement of the boundaries of boroughs is necessary in order to include within the area the population properly belonging to such places respectively, and to propose new boundaries. I want to know why, if these Commissioners are capable of conducting the necessary investigations in the case of the boroughs that are named, they are not equally competent to do so in the case of other constituencies.

Well, then, can these defects in the Bill—for such I consider them—be remedied in Committee ? You have got a system of grouping which is vicious in principle ; you have got a system for the appropriation of seats, erroneous, I submit, both in what it does and what it does not do. The question of borough boundaries, which we were told could not be avoided, is avoided altogether ; and no adequate provision has been made for the case of unrepresented towns. If there can be any questions of principle, these are questions of principle ; and the Committee is not a place for construction, it is a place for amending a Bill the general outline of which you approve. I have no right, in my position, to offer advice to Her Majesty's Government, but I think I may venture, with great humility, to ask the House to consider what is the position in which it finds itself. Upon questions of this kind there are two rights which the House of Commons unquestionably possesses. We have a right—especially on a question the most important and the most difficult that has come under our consideration since the Reform Bill of 1832—to have a complete measure ; and secondly, we have a right to full and ample time—independently of that annually allotted to the ordinary business of Parliament—for considering the details of the measure. These are rights given us, not for our own convenience, but for the benefit of our Constitution and for the welfare of the country at large, and it is for us to see that these rights are not infringed or diminished. What is the position of the Government ? I will not say a word to find fault ; I will merely state the facts as I understand them to be. After a silence of five years, the Government resolved to bring in a Reform Bill, and, as far as our information reaches, a space of three months—it could not be more—was taken for procuring statistical information and preparing the measure. That measure should have been a good and complete one, and ought to have been submitted to the House at the earliest period of the Session. In place of that it was not introduced till the 12th of March, and then, instead of being a complete, it was only a partial and imperfect measure. That may have been an accident, or it may have been, as some suppose, an adroit manœuvre ; but, at any rate, it was an error, and the Government have since admitted it to be an error. [The CHANCELLOR of the EXCHEQUER : No !] I think it was an error because we have lost nearly three months in discussions arising out of that imperfect measure, and at last the Government have done what originally they refused to do, they have submitted what they call a perfect measure to the House. It therefore appears that the Government must have perceived the error which they fell into in the first instance. Well, after the House had shown their desire to have a complete measure, the Government took twelve days, and then produced the Bill for the Re-distribution of Seats, a Bill of which no one, as far as I know, approves, which most persons ridicule, and which is directly at variance with the opinions of the Prime Minister, published no further back than the month of August last. If under those circumstances —if in twelve days fifteen Gentlemen had agreed in the Cabinet and produced anything like a complete measure of re-distribution, I think it would have been nothing short of a miracle; but the Government have performed no miracle. [The CHANCELLOR of the EXCHEQUER: What twelve days?] The twelve days to which I refer were the days that elapsed between the critical division—a little before which the right hon. Gentleman said that a Seats Bill would not be produced—and the introduction of the Re-distribution of Seats Bill. But if the Government likes, I will say eighteen days, or I will even give them six more. That, however, matters very little; but there are very great mistakes which—the House will permit me to say it—I think the House of Commons might make in this matter. One is, that we should be driven into passing a hasty and imperfect measure on this subject, merely to escape the reproach of the doing nothing and for the sake of saying we had done something. Now it might be said *cui bono* should the Bill pass this year? but that question does not represent the whole of the mischief, and I would ask the House to consider the evil which would arise from passing this Bill now, even if we were prepared to pass it. Now, let us see what would be our position. Here is a Bill which cannot come into operation in any of its provisions till after June, 1867. There can be no action under this Bill till after that time. Well, as far as the operation of the measure is concerned, there would be abundant time to pass it before July next year, when notices would be given of registration. But look at the position in which we shall be placed if we pass this Bill. The hon. Member for Birmingham, before Parliament assembled this year, when arguing that it was advisable to bring in a Bill for the extension of the franchise, but which would not touch the question of re-distribution, said that after the passing of such a Bill, you would still have the old constituencies, and that there would be no occasion for a dissolution consequent on the Bill having become law. Now, I do not think that was a sound view; but it was an admission on the part of the hon. Member for Birmingham that if you passed a Re-distribution of Seats Bill, the power of the Parliament would be at an end, and you must have a dissolution. But now, if we pass this Bill for an alteration of the franchise, and also a Bill for a re-distribution of the seats, what will be our position during the next Session—during the months of February, March, April, and May, next year? Does the Attorney General mean to tell me—and my hon. and learned Friend states that he wishes to adhere to precedents—that Parliament can continue to exercise its ordinary powers and functions after the constituencies which elected it are condemned? ["No!"] Yes, I say condemned; for though, under this Bill, they would not be condemned to the same extent as the constituencies of the country were in 1832, the difference is only in degree, because the Bill attacks between forty and fifty boroughs and about seventy-nine seats. Now, suppose this Bill to pass, and that next year, when we come to re-impose taxation, it should be necessary—which may God forbid—that there should be new taxation, and that there should be a very strong feeling out of doors on the subject of such taxation, I say it would be impossible that this House, condemned in its composition, and returned by constituencies which had been condemned, would be capable of legislating on such a subject. And what are you to do? Can you get a new Parliament? No; because your preparations for electing a new Parliament cannot begin till after June next year. The consequence is, that you paralyse Parliament for six months, nay more, you deprive the country of a Parliament during the whole of next Session; because the moment you come to legislate on a question which excites the country, the country will turn on you, and tell you that you are no longer their representatives.

I want the House to consider another thing. Suppose you pass this Bill, which cannot be acted upon till June of next year; after that time it may be supposed the groups will be formed, the boundaries re-arranged, and the new constituencies got into order; but, of course, at the end of next Session there must be a dissolution. What a happy twelve months you will have of it in the meantime! In this new Parliament, I wonder how many Members there are who liked the six months they passed before the last election? but the expense and trouble which they were obliged to submit to during that interval were but trifling when compared with what they would have to endure if this Bill should pass. Pass this Bill; you announce a dissolution for the autumn of 1867, and the canvassing of the new constituencies will commence. The right hon. Member for Calne told us last night that the Government wanted us not only to commit political polygamy but to marry four widows. But the tender mercies of the Government do not stop there; they are cruel, and impose exquisite torture on the Members of this House, for they not only compel us to marry four widows but sentence us to a compulsory courtship of the four widows for twelve months, and compulsory courtship in the face of a rival. You are not to be left to court alone, and the courtship will be a more expensive one than any you ever undertook in your life. Another mistake, I think, would be made by the House if we passed a hasty and ill-considered Bill for the purpose of what is called "settling the question." The Attorney General thinks you ought to settle it for at least thirty years; but I doubt whether the most sanguine admirer of this Bill, based as it is upon numbers, can imagine that it would settle anything beyond the period of the next census. In 1871, on the principle on which this Bill is founded, the census then to be taken would upset everything settled by this Bill. I want the Attorney General to answer me this—does he think this Bill, in his view of the question, would settle anything beyond the period of the next census? My hon. and learned Friend says he is a convert to household suffrage. To that he thinks we must go sooner or later, and he is prepared to go to it at once. The hon. Member for Birmingham wishes to keep within the lines of the Constitution, and he, likewise, is for household suffrage. But the Member for Birmingham, I must say, stands on different ground at different times. The last time I heard him on this subject he quoted the opinion of Lord Somers, who, he said, was one of the builders of our Constitution, and who maintained, so alleged the hon. Member, that a vote is the birthright of every Englishman. He was for Lord Somers and universal suffrage then; he is for Serjeant Glanvil and household suffrage now. The Attorney General and the hon. Member for Birmingham are agreed—both are for household suffrage; and suppose that the Bill should pass, and that after it had passed the hon. Member for Birmingham or any other person should commence an agitation for household suffrage, would the Attorney General say, "I condemn this agitation and I will not join in it?" I know my hon. and learned Friend has a facility for persuading himself of many things, but I want to know what answer he would make if, after this Bill passed, some persons should say, "It does not go far enough, you said you were prepared to go the length of household suffrage. If it is a good thing the demand for it must be right, and we call on you to join in unsettling what has been settled." I should like to know what answer the Attorney General would make to such a request as that. The truth is you settle nothing by this Bill, but you create greater anomalies than any which exist in the present representation. In passing this Bill you would act as if you were to pull your house about your ears in consequence of the careless manner in which you attempted to repair it.

Sir, we have heard something in this debate about hypocrisy. Now I confess I do not think the Government gain much advantage by charging those who differ from them with hypocrisy. I should, indeed, have supposed that any Member of the Government who took a retrospective view of what has been the conduct of the Members of the Government during the last five or six years—since 1859—in respect of this question of Reform would have thought twice before he taunted anyone with hypocrisy. But, at all events, let us be careful not to expose ourselves to the charge of hypocrisy in respect of this question. If you think this is a wise, well-matured, well-digested measure of Parliamentary Reform, by all means let it pass; but if, on the other hand, you think and believe that the wise, the statesmanlike, and business-like course to pursue would be to take back the Bill, to prepare your borough boundaries, to complete your statistics, and to renew it at the beginning of next Session, as a complete, well-digested, well-matured measure, then I say do not let us be guilty of what would be rank and fatal hypocrisy, indeed, by refusing to sanction by our votes an Amendment which we know in our consciences speaks nothing but the truth.

MR. ACLAND said, it would be presumption in him who had not that legal training of which the last speaker was such a bright example to follow him through all his statistics and all his able argument. But the hon. and learned Gentleman had touched upon some principles which would form the foundation of the observations he meant to address to the House. After hearing the remarkable speech which had just been delivered, he could not say that the question of grouping alluded to in the Motion of the hon. and gallant Member for Wells, had been evaded by the hon. and learned Gentleman; but, at the same time, he was of opinion that the speech ought to have been delivered, not on the present Motion, but when the Bill had gone into Committee. Turning to the Amendment of the hon. and gallant Member for Wells he found that it contained three propositions. It was a condemnation of the Bill as inexpedient, unjust, and incapable of improvement. He assumed that the Bill was so opposed to the general principles of equity that it ought not to be allowed to go into Committee, for there was nothing in the Bill which by the exertions of both sides of the House would issue in a satisfactory measure. At the same time the hon. and gallant Member refused to discuss the Bill, except in the most vague and general terms of condemnation. Now as an independent Member, and no further interested in the matter than from his sincere attachment to Reform, he must protest against this attempt to stop discussion in the House. After all that had been said about the unanswered and unanswerable speech of the noble Lord the Member for King's Lynn—which he (Mr. Acland) thought was an able speech but not unanswerable—it might be presumption in him to say that he was prepared to defend the Government measure. But he had never had a doubt as to the course to be pursued. Before the hon. Member for Birmingham made his speech to his constituents—before the Government had announced their intentions on the subject—he had made up his own mind that the one object that Reformers ought to aim at during the present Session was the expansion and extension of the franchise downwards as well as in a lateral direction. That was not a condemnation of the existing constituency—extension was not condemnation. The hon. and learned Gentleman was so accustomed to Courts of Law that he could not consider this question except in a legal and judicial spirit, and he regarded the extension of the franchise to the working classes as a condemnation of the present constituency. He could not forget what occurred just before and after the dissolution. He thought the Government had acted wisely in not attempting to excite the country at the last election by a cry of Reform, and in leaving that subject to the discretion of individual Members. But when the feeling was manifested in favour of Reform the Government at once faced their responsibility, and told the House plainly that the subject should no longer be trifled with. A considerable quantity of young blood had been introduced into the Government, which had gained the assistance of Members distinguished for the interest they took in the question of Reform. Well, the Government were of opinion that the different branches of the subject could not be dealt with all at once, and accordingly introduced the Franchise Bill, which was opposed by a considerable portion of the House, including some hon. Gentlemen who usually supported the Government. When the House showed its wish to have the whole question before them, the Government said, we retain our opinion, but if you seek for further information as to our intention we will give it. And then there were shouts of derision and of reproaches raised against the Government for being so weak as to yield to the House of Commons. But there was one point at least on which they were firm. They would not allow this question to be overclouded with irrelevant details, but determined to stand or fall on the decision of the question whether or not the electoral system should be expanded. He looked, for his part, on the re-distribution of seats as a very unimportant point. But he must say that the whole course of this debate showed that hon. Gentlemen opposite were unwilling to put faith in the people of this country. Hon. Gentlemen opposite had shown no confidence in the Constitution. Throughout the whole debate it had been with them simply a question of sight, and, he must add, of extremely shortsightedness, and he had no sympathy with this view of the matter. [An hon. MEMBER: Nor have I.] He did not doubt that there were many hon. Gentlemen opposite who agreed with him in disliking this narrow, short-sighted manner of regarding the question, and he considered that it was a point of great importance to separate the one class from the other, and to induce, if it was possible, hon. Gentlemen opposite who desired to treat this question in a fair and reasonable manner, not to suffer themselves to be made cats'-paws of by those who held other principles. He complained that the Opposition had refused to discuss the question of the franchise, but threw all their energy into an entirely irrelevant question, upon which they forced the division to take place. By the result of that division they obtained what they wanted. The Re-distribution of Seats Bill was brought in, and they assented to the second reading, and now they would not let the House go into Committee. ["No!"] Well, but they knew they would not. On no condition would they permit it. The whole organization of their party would be brought to play for the purpose of preventing it, so long as they suffered their leaders to pull the strings for them. This was shown by the readiness with which they had been engaged in vague discussions on education, bribery, and other abstract questions, all of which was only a little more of the darkness and fog of the cave into which they had been dragged. The opinions of those who had spoken on that subject from the opposite Benches were remarkable for a fearful, timid suspicion of the upper rank of the working classes, and for a shortsighted determination to retain the exclusive preponderance of the landed interest, and to increase it, if possible, in the county representation, because of their mistrust of the independent middle class. The distinctive principle of the admirable speech of the right hon. Gentleman the Member for Buckinghamshire was, that the county constituencies should be a territorial oligarchy, an exclusive and distinctive class representation. He (Mr. Acland), as a county Member, and one who had worked hard in the agricultural interest, ventured to assert that this was the most dangerous principle he had ever heard enunciated by a county Member, and he believed that if the right hon. Gentleman was less of a *litterateur* and more acquainted with the feelings of the county populations he would not have given utterance to such a sentiment. He would further say that hon. Gentlemen opposite were divided against themselves, and he believed that they dared not discuss the details of the Government Bills. They would not distinctly say whether they would be content with a borough franchise of £8 and a county franchise of £20. They were, in fact, not agreed between themselves on these points. Among them were not a few of what he might call *viri consulares*, men who had for a short time held high office—not unworthily in many cases—and they were now anxious to come into office again. But seeing that the Government had nailed their colours to the mast, they seemed determined, if possible, by all the strategy that could be devised, to turn out the present Ministry and step into their places. This was the real position, though he yet hoped that, by the assistance of those hon. Gentlemen opposite who really desired to see this question settled, Government would succeed in defeating the present Motion. He was surprised, indeed, that hon. Gentlemen opposite should be led by a young Member on that (the Ministerial) side of the House into the support of an Amendment that would not ultimately turn out to be either for their true interests or their honour. He believed, as he had said, that those who sat on the front Benches opposite did not desire a settlement of this question, but he was prepared to make a humble representation to them. He did not speak with authority, or in anybody's name but his own, though he had mentioned the matter to many of his private friends, some of whom approved of it while others regarded it unfavourably. Now, it appeared to him that this question could only be settled by the assistance and goodwill of hon. Gentlemen opposite, and that something in the nature of a compromise was quite necessary if this Bill were to pass. Of course the Liberal party, having a majority of seventy according to their own profession, were anxious that it should not be diminished; but he confessed that he would be glad if some hon. Gentlemen calling themselves Liberals would act in a manner more consistent with their professions. Now, any possible compromise must involve two points. He did not know what the Government might do, but speaking as a Member of the Liberal party, he did not think it could fairly be asked to concede the £7 borough franchise. He could not see that it would be for the honour of the Government to ask hon. Members below the gangway to concede this after the sacrifice they had already made of so many of their opinions and wishes, and perhaps their whims, on this question in order not to embarrass or delay the settlement of it. He would deprecate, too, the adoption of the views of the right hon. Gentleman the Member for Buckinghamshire in reference to the county constituencies; for he, for one, could not consent to the extraction of the urban element out of the county constituencies. He did not think any class could long maintain their influence in this country if they stood apart from the rest of their fellow-countrymen. The hon. and learned Gentleman who had last addressed them, when he was treating of the question with regard to the swamping of the county constituencies, had given them the examples of Middlesex and North Lancashire, and five counties that were eminently manufacturing counties. But he should like to ask whether one of the hon. Members of the House who was specially distinguished for his responsibilities in private business did not sit for one of those counties—he referred to the hon. Member for North Lancashire. That hon. Gentleman was a sample of the men whom great counties, combining manufacturing and agricultural interests, sent to Parliament, and who did more than any other class of Members to sustain the character and honour of the House. Well, then, these two points he could not concede—the £7 franchise, and the existence of the urban element in county constituencies. He would not attempt to follow the hon. and learned Gentleman into his detailed objections to this Bill ; but so far as he (Mr. Acland) was able to form an opinion it appeared to him that this Bill followed the principle of the Reform Bill of 1832, and recognizing the proportionate advance of the great interests in the country without materially altering the number of Members of the House provided for the wants of the great constituencies. The principle of grouping was not then before the House, and it was simply an attempt to turn the House away from the real question at issue. Without being prepared to say that the groups submitted in the Bill were defensible, he must say that the arguments of the hon. and gallant Member who had proposed the Amendment proceeded on a series of assumptions. Now he (Mr. Acland) would suggest, although it was not strictly the question before the House, that as Ministers maintained the urban element in the agricultural counties, they should be prepared, if the other side should be of that opinion, to introduce the agricultural interest in the small towns. That was the course pursued in the first Reform Bill. But he might be told that was not a parallel case, because the boroughs were not introduced then to improve the constituencies but for the purpose of preserving them. That was the principle of this Bill. It proposed to preserve existing boroughs instead of disfranchising them. Wells, with its small population, had no claim to representation in the face of the demands of large towns, but grouping it with some other place would be the means of preserving it. By moderately extending the area of these boroughs, and introducing the agricultural element into them, they were doing two things. First, they were preserving an important element of the Constitution ; and secondly, they were indirectly tending to improve the constituency—because after what had been said about grouping with a view to check bribery, he lived too near Totnes to believe they could drive it out of that borough. Three shoemakers in that borough he had heard had received £1,000 for their votes, and the very place stunk with bribery. Whether just or unjust he could not say, but the general opinion with regard to Totnes was, that the boundary was drawn to serve a particular interest, which was a great misfortune. There was a constant wrangling going on there ; benevolent objects could not be carried out in consequence, and the overshadowing influence of bribery and corruption went at the root of the society and business of the whole place. He did not wish to mention all he knew about the boroughs of the West of England ; but it was a well-known fact that men of moderate fortunes could not show their faces in them through the overbidding of millionaires. They stuck at nothing, and there was always an attorney ready to do their dirty work. Rather than keep these foul boroughs he thought it would be much better to group them, and introduce a mixed constituency. He deeply regretted that by this Bill, if the House did not decide that rural constituencies should be connected with certain boroughs, a very worthy class—the country mechanics, tradesmen, and other residents—would be excluded from the franchise. He thought it was of the greatest consequence that the independent members on both sides of the House should endeavour to take the question out of the hands of party leaders and the drill sergeants on both sides of the House. He regretted to find that one hon. Member, who had made himself conspicuous by his talents, was at all times subject to the sneers of hon. Gentlemen opposite ; and he must say it was a shame and a disgrace to the House the name of the hon. Member for Birmingham should be so frequently used as a term of obloquy. They were told that the right hon. Gentleman the Chancellor of the Exchequer was a humble pupil and follower of the hon. Gentleman the Member for Birmingham ; that the hon. Member dictated to him what he should do with regard to the question of Reform ; but if they compared the scheme which the hon. Gentleman propounded in 1859 with that introduced by the present Government, they would find there was no truth in the assertion. The hon. Member for Birmingham proposed to disfranchise fifty-six towns and partially fifty-one others, and out of the seats thus to be gained he proposed to give eighty-seven to large towns and eighteen only to counties. And if the answer was that the hon. Gentleman the Member for Birmingham had become wiser, it was no great reproach to the hon. Member. And if he had become a more practical statesman his name ought not to be mentioned with obloquy to point a sentence and give a sting to an antithesis by an opponent. What they had to consider was how they could extend the franchise and correct to a moderate extent the existing anomalies in our representation. By this Bill it was proposed to give an additional Member to the county of Devon. Now, that did not influence his vote, because he did not see the necessity of adding one member to the counties, though as it had been proposed he had no objection to support that view. They wished to disturb as little as possible the existing framework of the Constitution, provided they were allowed to recognize the existing wants of the country. He, for one, approached the settlement of this question in a spirit of confidence in his fellow-countrymen, both in high places and in low, satisfied to leave the result to be tested by the judgment of enlightened public opinion.

Mr. BAILLIE COCHRANE said, after listening very attentively to the speech of the hon. Gentleman who had just sat down, he was quite at a loss to discover whether the Government would congratulate themselves on having him as a supporter of the Bill or not. Whilst he gave a general support to the Bills of the Government, he found so many faults with them, and spoke in such harsh terms of the Government itself, that it might almost say, "defend me from my friends." The hon. Gentleman made one extraordinary remark. He said the Opposition wanted to prevent the Bills from going into Committee, because there was so much discretion among its Members. It was an extraordinary thing to hear Gentlemen on the Liberal Benches talking of discretion on the matter of Reform. He had listened to the debates on this question, and no two Gentlemen opposite seemed to agree with reference to the measure, unless those personally connected with the Ministry. The hon. Gentleman complained of the protracted nature of the debate; he thought the Government had themselves to blame for this state of things. The House had never yet had a debate on the whole question. The question that was debated some time since was the question of confidence in Her Majesty's Government. That was quite a separate question from the question of Reform. They might have a general confidence in Her Majesty's Government, and have no confidence in the Government on the question of Reform; indeed, that was the more natural, because it was perfectly clear, from all they heard, the Government had no confidence in the measure themselves. When a great question was raised for discussion before the country and the House some epithet was usually attached to it—it was called great, comprehensive, liberal, or the like, and this had been emphatically called honest. He, however, thought that on the other side Gentlemen had protested about their honesty too much. The question arose, what were the characteristics of an honest measure, and he would deal with these two Bills as one whole. An honest measure should be the temperate decision of wisdom, the temperate result of profound conviction on the part of the Government. In the second place, it should have a fair prospect of being a final measure; and, in the third place, it should be discussed on its own merits, and not be attempted to be carried by the process of intimidation or menace. Upon every one of these points the Government measure was unsatisfactory. He did not believe the Bill was the result of the conviction of the party; it had not a prospect, if carried, of being a final settlement, and the measure had been a great deal too much forced on by intimidation and menace. Even at a very recent period the hon. Member for Birmingham menaced them with telling them of the force that would be used if the Bill were not passed. Was it an honest measure, or was it viewed as an honest measure in the House? He firmly believed that if they were to ballot on this measure they would not be able to get fifty men in the House to vote for it, and that was the opinion of one of the most extreme Liberals in the House, and one who was known for his liberal opinions—liberal among the Liberals. That hon. Gentleman, whom he saw opposite, told him (Mr. Baillie Cochrane) himself that if they ballotted on the question, not fifty Members would vote for the Bill. No doubt the hon. Member would confirm this if he spoke. He (Mr. Baillie Cochrane) did not wish to indicate who the hon. Gentleman was.

[Mr. WHITE: Hear, hear!] As the hon. Gentleman had now called the attention of the House to himself, no doubt he would confirm that opinion hereafter. They had heard different arguments in favour of the measure, and he must go somewhat fully into the subject, as it was one of vital importance to the country, and which would have the effect of changing its entire Constitution. They heard it said, how could a measure be so mischievous as that was described to be, when it had the support of the great aristocratic families. It was said, could it be supposed that those connected with the great landed aristocracy of the country would support a measure fraught with such fatal consequences. He should say so, too, had not history been written for their learning. Take the history of the French Revolution. What did Louis Blanc say, "Long before the people attacked the crown, the nobility defamed it." And take the history of our own Revolution. Did not Wentworth say that the landed interest was the first to move in Revolution? They never intended to go so far; they intended to make use of the people for their own object. They thought that when they liked they could resist the movement of the people and say, so far but no farther. He thought the argument that these constitutional changes were supported by the great families who had so much to lose was no argument at all, because party feeling and the prejudices and passions of the hour often overshadowed the greatest interests, and led men to adopt principles in defiance of their scruples. The hon. Gentleman who had just sat down had accused the Opposition Members of a mistrust of the working classes. He could say for himself—he thought he might speak for others and say—they had no mistrust of the working classes, nor were they afraid of giving them power. But what they did distrust was, those who led, or rather misled, the working classes. They mistrusted that organization by which those classes were made use of for purposes most prejudicial to the institutions of the country. He wished the House and the country to consider the grave importance of the organization now existing in trade societies among the working classes, and he thought it was strange that this subject had only been once or twice alluded to in the course of the present debate. He believed that if manufacturers dared honestly to express their opinions they would say that, in consequence of the organization among the working classes, they dreaded Reform. He was in Glasgow the other day, and he there saw five or six leading gentlemen, all great Liberals, who said that unless Mr. Bright went down and made a speech they never could get up a Reform meeting. They added—

> "We dare not say it before our workmen, but we would look with perfect terror upon the future if this Bill were carried."

He held in his hand a curious work, which perhaps no other Member of that House had seen. It was printed for private circulation among the leaders of the trade societies, and contained the laws and rules of the Metropolitan Operative Bricklayers, the Friendly Society of Operative Masons, the General Society of Operative Plasterers, the Pimlico Society of Carpenters and Joiners, the National Association of Carpenters and Joiners, and the Accident and Burial Society of Labourers. It appeared from that work that the number of persons who were members of these societies was as follows:—The bricklayers were 17,000 in number; the masons, 85,000; the plasterers, 18,000; the carpenters and joiners, 177,000; giving a total of 310,000 of the working classes in those trades alone. Of that number there were 270,000 who had joined the trades unions and remained under the influence of the terror which those unions exercised. According to the laws of the masons' society, the local lodges throughout England and Wales had power to make their own bye-laws and regulations, but subject to confirmation by the central society, whose seat of government was the metropolis. One writer on the unions said—

> "A great manufacturer knows that there is a power against which his power and influence are unavailing, there is a control which he himself must implicitly obey, there is an unseen hand that guides and directs; he knows that were he to go among the homes which folly and injustice have rendered desolate he would be met with the reply—'There is no quarrel, but we dare not disobey the union.'"

Now, when they were going to give electoral power to the working classes, it was important to know the rules of these unions, and under what control and discipline the people found themselves. The men who would not join the union were "ticketed," or marked men; they were put upon a black list or "scab" list, as it was called, and were followed and watched, and put to every possible inconvenience and annoyance. This was one of the rules of the masons of London and the vicinity—

> "Should any mason work under the current wages of London, which are *5s. 6d.* per day, and be considered by his shopmates qualified to receive *5s. 6d.* per day, he shall be deemed 'black' and fined £2."

If he works after the appointed hours without receiving "time and half" he is fined 40*s*. If he be known to work piece-work, except on granite, curb, or York paving, he is to be fined 40*s*. It is added that—

> "It is hoped that all whom it may concern will think seriously before violating the above."

But what would the House think of this with respect to "members on strike?"

> "Where a strike has been sanctioned by this society, and a member performs any kind of labour during the strike he shall be fined"—what did the House think?—"not exceeding £5, the sum to be paid in a month."

A gentleman of great influence and importance wrote as follows:—

> "It is a painful and humiliating reflection to think that the working classes, of all men else whose interest it ought especially to be to better the state of society, since they get the least share of its best fruits, should be so determined to stop the growth of capital, out of a spirit where jealousy, envy, and plunder are variously proportioned. There may be a rich man here, and another there, who have accumulated money by the force of sober and industrious habits, since the time they worked as journeymen. 'They are robbers,' say your leaders, 'for a great portion of what they have ought to be in your pockets,' and so you are instructed and tempted to hate those who receive the esteem of all good men, and are an honour to the nation."

The writer was no other than Mr. J. Stuart Mill. He (Mr. Baillie Cochrane) had no mistrust of the men themselves. He did not believe there was a better class of working men to be found in the world than the working men of England; but there was an organization of terror spread over the land which might be used by the leaders of the movement. A few days ago at Leeds several of the workmen of Messrs. Croisdale, Brothers, dyers of that town, were charged with intimidating some of their fellow-workmen. A short time back nearly all Messrs. Croisdale's men struck in consequence of the refusal of the firm to allow them to leave off work at two o'clock on Saturdays. Two men, named Stones and Rodley, who did not take part in the general movement, were set upon and savagely beaten and kicked. Their injuries were of a very serious character, and a participation in the assault having been brought home to five men, named Calvert, Wilkinson, Cullon, Davidson, and Richardson, the first-named was sentenced to three months' imprisonment with hard labour, the last-named to one month, and the remainder to two months. He would now read the House an order of the day issued in the Staffordshire potteries—

> "You are strictly cautioned not to overstep good rules, by doing more work than you are required, in order to obtain the approval of your masters; such foolhardy and deceitful actions keep a large portion of good workmen out of work. Certain individuals have been guilty of this, and will be expelled if they do not refrain."

Certainly, the notions of those who drew up these rules of a good and honest workman were very extraordinary. He could not see any reason why, as had been remarked by an able writer during the last week, the same organization which thus controlled and directed the working population as to the disposal of their labour should not be equally effective in controlling them as to the disposal of their votes when they were put in possession of the franchise. It was impossible to deny the danger that might exist at certain periods of giving political power to a great body of men governed by such a system of terror. The hon. Member for Birmingham had changed his tone, and a day or two ago talked of standing upon the ancient Constitution of the country. He reversed the proverb applied to the month of March, and instead of "coming in like a lion and going out like a lamb," the hon. Member "went out like a lion." Remembering the manner in which the hon. Member had spoken of the spiritual peers as "the offspring of an adulterous, nay, of an incestuous origin," and characterized a department of the State as a system of "outdoor relief for the aristocracy," the House had a right to mistrust any Bill brought in under the instigation and advice of the hon. Member for Birmingham. Only two days ago he found in a leading article written in one of the hon. Gentleman's organs—

> "We have now let the cat out of the bag. This Reform Bill is revolution and democracy; and henceforth the democratic element will prevail in the country."

The hon. Gentleman said the other day that he anticipated the time, and anxiously waited for it, when class would be opposed to class in battle array. Under these circumstances it was impossible, in discussing this Bill, not to refer to the hon. Member. But he would now turn to a point in which he himself was naturally interested—he meant the Re-distribution of

Seats. Those who, like himself, represented small boroughs, were placed in that discussion in what was thought to be a laughable position. But what was still more laughable, was that some hon. Members who represented that class of boroughs seemed to be prepared to accept the fate marked out for them by that measure. There were "lambs," it appeared, in that House as well as in Nottingham; and the innocents in question reminded him forcibly of Pope's well known lines—

> "The lamb thy riot dooms to bleed to-day,
> Had it thy reason, would it skip and play?
> It skips the lawn, and crops the flowery food,
> And licks the hand just rais'd to shed its blood."

And, turning to those supporters of the Bill who represented boroughs with populations of between 8,000 and 10,000, and which were for the moment to be spared, might he not add—

> "Oh, blindness to the future!"

What, he might ask them, did they expect would be their own fate after they had helped to carry that measure? Did they fondly think that when the smallest boroughs had been sacrificed their own boroughs would not be the next victims? Why, they might be sure that their turn to bleed would come next, that batch would succeed batch until the whole had been cut off in detail, and the universal *battue* of small boroughs had been consummated. Yet the Chancellor of the Exchequer was almost indignant with a humble Member for a small borough like himself for throwing any little impediment in the way of such a proceeding. That brought to his mind an anecdote about a Scotch laird, who in the feudal days had the power of life and death. He had sentenced a man to be hanged, and the man very naturally seized an opportunity of running away. But the fugitive was overtaken and advised to go back again and be hanged quietly, in order not to put the laird out. So the Members for the small boroughs were to submit quietly to be sacrificed, that the Government might not be put out. They were asked, in fact, to perform the Japanese operation of "the happy despatch" upon themselves, and the right hon. Gentleman felt quite mortified because they were not all anxious to perform that pleasant operation on the floor of the House at his winning invitation. After the powerful speeches which had been made against the projected re-distribution of seats and grouping of boroughs it was unnecessary for him to enter upon those points. One of the proposed groups was to be formed of Bridport, Lyme Regis, and Honiton. Why, no one had scarcely ever seen a Honiton man who had been to Bridport. However, those three boroughs, with a population of 15,000, and with five Members between them, were to have only one Member. But then the Chancellor of the Exchequer said, "Oh, we don't disfranchise any place." The right hon. Gentleman was almost as wonderful a conjuror as Stodare the magician of the Egyptian Hall. He disfranchised no borough in that group, and yet he found four seats to give away to other places out of five that now belonged to them. While some places that had 8,000 inhabitants were to be allowed to keep both their Members, other towns with populations varying from 10,000 to 15,000 were to have only one Member. Yet the right hon. Gentleman complained because they did not think that was a satisfactory settlement of that question. He had been struck with an article in a New York newspaper giving the impression entertained in America of the probable effect of that Reform Bill upon the institutions and political system of England. The writer held that the measure, if carried, would render our institutions more democratic even than those of America, and showed that it would be fraught with peril to them. He would appeal to the right hon. Gentleman the Chancellor of the Exchequer to listen to the good advice that had been given him, not only from the Opposition side of the House, but also from so many of his political Friends on his own side of the House. If this measure were ever carried it would be carried by the influence of party feeling, notwithstanding the opinion of that most liberal of Liberals to whom he had before referred—an opinion which he believed was shared in by the great majority of Members even on the Ministerial side of the House—namely, that if the merits of this measure were to be tested by the ballot, not fifty would be found to vote for it. Now he (Mr. Baillie Cochrane) asked, in sober seriousness, whether that was the way to carry a question of such momentous importance and gravity—by intimidation and menace. The right hon. Gentleman at first declared that the Government could not bring in a Re-distribution of Seats Bill, because the Government had only a very limited number of nights at their disposal. Nevertheless, on a pressure being put upon him he introduced this measure, and said that the House should sit until October or November, in order to carry it. These were menaces which the House would not endure. Even if those measures of the Government were passed he believed they would effect no settlement of the question. And in this opinion he was corroborated by the statements of the hon. Gentlemen below the gangway. The hon. Gentleman who spoke last suggested a compromise, but he omitted to explain the nature of the compromise which he proposed. He (Mr. Baillie Cochrane) recollected reading an opinion expressed by Mr. Canning in respect to the first Reform Bill. It was to this effect, that if they passed that measure they would either destroy their armaments and ruin their country, or they would place the whole of the taxation upon the upper classes and ruin the Constitution. When the Chancellor of the Exchequer hinted at the good that the Parliament would do when it was better represented, he (Mr. Baillie Cochrane) would say he believed that there never was a Parliament in respect to which the various constituencies, as well as their representatives, had been actuated by higher and purer motives than the one now in existence. That House generally was willing to concede to the wishes of the people in a just, frank, and generous spirit; but, believing that the present measure of the Government was uncalled for, and was founded upon principles injurious to their interests generally, as well as to those of the Constitution, he should offer it his firm and decided opposition.

Mr. C. WYKEHAM-MARTIN said, that having the honour to represent the largest and most populous borough (Newport), which would be deprived of one of its Members by the present Bill, he was anxious to explain why he should support the Government and vote against the Amendment. There was no doubt in the borough a large Conservative constituency, which did not exactly approve of a measure that would deprive them of one of their representatives. Nevertheless that portion of the constituency which sent him to Parliament heartily approved of the vote he intended to give in favour of the Government measure. He found the following sentiments expressed by the Liberal paper which circulates in the borough, and he had ascertained that they coincide with the opinions of the Liberal portion of the constituency:—

> "But as the new borough has vastly increased in the number of houses recently erected, and consequently in the amount of its population within these last five years, there can be no doubt that if the census was taken at the present time the numbers would be found to amount to several hundreds over the 8,000 necessary to save both our Members. At the same time we cannot express any very deep regret at our loss under existing circumstances, for we have neither commerce nor manufactures to recommend us to a more prominent position in the councils of the nation, whilst other more important boroughs are wholly unrepresented."

According to the last enumeration of the population of the borough it was within seventy of the number which would give it the power of retaining its two Members. His portion of the constituents, however, desired that nothing should be done to impede or embarrass the Government upon this question, and were particularly desirous that the £7 qualification should be adhered to, because they believed that the artizans whom it would introduce were more pure and honest than any other class of the constituency. The conduct of those who sent him to that House was in this matter so patriotic, generous, and disinterested that he was desirous it should be made known and recorded in the debates of that House. On the general question he did not wish to enter. He would, however, remark, with respect to the subject of grouping, that much had been said upon the inconvenience arising from the distance between one member of the group and another; and if the whole arrangement were a *res integra* of course no one would propose that places at a considerable distance should be grouped together. But what the House had to deal with was existing interests, and they were bound to act tenderly towards those boroughs which they felt it their duty in part to disfranchise, while at the same time they did not wish to deprive them of all voice in the legislation of the country. The arrangement proposed was therefore necessarily somewhat of a makeshift. But, great as the geographical inconvenience might be in some instances under the new system, it was as nothing compared with that which was encountered by a Member representing a large county, who had to look to the interests of his constituents in the two extremes of an extensive district. When he had the honour of representing West Kent he had considerable experience of this inconvenience. The distance between Tenterden and Greenwich by the most available route, the railway, was as nearly as possible seventy miles. A great deal had been said also about the dissimilar interests of the new constituencies. But what were they to the dissimilar interests to be found in a large county? As Member for West Kent he had to protect Woolwich and Erith from the nuisance of the drainage of London, to rescue the population of districts which had nothing to do with the metropolis from the City coal tax, to watch over the interests of the *employés* at Chatham with reference to superannuation, and last, though not least, to guard those of the hopgrowers, who were divided into three parties, each of whom had interests differing from the two others, so that it was impossible to please one without displeasing two. And then as to bribery, some speakers had maintained that the new system would check the offence, while others held the contrary. On this point he would refer to a scene in *Pickwick*, in which was represented a number of very scrupulous persons assembled about half past three in the afternoon, and quite undecided which way they would vote. At last some convincing arguments were addressed to them, and they were brought up to the poll, when they turned the scale in favour of the successful candidate. But if the towns of the group were situated several miles apart it would be impossible to know at half past three the state of the gross poll; and if the House could prevent money "being let fly," as it was called, at that critical moment, they would do more to put a check on bribery than by any legislation they might resort to for the suppression of corrupt practices. He might mention to the House that this was not his own opinion, but was suggested to him by persons conversant with Scotch elections, who believed that this grouping system of boroughs went far to put a stop to bribery.

MR. KENNARD said, that as the other Member for Newport, he wished to state that the opinion of the great majority of the constituency of the borough was decidedly adverse to this Bill. He might inform his hon. Friend opposite that if he had not had the assistance of the Conservatives of Newport at the last election he would not now be sitting in that House. The Isle of Wight had formerly five representatives. That number was reduced to three, and now it was proposed to leave it only two Members. He must express his opinion that the Isle of Wight had been very unfairly treated. He did not wish to take up the time of the House longer than to assure them that the opinions expressed by his hon. Colleague were not the opinions of the great majority of the constituency of Newport.

MR. LEATHAM said, the great clamour for the Re-distribution of Seats Bill is now appeased. Any marks of haste which the Bill may bear, may fairly be attributed to the impatience of the House. But we are told that the system of grouping adopted in this Bill is "neither fair nor equitable." The rigid line of entire disfranchisement of any small borough has been avoided in the grouping system now introduced. The disturbance of twenty-five Members on one side of the House and twenty-four on the other side, cannot be considered unfair, in a party view of the matter. But, what is the real meaning of this opposition, springing from Members who sit on this side of the House? I attribute it, Sir, to the long inaction in matters of Reform, which pervaded the mind of the noble Lord who, some short time ago, was the admired leader of this House. I consider it a kind of legacy we have derived from him. I always believed that the Motion of the noble Lord the Member for Chester sprang from the same source. It was a kind of fidelity to the memory of the great man whose personal influence was so great in this House and out of this House. I respect the fidelity of any follower or adherent of the noble Lord to whom I refer; but I must remind the hon. and gallant Member for Wells that that period of inaction has come to an end. Now, the Amendment, Sir, of the hon. and gallant Member is prefaced by a somewhat similar statement to that which prefaced the Amendment of the noble Lord the Member for Chester. It says "that the House, while ready to consider the subject of a Re-distribution of Seats, is of opinion, &c." Now, the noble Lord the Member for Chester prefaced his Amendment with an expression "that this House, while ready to consider, with a view to its settlement, the question of Parliamentary Reform, is of opinion, &c." In both cases we are told "that the House is ready, &c.," but is there any Member in the House who believes that this House is ready? It is, Sir, because the House is "not ready to consider" that Amendments of this kind are tolerated for a moment. The House is unwilling to Reform itself. Disagreeable things should be done as quickly as possible. Now, I remember when the noble Lord the Member for

Chester moved his Amendment, he said something about "the walls of Jericho falling down at the blast of the trumpet," and "that all the Resolutions but his had failed, because his was founded on a rock." He might have carried his simile further, and pictured the right hon. Gentleman opposite "as Joshua viewing the Promised Land," sending spies into the doomed city of Jericho, for the spies were hidden under the flax on the roof of the house of Rahab. I think I can see something like "the spies lurking under the flax" in the Resolution before the House. Now, Sir, I never could see clearly why the Government were to be blamed for considering each measure separately. One of the first lessons I was taught was, "Be a whole man to a thing at a time." The Government intended, no doubt, to follow that motto, "To be a whole man to a thing at a time," in their consideration of the "Franchise Bill;" and then, "To be a whole man to a thing at a time" in their consideration of the "Re-distribution of Seats Bill; but then came the speech of the noble Lord the Member for King's Lynn—and it was a speech of great power and weight—and the Government have since paid him the compliment of introducing the "Re-distribution of Seats Bill," conjointly with the "Franchise Bill." But what did the right Baronet the Member for Hertfordshire (whose speeches and writings, we listen to, and read, with the greatest pleasure) say? "A Bill for the Re-distribution of Seats is a correction of abuses. A Bill for the large alteration of the franchise is, and must be, more or less, the transfer of power." I think, Sir, the right hon. Gentleman might have argued the converse of this proposition and said, "that the Re-distribution of Seats was a transfer of power, and the extension of the franchise was a correction of abuses." At all events, the objection of hon. Members opposite to the Re-distribution Bill appears to me to be founded on this supposition. The right hon. and gallant Member for Huntingdon fights the battle against the Bill like a real Conservative. He will have none of the Bill. I would tell the hon. and gallant General that I consider the Government measure Conservative. That was what I told my friends in the country, and I will repeat it in this House. I consider it Conservative of the affections of the people; Conservative of the rights of the people; Conservative of the laws we must obey; Conservative of the State, by enlisting fresh recruits into the service of the State. Where, I would ask, do we recruit our army from but from below? Where do the aristocracy recruit their ancient lineage and exhausting fortunes from but from the commonalty? And where, Sir, are we to recruit our constituencies from but from the lower stratum of the middle, and from the upper stratum of the working classes? The way this question will be viewed out of doors is this: Is this House willing to amend the representation, or is it not? I would not wish to say anything offensive to any Gentleman in the House; and surely, Sir, we do not want reminding that we do not come here to represent ourselves, our families, or our pet boroughs. We come here to represent the people of England. If we are not the people's House, what are we? If this Bill pass, we shall be more essentially the people's House than we are now, because we shall represent 400,000 more of the people of England. I shall give my vote against the Amendment of the hon. and gallant Member for Wells, because I think his Amendment means a great deal more than it says. It means "want of confidence in the Government—it means a determination to reist Reform—it means postponing the Reform question *sine die.*" Now, Sir, before I sit down I want to set myself right with the House. I mean on a very unpleasant subject—"bribery and corruption." If any hon. Gentleman in this House thinks that I am an advocate of bribery and corruption, he is much mistaken. I am not the advocate, but the victim of bribery and corruption which occurred at the Wakefield election of 1859. I shall concur in any reasonable measure which Her Majesty's Government may think wise to put down bribery at elections. Some mention has been made in this House of Huddersfield in connection with Wakefield. I beg to say that the late Member for Huddlesfield, who is my brother, was petitioned against in 1859, but was declared duly elected, and, as far as I know, came out of that petition without any slur on his character for bribery.

Colonel C. H. LINDSAY said, that as he was in the position of seventy-eight other Members upon whose constituencies the quarantine hand of the Chancellor of the Exchequer was resting, he felt it his duty to offer a few remarks with reference to the grouping process which the right hon. Gentleman wished to apply to the localities mentioned in Schedule A. No one could look at the clauses in the Re-distribution Bill without seeing that they had been prepared in the most hasty manner. Seats and constituencies were dealt with as if nothing was more easy or more palatable to the conflicting interests of those particular localities. By their proposed system of grouping the Government had embarrassed themselves, the House of Commons, and all those under whose guidance the interests of the different constituencies were placed. A very serious responsibility attached to the Government in passing a scheme of Reform, on the front page of which no less than forty or fifty English boroughs appeared to be partially disfranchised, in order to create a reserve fund of seats for other parts of the country. He considered it most important that every locality should be equally represented, and did not see the justice of enfranchising one locality at the expense of another. If the Government had gone into the question in a straightforward manner, they might have created a reserve fund without interfering with the rights and privileges of so many boroughs. The inconvenience and expense arising from the new scheme would be endless. To illustrate his meaning, he would take the first group—one of the boroughs of which he represented. There were three boroughs in that group —two of them, Abingdon and Wallingford, in Berkshire, and the third, Woodstock, in the county of Oxford. Between two of the boroughs in that group stood the city of Oxford with 26,000 inhabitants. The farthest borough was Woodstock. That he considered a great anomaly. The Government did not appear to be satisfied with having formed that group out of two slices of counties, but they had intercepted the group by Oxford; so that the group of three boroughs actually consisted of four. The Chancellor of the Exchequer had spoken of geographical convenience, but he seemed to have forgotten that there was in existence such a thing as a map of England, and that a certain amount of respect was due to every town, village, and hamlet in that map, all of which possessed prescribed rights and privileges which had been handed down to them, and which ought not to be dispensed or tampered with by any Government. With respect to the group containing Abingdon, Wallingford, and Woodstock, they did not lie in a circle or a triangle, but in a straight line, with the city of Oxford on the line. The inconvenience and expense to which Members representing that group would be put would be very great. In his opinion the Government had commenced their scheme of Reform exactly where they ought to have left off. If they had proceeded in a straightforward manner, they would have taken up some rule of progress. He would divide that progress into several items. The first should have been, not the extension of the borough franchise, but the extension of the borough boundaries, and also the enfranchising of unrepresented towns in the most convenient manner. Before taking any step with regard to the lowering of the franchise, they ought to ascertain the area of the voting power. The next item in the plan should be the re-distribution of seats, and the third an amendment of the law as to bribery and corruption. He maintained that until they amended the law as to bribery it would be a very dangerous thing to reduce the franchise down to those who would be more susceptible than their neighbours to corruption. Before he concluded he wished to say a few words as to his own particular group of boroughs. He trusted that if ever this Bill went into Committee that the group of Abingdon, Woodstock, and Wallingford, might be properly dealt with. It was now proposed to call that group by the name of Woodstock; but Abingdon was situated midway between the other two towns, and was the largest of the three. The Census of 1861 showed that Abingdon had a population of 5,680; Wallingford 2,793; and Woodstock 1,201; and if the proposed reduction of the franchise took place, Abingdon, with its Parliamentary boundary, would have 534 electors; Wallingford, with its extended boundary, 461 electors; and Woodstock, with extended boundary, 360 electors. Under these circumstances, and also because Abingdon was the county town and the central place, he trusted that some consideration would be shown to it in the proposed grouping, if that group was formed.

Mr. A. PEEL said, that he was not in the position of those Gentlemen whose boroughs were affected by this Bill, and therefore he was not one of those dying men whose tongues were said to enforce attention; but it was impossible, occupying the position he did, and being willing to give a loyal, but independent, support to Her Majesty's Government, to cast a retrospective glance over the history of this measure without being filled with many and varying regrets. He regretted from the commencement—and events had proved that he had good reasons for doing so—that the Government ever departed from the plain, straightforward course which they in the first instance adopted, when they laid upon the table a Bill for lowering the franchise. He accepted the Bill cordially and loyally, not because it was all he desired, but because it was the most he was likely to obtain. He must say that the course pursued by some hon. Members had given to the conduct of this measure an aspect which had been productive of all the complications that had ensued. The party opposite had proved on many recent occasions their great strength ; and he was of opinion that if they had allowed the Franchise Bill to pass they could have stamped on the Re-distribution of Seats Bill such a character that it would have been accepted by both sides of the House as a fair compromise. But suggestions had since poured in to induce the Government to alter their course, and he was sorry to say the Government had been constantly yielding. He could have wished that whilst they yielded they had resembled the sword—

> "that bent at will,
> But kept the native toughness of its steel."

All the faults the Government had committed with regard to this measure had been owing to their first fault in yielding to the suggestions of the Opposition. But at length there was a definite Motion before the House. He differed from those Gentlemen who said that the Motion of the hon. and gallant Member for Wells could not be understood. It could not be asserted that it said one thing and meant another. It raised a definite and conclusive issue. Situated as that hon. and gallant Member was, they might have expected he would take a somewhat critical view of the question, but he (Mr. A. Peel) thought it did not require a lens of any great magnifying power to find anomalies in the Bill. He thought it bristled with anomalies, and therefore he was not going to defend its details. If these great geographical alliances were to be made, he thought that geographical convenience ought to be included in the terms of the settlement ; but judging from the Bill, he was at a loss to understand how that principle had been preserved. Consequently, he would not for a moment defend such groups as Horsham and Petersfield, and Maldon and Harwich. He thought the distances between the grouped boroughs was too great, and that the existing evils would be increased rather than diminished by the scheme of Re-distribution. It would be said then what remained to be done ; he would say, "The principle of grouping remains." It was perfectly consistent to say that he differed with the details, but agreed in the principle of grouping. He thought that the advantages of grouping were obvious. In the first place, it was an easy method of getting seats so as to give Members to fresh places, and it was also an easy means of extinguishing what nobody now defended, "nomination boroughs." It was also a principle both equitable and convenient, and more than that, it was inevitable. There were so many centres of wealth and intelligence springing up that representation could only be afforded to them by grouping. He was prepared to sweep away nomination boroughs on the principle of Lord Derby himself (then Lord Stanley) in 1832—that however great the abilities or eminent the qualities of the distinguished Members who sat for nomination boroughs, and however advantageous to the country, these advantages were more than compensated by the fact that the country at large did not look on those Gentlemen as their representatives. He, however, thought that a distinction must be drawn between nomination boroughs and small boroughs, and that some of the small boroughs might well retain their representative character, although he must add that small boroughs were now on their trial, and by the experience of the next few years must stand or fall. He agreed heartily with the Government in the principle of the £7 franchise, though he must add that he should like the franchise to go even lower. He also heartily desired to put down bribery and corruption. The body of the Bill was in an unhealthy state because a plethora of principles had been foisted on it, and they were in danger a few days ago of having the principle of an educational franchise superadded. He thought it very probable that that feather would have broken the camel's back. He listened for six hours to the debate on the principle of an educational franchise, but he could not understand what that principle was—whether it was a corrective of, or an incentive to, universal suffrage. Leaving that incident out of the question, he thought he was expediting the question of Reform by voting for the committal of the Bill. He saw no reason why they should not proceed to the committal, and then each detail of the Bill might be fought, as it was certain to be fought, between the two great parties of the House, who were so equally matched. If the question could not be entirely settled during one Session, he saw no reason—having admitted the principle of lowering the franchise and the re-distribution of seats—why they thould not take the measure up again next Session at the point where they left off. They would, at all events, further the question on its road by voting for the committal of the Bill, and he believed that that course would be in accordance with the feelings and with the wishes of the great mass of the people out of doors. By so acting they would facilitate the progress of the question of Reform to a definite, to a conclusive, and, as far as finality might be imported into politics, to a final issue.

SIR EDMUND LECHMERE said, he should much regret giving a silent vote on a measure which was of such great general importance, and which so materially affected the privileges and interests of his constituents, the electors of Tewkesbury. Standing, as it were, on the brink of his political grave, he would address a few words to the House, although he could not but feel that they might be the last, as well as the first, that he should have the honour of offering to the House. Tewkesbury was one of those boroughs which was to be subjected to the peculiar process of grouping, a process which, in the opinion of the right hon. Member for Calne, as well as in the opinions of many others, ought to lead to something harmonious, congruous, and connected. In the Government measure, however, it would be difficult to find anything which showed the skilled hand of the legislator, or anything like congruity or harmony. With regard to the geographical question, the right hon. Member for Calne said the object of the Government seemed to have been to instruct Members for boroughs in the geography of the contiguous country; but he (Sir Edmund Lechmere) thought the framers of the Bill had themselves shown a very defective knowledge of the relative geographical position of the different boroughs contained in the various groups. Tewkesbury, for instance, was twenty-one miles from Cirencester by road, and thirty-two miles by rail; Evesham was eleven miles from Tewkesbury by road and thirteen miles by rail; while Cirencester and Evesham were twenty-six miles apart by road, and forty-five by rail. There were great railway difficulties in getting from any one of these places to the others, in consequence of their not being connected by one uniform line, and in consequence of breaks in the gauges of the railways. There was no special community of interests between the three places, and no great trading intercourse. There were no particular sympathies, and none of the ties of trade or of any other description, between these places which would justify an alliance so uncalled for by either convenience or expediency. Yet, by the present measure, these three places were to be grouped together. Why was it that a place like Great Marlow, which had only twenty-four more electors than Tewkesbury, should be allowed to retain its one Member, while Tewkesbury was to be deprived of both its representatives by this process of absorption? It would be a far more convenient and better process to group Tewkesbury with the unrepresented towns in its neighbourhood—such as Malvern, Upton, and Winchcombe—than to effect the grouping in the way proposed. The combination which must be made in that way would be far more harmonious than the one intended. It was fit, also, that Parliament should consider the important question of reducing, as far as possible, the enormous expenses of our representative system, but by this system of grouping the expenses of representation would be immensely increased—perhaps trebled or quadrupled. A few days ago they had heard the hon. Member for Birmingham talking about the precedents of our forefathers, and his desire to stand within the old line of the Constitution, and he was sure that all on that (the Conservative) side of the House must have been both startled and delighted to hear from the hon. Member's eloquent lips such warm expressions of constitutional feeling, and he might almost say of Conservative spirit. It appeared to him (Sir Edmund Lechmere) that this extraordinary reconciliation of jarring and discordant antipathies almost seemed symptomatic of the speedy arrival of that political millennium when the question of Reform was to be settled. He would ask, in the words which the hon. Member for Birmingham applied to another subject, why it was that the ancient practices of our forefathers with regard to boroughs were not sufficient for an adequate and satisfactory representation of the people. The right hon. Member for Buckinghamshire (Mr. Disraeli) had told them that the old system of boroughs was ancient and convenient, while the system of grouping was not prescriptive and inconvenient, and they had had no contradiction of that assertion yet. Granting that the present system of borough representation was not adequate for the present requirements, it seemed to him that it would be far more in accordance with the ancient practices of our forefathers, and more like standing within the ancient line of the Constitution, if, instead of depriving our ancient boroughs of their existing privileges, we invested them with fresh importance by combining them with unrepresented towns, and thus both preserving their ancient privileges, and giving them more extended usefulness and influence. They had heard very little of the working classes lately, although they heard much of them in the early part of the debate, and he could only account for that by supposing that hon. Members opposite felt that the working classes were not so unanimously in favour of the present measure as they had at first been represented to be. Hon. Gentlemen opposite seemed to claim a sort of prescriptive privilege of eulogizing, he might almost say of patronizing, the working classes; while, at the same time, they rather unjustly accused the Conservative party of acting in a contrary way, and of detracting from the merits of that estimable body, and of doing all in their power to restrict and restrain, rather than to assist them in their efforts to obtain increased social and political privileges. He had received a letter from one who had been a working man, and who had risen by his abilities to a high position in the manufacturing establishment of Messrs. Dent and Co., of Worcester, and who had established a co-operative society at that place. The letter was sent in April, about the time that the Franchise Bill was introduced, and the writer stated that the downward extension of the franchise would be hazardous on account of the character and tendencies of too many of the persons whom such an extension would place upon the register; that he viewed with considerable anxiety the proposal to reduce the borough franchise to £7, because while many would exercise it wisely and well, many would also come in whose improvidence, drunkenness, and venality were at present, and would he feared long continue to be, a standing reproach to the class to which they belonged. The writer further stated that the proposition of the hon. Member for Hull (Mr. Clay) had been spoken of in his hearing with approval, as placing the franchise within reach of the intelligent among the working community, and that if such a plan were adopted, it would enable many men to raise themselves, while the present plan, in the writer's opinion, was a mere makeshift, and must lead to discontent. In conclusion, he (Sir Edmund Lechmere) begged to say that on his side of the House they had always been anxious to raise the character of the working man, while holding that the franchise was a trust, and that he should rise to it, and not have it lowered to him. They were not afraid of the working men, they did not regard the class as they would a body of invaders, as the Chancellor of the Exchequer had said, but would gladly hail their coming within the pale of the franchise, but such only as had proved themselves intelligent, industrious, and provident; while the ignorant, the improvident, and the drunken should be rejected. It was because the Government called upon them to admit the two classes indiscriminately that he intended strongly to oppose the present measure.

Mr. HOLDEN said, that many Members for condemned boroughs had spoken of the relentless and pitiless feeling which the Government had shown towards that class of boroughs, and this had led many of them to promise the most vigorous opposition to the measure of the Government. Although he was himself the representative of one of the condemned boroughs he was not disposed to approach the question in the same spirit, but he desired to consider it more comprehensively, as it affected the good of the public at large. Although in one sense Members were sent to that House to represent their respective boroughs, they were not sent to represent them exclusively, but also the whole country. He was disposed to look at the measure, not from the selfish and personal point of view, but with a desire to do that which was for the good of the whole country. He thought the Franchise Bill and the Bill for the Redistribution of Seats were calculated to produce a great amount of good, and although the latter of these might inflict great but unavoidable pain on Members deprived of their boroughs, there would be a counterbalancing advantage in the benefits to be conferred on the new constituent body. He did not consider that the boroughs had much right of complaint. The borough he represented, that of Knaresborough, was one of a proposed group of three boroughs which now possessed five Members, though henceforth it was only proposed that they should send two Members; but every man who was now a voter in them would have a right to vote for two Members, and thus the voters would continue in the possession of the same power and privileges as they now possessed. It was necessary to take Members from some places, in order to supply representatives to large towns which had a fair claim to the privilege, and in his opinion the Government could not have devised a better plan for the accomplishment of that object. He approved both Bills, and every letter he had received from his constituents encouraged him to support these plans of Reform. He loved the borough of Knaresborough because it had always been liberal. Up to 1832, the noble house of Devonshire had the patronage of the borough, and the noble Duke always nominated Liberal Members. Since then the borough still returned Liberal Members, till by taking advantage of a defect in the Reform Act, the Tory landed proprietors obtained a majority by creating faggot votes about 1850. When he was first applied to to represent Knaresborough he refused, because he understood that it was a corrupt constituency, but he was happy to say he soon found that he was mistaken, and that whilst a Tory candidate could only obtain the seat by feudal coercion or bribery of the pliant, the dependant and the simple electors, the Liberal electors accorded him a loyal, an honest, and a hearty support. He was convinced that there was no need for a Liberal candidate to exercise bribery to obtain a seat for Knaresborough. He said this to show the attachment he felt for the borough. He was very reluctant to entertain a prospect of being parted from it as a separate borough, but he was willing to make the sacrifice if his country required it. He gave his support to the measure more heartily than would have been possible, had he always lived in his own country, but he had lived many years in France, and had mixed with both Conservative and Liberal politicians in that country, and from the experience he had gathered there and at home he was the better prepared to give his conscientious support to the measure of the Government. When he had listened to the light and jaunty speeches from the other side of the House he had had recalled to his mind that serious day in the history of France when some of the most worthy and intelligent citizens of that country asked to be allowed to meet together to discuss a moderate measure of Reform, but in consequence of the refusal of M. Guizot to grant the necessary permission a revolution occurred, the Minister's house was surrounded by a crowd the same evening, and in the morning the King Louis Philippe, was obliged to escape from the Tuileries without his hat. He would vote for the Bill with an earnest desire to save England from the evils which had fallen upon other countries through the obstinate refusal of their rulers to grant just and moderate measures of Reform. With respect to the Franchise Bill, he could not understand the argument of Gentlemen on the other side, that reducing the qualification from £10 to £7 would entail an obligation ultimately to concede universal suffrage. He could not see any natural connection of cause and effect between the two, any more than there would be between manhood suffrage and a property qualification. He looked upon this measure as a moderate change—an extension of the suffrage consistent with an equally balanced representation of all the interests and communities in the country—and he entertained no such fear as that felt by Gentlemen on the Opposition Benches. He could not understand how any one should be unwilling to pass so moderate a scheme. Hon. Gentlemen professed fears for the landed interests, but was not that interest sufficiently protected by the House of Lords, by whom nine-tenths of the whole land in the country was held. [*Laughter.*] He might be mistaken, but nearly all the land was held by the Peers and Commoners sitting in this House, and the county representation was exclusively in the hands of the middle classes, whilst only one-half of the borough representation was to be given to the working classes. How could they suppose that so small a share of the representation would give the working classes a preponderating influence in that House? Hon. Gentlemen opposite had said that a small compact minority (say eighty to ninety Members) sent by the working classes to this House would control its legislation. Might he ask those hon. Gentlemen opposite whether they would be content to be that small compact minority? With reference to the Redistribution of Seats Bill, this particular feature struck him — it would tend to put an end to bribery. [*Laughter.*] Well, it would neutralize to a great extent the pernicious influence of individual power over certain boroughs, and it would also extend the sphere of the relations and sympathies of the electors of the grouped boroughs.

MAJOR JERVIS said, it appeared to him that, though the Government had at length found three or four hon. Members to support their scheme, the effect of the speeches of those Gentlemen was really adverse to it. The hon. Member for Newport had said than when representing West Kent he had to look after the interests of Woolwich and Chatham; but he surely had better have minded his own business, for Woolwich was represented by the Member for Greenwich, and Chatham had a Member to itself. Then the hon. Member for Wakefield had expressed his admiration for the measure, on the ground that it would put a stop to bribery and corruption; but had he forgotten £20 a piece being given for hair brushes, and hon. Gentlemen opposite remaining in that House till half past four in the morning in order to shield him from the consequence of his own own "inadvertence" in that little matter? He could not hear the address of the hon. Member who had just resumed his seat without being reminded of Dibdin's song of "Honest Tom Collins," and without remembering by whom Knaresborough had in the last Parliament been represented. Then, again, the hon. Member for Warwick had spoken with approval of the grouping of boroughs, but did he remember the notice given the other night respecting Tamworth? The shade of one of the greatest Members we ever had might almost be expected to rise at hearing the manner in which the Member for Warwick spoke of the borough of Tamworth. It was not so many years ago that Sir Robert Peel found a refuge in Tamworth; and had Tamworth been the worse for the connection? He did not think it was necessary to say anything on the subject of small boroughs after the admirable speech of the right hon. Gentleman the Member for Calne; but he should like to hear something in reply to that speech. He might observe that when the Bill of 1859 had been brought in his constituents sent him back to that House, though they knew he was prepared to vote for a Bill which would have taken one Member from Harwich. His opponent was the son of a gentleman who it was expected would be Lord Chancellor, and the walls of the town were covered with placards, calling on the electors "to vote for the son of the Lord Chancellor that is to be, and two Members for Harwich." He did not believe in the honesty of this measure, and felt assured that if the Government had really intended to bring in a Bill for the reduction of the franchise a measure so full of anomalies as the present would not have been presented. Whenever an honest measure should be brought in it should have the support of himself and of his constituents. As an illustration of the measure he would take the borough which he had the honour to represent. It was proposed to group Harwich with Maldon. Now the President of the Board of Trade might have given his colleagues important information with respect to that part of the country. The distance between the towns, as the crow flies, was thirty miles, but there were six or seven ferries to be crossed, and with a good north-east wind, of which no one had a better knowledge than the right hon. Gentleman, it would take a week to reach the extreme points. At all events, it took three or four hours to cross four miles of the distance, and it would take a week to accomplish the whole. He did not object to forty miles in an express train, but taking into account the long stoppages it would take a day to get from one place to another. Again, there was this difference between the two towns—in Harwich there were no freemen; in Maldon, there were something like 700. In Harwich the women had no vote; but in Maldon all the women had votes, for the freemens' daughters carried their freemanship along with them, and bestowed it on their husbands. The result would be, if the proposed grouping took place, that the candidate would not only have to canvass all the men in Harwich and Maldon, but also all the young women in Maldon who were going to be married, in order to see how their husbands would vote. The President of the Board of Trade was the only Member of the Cabinet who knew anything about that part of the country; but, with his usual placid demeanour, he said nothing, and did less, which was the way he generally conducted the business of his Department. The right hon. Gentleman might have told his colleagues that near Harwich was Manningtree, which was the centre of an important navigation, and he thought it would surprise everyone that neither Manningtree nor a town like Chelmsford, in which the assizes were held, and which was the head-quarters of the militia, should have attracted the attention of the Government when they were considering a scheme of re-distribution. The Chancellor of the Exchequer, however, on geographical principles, had strangely forgotten the claims of both these places. In their grouping the Government seemed to have forgotten that there was a single railway in the country. They did not seem to understand the changes which the railway system had made in regard of the centres of commerce and business. As to any supposed antagonism to the working man, all he could say was that to working men he owed all he possessed, and that he often envied those who earned by the sweat of their brow that which others earned by the exercise of their brain. He (Major Jervis) did not like to discuss matters of philosophy with so great a man as the hon. Member for Westminster; but whilst he would be glad to give the working men every opportunity of making their views known to Parliament, he could not agree with the hon. Member as to the effect of introducing the working man into the House of Commons. When the Franchise Bill was first brought before the House, although he did not altogether agree with it, he thought there was something handsome in the Government bringing the working man within the franchise. He observed that the hon. Gentleman (Mr. Stuart Mill) had fallen asleep; but, perhaps, some one else would answer for him. The House of Commons was not fond of hearing any class speak about itself; and he believed that if a working man got up there to tell them what he wanted, he would not receive the same amount of attention as the hon. Member for Westminster would if speaking on his behalf, because in the former case it would be supposed that the individual was speaking for his own benefit or that of his class, and this was a point on which the House was exceedingly jealous. But he could not understand, if they wanted to bring the working man into that House, why the Government should not have done something to reduce the expenses of the elections. On this point he could not do better than refer to the borough of Chester, in which it might have been presumed the leader of that House would take some small interest. What would it cost a working man to get into the little borough of Chester? In the city of Chester there were only 32,000 inhabitants. The number of electors was 2,474, of whom 2,146 voted at the last election. There were four candidates at that election, and the legal expenditure was £9,476, or £2,369 for each candidate. He wanted to know whether there was any law to limit the expenditure at elections. Had he been a candidate for Chester he should not have liked to send in an account of £2,369. He should have been afraid that he and his account would be sent to a Committee upstairs. He believed that 115 of the electors got paid £18 apiece for acting as messengers, and there were other sums paid to persons who acted as clerks or performed other services. It was quite plain they could not expect any working man to come forward for the city of Chester if so large a sum was to be thrown upon him in the shape of illegal expenses. The same thing was true of the large constituences. In Finsbury, for instance, the expenses of one of the losing candidates (Mr. Cox), as given by the returning officer, amounted to only £159, while the expenses of the successful candidate were returned at £6,142. They had heard a great deal of the anxiety of the working man for the possession of the elective franchise; but the fact was that where there was no great contested election the working men seemed to care very little about what was going on. At the last election in Kingston-on-Hull there were 895 voters who did not vote; in Leeds, 1,129; in Sheffield, 2,646; in the City of London, 4,560; in Lambeth, 9,844; in Finsbury, notwithstanding the great expenditure, he had noticed 12,344 did not vote; and in Marylebone, 12,221 did not vote. He did not think these facts spoke very strongly for the desire of the working men to use their vote. They all knew, speaking conscientiously, that among a certain class of voters there were many who cared very little for the franchise unless they got some immediate benefit from its exercise. There was a wonderful example of this in the borough of Devonport. The small but trivial sum of 10*s.* paid in the shape of compensation for loss of time in going to the poll induced the dockyardmen to vote. The Committee upstairs unseated the Members upon the ground of bribery; their successors, he supposed, did not follow the practice, and the result was that the men remained in the dockyard and did not vote at all. There was another point that should be considered—had the Government any idea of the extent to which the lodger franchise would be available? He believed they had not. In the boroughs of Westminster, Lambeth, and

Finsbury lodginghouses existed by the thousand the existence of which was little known, and far less of their inmates. The consequence was that they would be wholly unable to control the number of the electors. He had shown that with reference to expense they were not opening the door to working men, and it was evident from the instructions which had been given by the Government for making up the electoral statistics that they rather wished to exclude those who had made their way as working men, for foremen and head men among their fellows were not to be returned. Was this really meant as an honest Bill, or was it not? It appeared to him to be intended rather to keep out the working man than to admit him within the electoral pale. He could not help thinking if the Chancellor of the Exchequer had turned his attention in these critical times, when so many had been thrown out of work, to consider seriously how he could provide profitable employment for the labouring classes, he would confer upon them a much more valuable boon than by attempting to pass a Bill for which many of them cared not a rap.

THE LORD ADVOCATE said, he would not detain the House long at that late hour, but he was anxious to say a few words in answer to the speech of the hon. and learned Member for Belfast. The right hon. Baronet the Member for Droitwich said yesterday that he had always thought this question might be taken out of the category of party questions, and left to be settled by mutual arrangement. Following that view, he said the Franchise Bill and the Re-distribution of Seats Bill had been read a second time, and he took credit to the Gentlemen opposite for the fact. Now, that was quite true; yet the right hon. Baronet now supported a Motion the necessary effect of which would be to prevent either the Franchise or Re-distribution of Seats Bill going into Committee. He would take the question out of the category of party, while he refused to go into Committee on the Bill. There could be no doubt of the object of the Motion of the hon. and gallant Member for Wells. It was intelligible; he understood it. It was intended to defeat both parts of the Bill. He did not complain of it. It was not unnatural that the hon. and gallant Gentleman should look with some suspicion and jealousy on the proposal of the Government, although he could have wished that the Motion had come from some other quarter. But the Amendment was aboveboard, and it was right that the House should deal with it. If it were carried, in what position would the House be placed? They had been discussing Reform early and late for the best part of three months; a great many eloquent speeches had been made, and the result of it all would be that the country would be unable to draw any conclusion as to the opinion which the House entertained on the question. Whether they wished to reduce the franchise —whether they were in favour of the £7 franchise or not—the country would be entirely unable to judge. Was that a desirable position in which the House should be placed? What was there in this question of Reform that prevented them bringing it to a clear and definite issue, and deciding in one way or the other? The Government had stated their views; why could they not have a definite issue on the other side? There never was an occasion when there was such a contrast between the great principles put forward, the eloquent speeches made, and the positively trivial issues on which the question was to be decided. The right hon. Gentleman the Member for Calne unfurled his brilliant and sparkling banner, but, instead of leading his troops to victory under that banner, he hung it on the nearest hedge within his reach. They were asked to decide the whole matter of franchise and distribution—a measure extending over the whole representative system of the country—on a Motion which really dealt with only one of the least important corners of it—namely, what boroughs were to be disfranchised, or partially disfranchised, or how they were to be grouped for the future? The hon. and learned Member for Belfast had endeavoured fairly enough to lay before the House the views which he entertained upon the question. He enumerated various objections to the Re-distribution Bill with great candour and great calmness, and the Government had nothing to complain of in his speech. It proved, however, that the House was not discussing the principle of the Bill so much as a variety of details which could only be dealt with satisfactorily in Committee, and which as far as the Amendment was concerned did not touch in the slightest degree the question whether the franchise should be reduced or not, or at what figure it should be put. The hon. and learned Gentleman said he had endeavoured to discover the principle of the Re-distribution Bill, which he imagined to be the grouping of small boroughs. But the first principle of the Bill was the same in 1866 as in 1859—namely, that additional Members ought to be given to large towns and counties, and thus its main principle was one of enfranchisement. But in order to find Members for these populous places, there was a necessity that the smaller boroughs should lessen their representation. And thus it happened that the next principle was one of disfranchisement. The grouping of those disenfranchised boroughs was the third principle of the Bill, but the one comparatively of least importance; and even if the House were to come to the resolution that the proposed groups ought not to be retained as portions of the Bill, there was nothing in that decision that could fairly be said to affect the principle of re-distribution at all. His right hon. Friend the Member for Calne last night employed all his eloquence in favour of the small boroughs, and threw quite a halo round their existence. Into that controversy he would not enter, but must remind the House that a Member without a constituency simply represented power without responsibility, a principle which, if carried out, struck at the root of the whole representative system. The anomalies which sprang up in connection with our institutions served, in many cases, good and valuable purposes, although not the purposes for which they were originally intended. These smaller boroughs, no doubt, had often served as places through which distinguished statesmen might step into Parliament, when, by the turn of politics, or the accident of fortune, they were deprived of seats elsewhere; but this view must be subordinated to the broader principles of the Constitution. To assert that one man, or that many men, might rightly sit in that House on behalf of constituencies to whom he or they were utterly irresponsible, was a doctrine fraught with danger and utterly unconstitutional. These boroughs which were proposed to be grouped were places over which the tide had gone, they were retrograding, and no longer what they had been. The hon. and learned Member for Belfast asked the Attorney General how he was to stand upon the ancient lines of the Constitution in defending the grouping of small boroughs. But why should they not be grouped? His hon. Friend the Member for the Wick Burghs was much cheered on the first night of the Reform debate when he said that according to the figures in his hands there was much more need for disfranchisement than enfranchisement, and the very same Member had cheered as loudly the defence of small boroughs by the right hon. Gentleman the Member for Calne. As to the principle of grouping there was nothing more unreasonable in grouping boroughs together in order to preserve to them some share of representation than there was in selecting them in the first instance to confer upon them a share of the representation. The proposal of the Government took the middle course between entire disfranchisement and leaving them as they were. The hon. and learned Gentleman opposite said boroughs in Scotland were grouped in order to give a borough representation. However, the right hon. Gentleman's historical knowledge was at fault, or he would have known that every borough in Scotland sent representatives to the Scottish Parliament, and that they were grouped together not for the purpose of enlarging but of diminishing the representation. [Sir HUGH CAIRNS: I said the English Parliament.] But the British Parliament by the Act of Union adopted the Scotch principle of grouping, and therefore his hon. and learned Friend the Attorney General was perfectly justified in what he had stated. In dealing, therefore, with a cognate question, and one entirely analogous, what could be more reasonable than to introduce the system of grouping, where the present representation admittedly could not be maintained in its present proportions? The right hon. Gentleman the Member for Buckinghamshire seemed under the impression that the Scotch boroughs were unrepresented at the time [Mr. DISRAELI: Not the boroughs, the constituencies.] The constituencies had never been represented till the Reform Bill. With the hon. and gallant Mover of the Amendment and the right hon. Gentleman opposite it had been matter of complaint that large and populous unrepresented towns had been passed over in the grouping of the boroughs. The hon. and learned Gentleman the Member for Belfast objected on a different ground. He said the system of grouping proposed would destroy the identity of boroughs. But surely, whether a borough were grouped with a represented or unrepresented town its identity would equally be swallowed up. What was this identity of a borough on which so much stress was laid? It was true that some boroughs lay on the sea coast and others inshore, but the dissimilarity between various classes and the difference in their social positions was even greater in counties than between boroughs, however wide apart. In boroughs again, a man living in one street knew very little of his neighbour in the next; and one of the recommendations of large constituencies lay in the variety of opinions, associations, and sympathies, by which in the aggregate they were animated. Geographical position was supposed to be of great importance in the grouping of boroughs, but this consideration was by no means conclusive. It was some little distance from Ayr to Oban and from Oban to Inverary, and yet in practice no great inconvenience resulted from the circumstance. The grouping together of four boroughs might have a tendency to increase expense, but by no means to the degree which had been represented. He knew something, he was sorry to say, of this question of expense himself, but he knew also that many contests in the Scotch boroughs were conducted at no greater expense than would be incurred in a single represented town. Traditional bribery, he believed, would become most difficult of maintenance in the face of a system of grouping. The system of bribery was traditional in England, and it was because it was not so in Scotland that it prevailed to so much smaller an extent in that country. But when once they united two or three places into one constituency the opportunities of corrupt practices must be very much diminished, and he should expect, as one of the results of the Government measure, a considerable decrease in bribery at elections. The hon. and learned Gentleman—passing from what was a fair and distinct argument—had said that he could not help looking to see what would be the party result of the scheme of re-distribution, and he had made an ingenious statement to show that if the figure had been fixed somewhat higher the Government might have done themselves a little more harm. He said that if the limit had been fixed at 10,000 it would have been so much the worse for them on the Government side of the House. On this, he would remark that when the right hon. Gentleman the Member for Buckinghamshire introduced his Bill in 1859, he had also drawn a line, and had stated that in order to procure the necessary seats some arbitrary rule must be laid down, and that the only condition which the House ought to make was that it should be impartially applied. The hon. and learned Gentleman had talked about ignorance, and had said that the Reform Bill of 1832 drew the line under 10,000. The fact, however, was that it drew the line under 4,000. Well, that Bill took away a Member from every borough with a population under 4,000. The Bill of 1859 drew the line at 6,000; that of 1860 at 7,000; and that of 1866 drew the line at 8,000. Now, however, it was represented that the line of 8,000 was entirely arbitrary, because certain party results were supposed to ensue from it. Why, an equally good argument might be brought forward wherever the line was drawn. At the same time, the hon. and learned Gentleman would easily understand that the lower you went in this respect the greater became the Conservative strength, and the higher you went the greater became the Liberal strength. If they went up to 15,000, you would find the Liberal element in greater preponderance, and if they went up to 20,000 it would be still more so. In fact, they would find the boroughs with the largest populations almost entirely possessed by Liberal representatives. The Government had taken a medium line in this matter, and he did not think that it was fairly open to objection. Well, then with regard to grouping. Was there anything so very absurd in this? He could not go into details as to which borough should be tied to which, or whether it was better that it should belong to one group or to another. Surely these were points that could properly be considered in Committee, and it was impossible to pretend that they affected the principle of the Bill. The Bill embodied two principles with regard to grouping. The first was, not to group unrepresented towns with a large town already represented; and the second was, not to group unrepresented towns of considerable size with smaller unrepresented towns. It would not be reasonable, for instance, to tack on Wallingford to a town like Oxford; and, on the other hand, it was not desirable to group the smaller boroughs with unrepresented towns, which had no other claim to representation except the circumstance of their being in the vicinity of some decaying or rotten borough. The right hon. Gentleman the Member for Buckinghamshire wished to eliminate the urban element out of the counties, so as to leave a purely agricultural constituency. In his opinion, however, that was not consistent with the Constitution of this country, and it would be the greatest possible evil. It was, on the contrary, the existence of the urban element in the counties which made them a valuable part of the representation. However, he would pass from that subject to what had been said about the three Members for counties. His right hon. Friend the Member for Calne recognized in that the principle of electoral districts, but hon. Gentlemen were always discovering some principle which in reality was not involved in the present measure. They found universal suffrage in a £7 franchise and electoral districts in a simple proposal to add a third Member to certain counties. It should be borne in mind, however, that no fewer than seven counties already sent three Members to Parliament. It was objected that in unicorn counties the minority would be oppressed; but he had always thought that the advantage of having three Members was that the minority would be represented. In fact, it would be found that in the seven counties which now returned three Members there was no contest, while in four of them representatives were in politics two to one. Then it was said that the boundaries of boroughs ought to have been settled first of all. But he would ask whether any Government had ever proposed to do that first? It was not done in 1859; on the contrary, the boundaries were to be settled after the Bill, and, if he was not mistaken, they were to be settled upon a plan very similar to that now proposed by the Government. At all events, that was a question of detail which might be discussed in Committee. Surely they ought not to discard both the Franchise and the Re-distribution Bills because the question of boundaries had not been decided. He was quite certain that the House would never come to such a result. The right hon. Gentleman went on to discuss the question of the franchise, and talked of household suffrage as if it necessarily implied universal suffrage. He thought a very erroneous notion was prevalent as to the opinions entertained in former times on the question of lowering the franchise. It was thought that a £7 franchise was the invention of the advanced school of Liberal politicians, and that the old constitutional Liberal party ought to be careful, and jealous, and suspicious how they followed such leading. This was not the case. In the year 1797 there was a Motion made in the House of Commons for the Reform of Parliament, and the proposition was that there should be household suffrage. That proposition was supported in some most remarkable speeches, one of which was delivered by Lord Grey, the author of the Reform Bill of 1832. Mr. Fox also supported the Motion in one of the most powerful and fervid speeches that he ever delivered. He mentioned these facts to show that the idea of trusting the people did not emanate from the Manchester school. He had listened with admiration and wonder to the brilliant speeches of the right hon. Gentleman the Member for Calne, and he wondered, not only at the consummate ability displayed, but also at the strange doctrines he held respecting the representation of the people. It appeared that the right hon. Gentleman was not simply afraid of democracy, but that he denied the whole virtue of the representative principle. He could not reconcile the views of the right hon. Gentleman with that great life-giving principle which lay at the root of our free institutions. He said that what were wanted were men of culture, of education, gentlemen of good manners and good position to conduct the affairs of this country. That was true, but those things did not flourish except in the free air of popular opinion. It had never been possible to get the best blood of the country to devote nights and days to labour for the good of the country, save in those lands where free institutions existed in the sphere of democracy. His right hon. Friend would act as a forester who would nurse and train up his trees one day merely to cramp the vigour of their flourishing maturity. Without the free air of Liberal institutions and popular opinion they would wither. His right hon. Friend said, "We are all for government by numbers;" well, representative government was government by numbers; and if he did not mistake the House of Commons was simply an embodiment of democracy; for democracy meant the government of the people; and if the Members of the House of Commons did not represent them he did not know who did. He used that term as a distinction from oligarchy and government by classes. Our government was not a democracy, but a mixed government of Lords and Commons. The oligarchial element was entirely excluded. He ventured to say that his doctrine had never been gainsaid by any writer on the Constitution—namely, that the House of Commons was an embodiment of democracy—an embodiment of government by numbers. It did not follow, however, upon this that every one should be admitted to the franchise. A man was enfranchised because he was a citizen, and because he was qualified to exercise the franchise; and those were excluded who were not qualified to give an intelligent, independent, and honest vote. Intelligence, integrity, and independence were the things sought, and when found the task was done. That was the true doctrine of a Liberal and free Government; and he ventured to say that in carrying it out to its proper conclusion they would lose none of those ornaments of the culture, and the acquirement of which his hon. Friend was so justly proud. Instead of losing those qualities they would gain them because they flourished in the air of freedom. He was not afraid of the working classes. The House had heard too much about class influence—there was nothing of the kind recognized in the Constitution. The country did not depend merely upon the franchise, but upon other and more subtle elements. This country had its roots deep in the soil of old tradition. It was strengthened, nourished, and nurtured by the atmosphere of free public opinion, and that being the case he had no fear at all. The Constitution would be strengthened by following out or returning to its first principles, and carrying enfranchisement to those who were qualified by industry, integrity, and intelligence to exercise it, and drawing such a line as would best suit and promote the interests of the country.

Lord JOHN MANNERS moved the adjournment of the debate.

Lord ELCHO: Before the Motion is agreed to I wish to ask the Chancellor of the Exchequer whether, in the event of the Amendment of the hon. Member for Wells being rejected, it is the intention of Her Majesty's Government to proceed with the Bill now before the House, and to endeavour with their whole power to carry it through Parliament during the present Session? I ask this question on behalf of those Gentlemen who, at a great sacrifice, but in obedience to a sense of public duty, have felt themselves obliged to oppose the proceedings of Her Majesty's Government with reference to the question of Reform. They have no desire, I am sure, to place the Government in any difficulty that can be avoided, and it is quite evident that if the Government does not intend to persevere with the measure no useful purpose will be served by forcing those Gentlemen to divide against them on this question. It is currently reported and generally believed in the House that Her Majesty's Government intend to withdraw or not proceed with their Bill provided they have a majority in the division. Now, if this be so—if this be the intention of Her Majesty's Government—it should be announced at once, in justice to Gentlemen who, as I have said, from a strong sense of duty, have felt themselves bound to place themselves in opposition to Her Majesty's Government on this question, but who still belong to the same party.

The CHANCELLOR of the EXCHEQUER: It appears to me that, if my noble Friend had found himself under an obligation to put a question of an unusual character upon the Motion to adjourn the debate, he certainly would have done well to have conveyed to Her Majesty's Government his intention of putting that question. It is not, however, simply on the ground of his having failed to give the slightest intimation of his intention that I shall found the answer I now give. I know nothing whatever of the rumours and nothing of the belief to which the noble Lord refers. What are the means and sources of his information he knows better than I do; but as I know nothing of those rumours and nothing of that belief, I confess I am extremely sceptical as to the existence of the one or the currency of the other, and I am wholly incapable of affording any satisfaction to the curiosity of the noble Lord in regard to the question he has put. Sir, the proper time for declaring the intentions of the Government with respect to the Motion of the hon. and gallant Member for Wells will be when I have the honour of addressing the House in the course of the debate, and I must request my noble Friend to have the goodness to wait till that time comes in order to obtain such information as, in the exercise of the best judgment we can form with respect to the performance of our duty and the public interests, it may then be in our power to give.

Motion *agreed to.*

Debate *further adjourned* till *Monday* next.

RAILWAY COMPANIES' SECURITIES BILL AND RAILWAY DEBENTURES, &c., REGISTRY BILL.

Select Committee on Railway Companies' Securities Bill and Railway Debentures, &c., Registry Bill *nominated:*—Mr. Milner Gibson, Mr. Talbot, Sir Francis Goldsmid, Sir James Fergusson, Mr. Thomson Hankey, Mr. Scourfield, Mr. Leeman, Mr. Ayrton, and Mr. Goldney:—Five to be the quorum.

House adjourned at half after Twelve o'clock, till Monday next.

HOUSE OF LORDS,

Monday, *June* 4, 1866.

MINUTES.]—*Took the Oath*—The Lord Ponsonby of Imokilly.

Public Bills—*First Reading*—Lunacy Acts (Scotland) Amendment* (138); Glebe Lands (Scotland)* (139).

Report—Ecclesiastical Leases (Isle of Man)* (134).

THE ROYAL PATRIOTIC FUND.

EXPLANATION.

Earl NELSON desired to explain the apparent discrepancies between the Question asked by him on Friday evening and the answer given by the noble Duke opposite (the Duke of Somerset), relative to the Royal Patriotic fund. On that occasion he addressed the noble Duke as President of the Royal Patriotic Fund, and had pointed out the fact that it was to him the Commissioners looked for the summonses calling them together when they were in difficulties, and that difficulty had arisen in calling the Commissioners together in consequence of the noble Duke's somewhat sudden resignation. If he remembered rightly, the noble Duke stated that at the time of his resignation he was simply acting as deputy for the Duke of Newcastle. The original Commission showed that the late Prince Consort was the first President, but after his lamented decease the Duke of Newcastle was elected to the chair, and always acted as Chairman at the subsequent meetings and discharged those which had formerly been performed by the President. On his illness the noble Duke opposite (the Duke of Somerset) was requested to summon the Commission together, and it was to him that the Members of the Commission subsequently looked for direction in their proceedings. Another apparent discrepancy was the date of the last meeting of the Commission, which he had stated to be the 26th of July, 1864. It was, however, perfectly true that a meeting was held on the 10th of March, 1865, but he (Earl Nelson) had not referred to that meeting because it was specially summoned for a special object. The noble Duke having been outvoted in reference to Captain Fisborne's explanation, and having made a statement in reference to a new Commission, stated his intention to retire from the Commission because he did not wish to share in the responsibility of a decision in which he did not concur. He (Earl Nelson) had been surprised to hear that the noble Duke regarded his resignation as implying a complete separation from the Commission. He had indeed believed that the noble Duke had withdrawn his resignation, and he based that belief on the opinion that if the noble Duke had persevered in intending to resign, a meeting would subsequently have been called for the purpose of considering the subject; and on the report that the noble Duke had so far withdrawn his resignation as to consent to act upon the new Commission, and that he had acted in behalf of the Fund in the matter of completing the arrangements for the new Commission. He was happy to be able to add that notwithstanding the apparent misunderstanding, the interests of the Fund had not suffered in any way, and under the management of an admirable Executive Committee the affairs of the Fund were efficiently and satisfactorily administered.

The Duke of SOMERSET said, he differed from the noble Earl as to the efficient management of the Fund, and not being satisfied with the manner in which it was conducted, he resigned, and did not wish to be again connected with the Commission.

METROPOLITAN RAILWAY (ADDITIONAL POWERS) BILL.—SECOND READING.

Lord REDESDALE, in moving the second reading of this Bill, wished to call the attention of their Lordships to one of its clauses, to which objections had been raised both in the other House of Parliament and in the public press—he referred to the clause by which the amount to be recovered in certain cases of death by accident was restricted to £100. The intention in introducing this clause had been quite misunderstood. By their original Act the Metropolitan Railway Company were required to send one train in the morning and another in the evening, each way at the fare of 1*d.*, for the use of the working classes; but it was provided that in the event of an accident occurring to those trains the amount of compensation to those injured or to the families of those killed should not exceed the sum of £100. The trains running under the provision of the Act were much used by the labouring classes, not less than from 8,000 to 10,000 per week travelling by them. The company wished to extend this peculiar class of accommodation by running three of these trains every morning, and by giving liberty to every person holding a ticket for those trains to return by any train in the afternoon. A clause had, therefore, been inserted in the Bill before them limiting the amount of compensation in the event of any accident occurring to persons travelling on the Company's line with these labouring-class tickets to £100. This arrangement was so beneficial to the working classes that it should be adopted; should, however, Parliament refuse to sanction the clause the Company would have to return to the limited accommodation of two trains, one in the morning the other in the evening.

Moved, "That the Bill be now read 2ª"—(*The Lord Redesdale.*)

LORD STANLEY OF ALDERLEY thought their Lordships should not without careful consideration assent to the introduction into a Railway Bill of a new principle limiting the amount of compensation to be paid by the Railway Company in case of accidents arising upon their line.

LORD REDESDALE said, it was not the introduction of a new principle. It already existed in the Act under which these workmen's trains had been started, and he thought it was only reasonable to apply it to those who took advantage of the ordinary trains with a workman's ticket.

THE EARL OF DERBY said, he thought the explanation satisfactory. It was only extending the provisions of the present law. At the same time, they must take care that they did not inadvertently sanction that which might inflict great injury on the community.

LORD EGERTON wished to know whether it was proposed to extend the principle to all the other railways. He thought that the introduction of a clause which would put aside the law of compensation as contained in Lord Campbell's Act was most objectionable.

LORD STANLEY OF ALDERLEY supposed that the introduction of the clause limiting the amount of liability must be regarded as a sort of payment to the Company for the additional facilities they proposed to give to the public.

LORD REDESDALE remarked that the Bill was opposed, and therefore any person objecting to its provisions might discuss the matter before the Committee.

Motion *agreed to:* Bill read the second time.

PRIVATE BILLS.

STANDING ORDER No. 184.

LORD REDESDALE, in moving certain alterations in their Standing Orders relating to Bills authorizing the construction of Railways, said, he wished to recall to the recollection of their Lordships the speeches he had made on two former occasions with reference to the finance of Railway Companies. This subject, although of very great importance, had this advantage—that it was one their Lordships could discuss without being influenced by party feeling. The question, indeed, was one into which it would be highly unbecoming to introduce any private feeling whatever; and, for himself, his principle of action had always been never to introduce to the notice of the House any matter connected with the office he had the honour to hold with the slightest feeling of party spirit. In such matters he had invariably acted quite independent of what might be the feeling of the noble Earl the First Minister of the Crown, on the one hand, or of the noble Earl the leader of the Opposition on the other. In like manner, he trusted their Lordships would give a calm and impartial hearing to the subject, which, although not a very lively one, deserved their serious and careful consideration. The question, however, was a very plain and common sense one, and he thought their Lordships would without difficulty come to the conclusion that the Standing Orders on this subject required alteration. The question they had to consider concerned not only railways, but affected the whole financial interests of the country in every respect. When he called attention to this subject a short time since he was told that he exaggerated its importance; but he thought that the occurrences of the last few weeks must have satisfied their Lordships, and all who took an interest in the monetary affairs of the country, that the manner in which railway speculation had been carried on had conduced in no small degree to the embarrassments in which the country had been lately involved; and he thought that the failure of many of the finance companies and banking establishments, of which they had recently had so many, could be traced back in a great degree to the manner in which they had become involved in railway speculations. The great importance of the question arose from the amount of capital affected, for the amount of capital involved annually in railway speculations was equal to our ordinary expenditure in time of war, which, as they all knew, exercised a great effect upon the monetary concerns of the country. It was not, however, the mere greatness of the sum that created any difficulty (for he believed the resources of the United Kingdom were quite capable of providing an even larger amount), but the manner in which these sums were to be raised, and what was wanted was, that these undertakings should be based on sound principles, affording a good security; whereas, at present, many of the schemes that came before Parliament were based on no security at all. They came into the market merely as schemes, and with the exception of the lines promoted by existing companies they were too frequently started by persons who had not made the slightest provision for carrying them out. Their Lordships would remember that on a previous occasion he called attention to a particular instance of this, and he now held in his hand a copy of Evidence that had been given before a Committee of the House of Commons in relation to another of these undertakings The promoters, it appeared, when questioned on the matter, admitted that their undertaking had neither Chairman, Directors, or Secretary; that they had made no arrangements for raising the proposed capital of £1,000,000; that they did not regard this as necessary before bringing in their Bill; and that it was contingent upon the passing of the Bill through Parliament that these apparently essential arrangements should be effected. Supposing this Bill passed—which was not unlikely to be the case—the scheme would be launched into the money-market without any provision for raising a farthing of the capital. How, then, would the money be obtained? As everybody was aware, money could not be raised without any security on reasonable terms, and such an undertaking was in precisely the same position as a young heir who went into the market to raise money on his prospective estates, the money being, of course, lent on very disadvantageous terms. Millions were advanced in this manner on these speculations, and such a system had a very prejudicial effect upon the monetary concerns of the country. It was argued, indeed, "all this comes right in the end: the line is finished, and then the whole thing is settled." The thing, it was true, was settled; but the settlement was just like that made by an heir when he entered upon an estate which he had heavily burdened. He might be able, perhaps, to satisfy the claims made upon him, but he was left with an empty exchequer. A railway constructed in such a manner was involved in great embarrassments, and he could not select better instances of this than two great companies with which able speculators and contractors had been connected. He referred to the Great Eastern and the London, Chatham, and Dover Companies. He thought he might venture to say that the former certainly, and, he believed, the latter also, were at the present moment practically insolvent; that was to say they were unable to raise a farthing on direct security and on their own credit. Now he must say that when they, sitting as Members of the Legislature, saw these things going on and took no steps to check them, and to base railway legislation on sounder principles, they were themselves to some extent responsible for the embarrassment and confusion from which the money-market had lately suffered. It would be asked what remedy he proposed? The remedy he proposed was that a certain proportion of the capital required for the carrying out of the undertaking should be raised in the first instance as a basis, and having this to start with there was a guarantee that the further sums needed would be obtained on fair terms. He regarded this as a very practical question, and he wished their Lordships to consider it on common sense principles. Suppose they had an application for the tenancy of a very desirable farm, and that the applicant, on being asked what capital he possessed to undertake it, replied that he had none, but that if they would let him have the farm he should be able to raise the capital—would they not tell him that the interest he would have to pay under such circumstances would allow no margin of profit, and that they preferred a tenant already possessed of capital, who could raise any further sum necessary on reasonable terms, and who was likely, therefore, to make the occupation a profitable one? That was clearly the principle on which these speculations should be conducted. Let there be some capital to start with, and then whatever additional sum was required could be obtained on fair terms; whereas, if the promoters launched a scheme as a mere speculation, without any security beyond the undertaking itself, it was evident they could only raise money upon it at exorbitant rates. It must be remembered that these practices affected every branch of industry, for persons who wanted to raise money for any legitimate purpose were affected by the state of the money-market, and this system tended to raise the rate of interest—and, indeed, had done so to such an extent that it was easier at the present time to raise money in France than in England, albeit the resources of this country were so much greater. The cause of this was over-speculation and the system of raising money without security, thus necessitating a very high rate of interest. Moreover, great expenses attended the raising of money in this way. He had received information from authority on which he could rely that the sum paid by the London, Chatham, and Dover Railway Company—he did not know in how many years—to the agents they had employed for raising money amounted to very nearly half-a-million. Now, the whole of that was added, of course, to the cost of constructing the line. Under the present system these companies had nothing to begin upon but what they could raise by borrowing. The last issue of the London, Chatham, and Dover was at the rate of £27 10*s*. for £100; and their issue of £2,270,000 at that rate only brought in £624,250. The consequence was that there was an enormous amount of capital for which no real money had been paid, and no one knew the real value of the property. He would now direct their attention to some of the objections that were urged against his proposal. First of all, it was said the introduction of the new system would lead to a pause in railway undertakings. He had received a pamphlet from a gentleman who was very well qualified to express an opinion on the subject, Mr. Coates, a Parliamentary agent, who stated that he thought it would be utterly impossible to carry on railway schemes if his (Lord Redesdale's) proposition was adopted. There was one sentence in Mr. Coates pamphlet which, he thought, gave the key to his whole argument. He said there were only two sources from which the want of railways could be supplied—first, the existing companies; and second, contractors' lines. Now, that was begging the whole question. Railways were formerly made by capital subscribed; and what was done formerly might be done again. With regard to the allegation that the plan he (Lord Redesdale) proposed would occasion the stoppage of large works, and throw a large number of persons out of employment; his reply was that he believed more navvies had been thrown out of work by the recent stoppage of two of the principal railway contractors than could ever be displaced by the enforcement of any such restrictions as his plan proposed. There were scores of schemes which had received the sanction of Parliament during the last three Sessions in relation to which not a single stroke of work had been done. If they could only find money, these schemes would be more than sufficient to employ all the navvies in England. It was said the old railway companies opposed the contractors' lines. No doubt they did, because they were not made for the accommodation of the original companies. It was the more desirable for a contractor to get up such schemes if they could be made to work hostilely to one or two independent companies. In that respect these lines were neither advantageous to the railway companies nor to the interests of the public. Railways were never so secure as when they were prosperous; but railway contractors could only save themselves by getting their lines taken off their hands advantageously by an independent company. Then it was said the restrictions he proposed would put an end to non-paying lines. But why should local schemes not have a secure capital in the first instance? Existing companies would then hardly ever oppose them, and they would be almost sure to obtain the sanction of Parliament. There were some lines, no doubt, that would not yield an adequate return to tempt speculators; but the requisite capital should in such cases be found by those to be locally benefited. Proprietors of settled estates were now enabled to charge them to the extent to which they would be benefited by a railway, and the proprietors in a district ought to act upon that principle. Let those raise the funds who were to receive the benefit of the scheme. Under the present system it might be necessary to go about and obtain money on pretences such as he had described; but it was not an honest way of obtaining money, and their Lordships were parties to the transaction. He thought that their Lordships for their own credit should look sharply into this matter, and he trusted that they would be of opinion that the only way in which security could be found for carrying on a sounder system was by requiring a certain amount of the capital to be provided beforehand—namely, two-thirds. This arrangement would give ample room and scope to the contractor, to whom the directors might make the offer of finding the other one-third. It had been objected that this was a proposal to adopt a new principle without communication with the other House of Parliament. All he could say was that nobody had done more to bring the Orders of both Houses into unison than himself, and if a joint action could be promoted in this or any other matter he should be most happy to assist in producing that result; but he felt it his duty to tell their Lordships that there were some influences in the House of Commons which made it difficult to carry any measure of this sort unless a little pressure was exerted for its consideration. The expediency of making deposits available for the construction of lines was recommended by a Committee of the House of Commons two Sessions ago, but that took place late in the Session and much delay was interposed, and the proposition was not carried out. He was, therefore, afraid that if their Lordships did not take a step in the matter themselves they would find a difficulty in inducing the House of Commons to come to a decision on the point—not from any unwillingness on the part of the other House, but because there were many ways by which a proceeding of this kind could be defeated by delay. It was said that what he now proposed amounted to a total revolution in respect to the principle of railway legislation. This he denied, for the subscription contract was the oldest principle contemplated by the Standing Orders on the subject, and was only given up because it was abused and evaded. His propositions consisted of a combination of what was formerly the universal practice—the subscription contract with the system of deposits; with this additional advantage, that interest was to be paid on the deposits. He certainly wished that their Lordships would adopt the Standing Orders which he proposed. He would remind their Lordships that a Standing Order was not an Act of Parliament, but could be altered at any time during the Session; and the advantage of agreeing to his Motion would be to make it necessary for the House of Commons to take some step in the matter. If his proposition were adopted it would be quite open to modification, and he believed that what he proposed was the only practical way of bringing the question to any result. As to the proposal to refer the matter to a Select Committee, he believed that this was unnecessary, because they had perfect information in reference to the question already.

Moved, That the Standing Orders be considered in order to their being amended:—

Standing Order No. 184. Sections 2 and 3:—

2. That in the Case of a Railway Bill authorizing the Construction of Works by other than an existing Railway Company incorporated by Act of Parliament, and which has during the Year last past paid Dividends on its ordinary Share Capital, a Sum not less than Eight per Cent. on the Amount of the Estimate of Expense (or in the Case of substituted Works of the Amount by which the Expense thereof will exceed the Expense of the Works to be abandoned), and in case of all Bills other than Railway Bills a Sum not less than Four per Cent. on the Amount of such Estimate or of such Excess as aforesaid, shall, previously to the Fifteenth Day of January, be deposited with the Court of Chancery in England if the Work is intended to be done in England, or with the Court of Chancery in England or the Court of Exchequer in Scotland if such Work is intended to be done in Scotland, and with the Court of Chancery in Ireland if such Work is intended to be done in Ireland; and if the Bill is for the Purpose of Establishing a Company for carrying on any Work or Undertaking, the Persons in whose Names any such Deposit is made must be Subscribers to the Undertaking, and their Names must appear as such in the Bill.

3. That in Cases where the Work is to be made out of Money to be raised upon the Security of the Rates, Duties, or Revenue to be created by or to arise under any Bill under which no private or personal pecuniary Profit or Advantage is to be derived, a Declaration stating those Facts, and setting forth the Means by which Funds are to be obtained for executing the Work, and signed by the Party or Agent soliciting the Bill, together with an Estimate of the probable Amount of such Rates, Duties, or Revenue, signed by the Person making the same, may be deposited, and in such Case no Deposit shall be required.

to be omitted, and the following Sections substituted:—

2. That in the Case of every Bill of the Second Class for creating a Company to construct any Work, or for enabling a Company already created to construct any Work, when such Company shall not have regularly paid during the Two preceding Years Dividends on their ordinary Share Capital, or when the Share Capital required for the proposed Work shall equal or exceed their existing Share Capital (and if the Company shall have more than One Second Class Bill before Parliament the Capital proposed to be created by all such Bills shall be reckoned together for the Purposes of this Provision), a Subscription Contract be entered into by Twenty Subscribers at least for Two Thirds of the Share Capital proposed by the

Bill, whereby every Subscriber shall bind himself, his Heirs, Executors, and Administrators, to accept and pay the Calls on a specified Number of Shares in the Undertaking, and every Subscriber shall pay, as a Deposit thereon, One Eighth of the Amount of each such Share.

That every Subscription Contract be by Deed, and contain the following Particulars :—

1. The Names, Description, and Residence of every Subscriber.

2. The Amount of each Share, which shall not be less than Ten Pounds.

3. The Number of Shares taken by each Subscriber, and the Sum paid up in respect thereof.

4. The total Number and Amount of Shares subscribed for, and the total Amount paid up in respect thereof.

That the aggregate of the Sums paid as aforesaid shall, previously to the Fifteenth Day of January, be deposited with the Court of Chancery in England if the Work is intended to be done in England, or with the Court of Chancery in England or the Court of Exchequer in Scotland if such Work is intended to be done in Scotland, and with the Court of Chancery in Ireland if the Work is intended to be done in Ireland ; and the Persons in whose Names any such Deposit is made must be Subscribers to the Undertaking under the Subscription Contract, and their Names must appear as such in the Bill.

That in every Bill, in respect of which a Subscription Contract is required as aforesaid, the following Clauses be inserted :—

1. A Clause providing that no Transfer or Agreement for the Transfer of any Share or Portion of a Share so subscribed for shall have any Validity or Effect unless at the Time of such Transfer or Agreement Three Fifths at least of the Amount of such Share is paid up in answer to Calls made thereon, including the Amount paid as a Deposit.

2. A Clause authorizing the Payment out of Capital of Interest not exceeding Four per Cent. on the Deposit Money and on all Calls made on the Shares so subscribed for until they become transferable ; such Interest to commence on the Deposit from the Fifteenth Day of January and on the Calls when the same are paid.

3. A Clause to the following Effect, viz.:—
Whereas pursuant to the Standing Orders of   and to an Act of the Ninth and Tenth Years of Her present Majesty, Chapter Twenty, a Sum of   Pounds, being One Twelfth of the Amount of the Share Capital authorized by this Act, has been deposited with the Court of Chancery in England [*or* with the Court of Exchequer in Scotland, *or* the Court of Chancery in Ireland, *as the Case may be*], [*or* Exchequer Bills, Stocks, or Funds to the amount of   Pounds have been deposited or transferred, pursuant to the said Act, *as the Case may be*] in the Names of
being Subscribers to the Undertaking under the Subscription Contract required by the Standing Orders aforesaid in respect of the Application to Parliament for this Act : Be it enacted, That notwithstanding anything contained in the said recited Act, the said Sum of   Pounds [*or* the said Exchequer Bills or other Funds, *as the Case may be*] so deposited [*or* transferred] as aforesaid, or the Interest or Dividends thereof, shall not be paid or transferred to or on the Application of the Person or Persons or the Majority of the Persons named in the Warrant or Order issued in pursuance of the said Act, or the Survivors or Survivor of them, unless the Company shall, previously to the Expiration of the Period limited by this Act for the Completion of the Works hereby authorized, prove to the Satisfaction of the Lords of the Committee of Her Majesty's Privy Council for Trade and Foreign Plantations that the Company have paid up One Half of the Amount of the Capital by this Act authorized to be raised by means of Shares, and have expended for the Purposes of this Act a Sum equal in Amount to such One Half of the said Capital ; and if the said Period shall expire before the Company shall have given such Proof as aforesaid to the Satisfaction of the Lords of the said Committee, the Sum so deposited as aforesaid, and the Interest and Dividends thereof, shall immediately from and after the Expiration of the said Period be forfeited to Her Majesty, and be paid and transferred by the Officer or Person in whose Name they shall then be deposited or invested to the Account of Her Majesty's Exchequer, and when so paid and transferred shall be carried to and form Part of the Consolidated Fund of the United Kingdom of Great Britain and Ireland. The Certificate of the Lords of the said Committee that such Proof as aforesaid has been given to their Satisfaction shall be sufficient Evidence thereof.

Proposed Addition to Standing Order CLXXX. Sect. 1. Page 27.; after the Word "Intention" in the 13th Line of Section 1. insert—

And if it be intended to apply for Powers to amalgamate with any other Company, or to sell or lease the Undertaking, or to purchase or take on Lease the Undertaking of any other Company, the Notices shall specify the Company, Person, or Persons, with, to, from, or by whom, and the Terms and Conditions on which, it is intended to be proposed that such Amalgamation, Sale, Purchase, or Lease shall be made.

Proposed Sections to follow Sect. 8. of Standing Order CLXXXIX. Page 43—

[Note.—*The Words printed in Italics are proposed to be inserted.*]

9. That a Clause shall be inserted in every Railway Bill, prohibiting the Payment of any Interest or Dividend in respect of Calls under such Bill (except the Interest *allowed on the Deposit and Calls made on Shares in the Subscription Contract under the Provisions of Standing Order No.* 184., *and except* the Interest by way of Discount on Subscriptions prepaid, agreeably to 8th Vict. c. 16. s. 24.), out of any Capital which they have been authorized to raise, either by means of Calls, or of any Power of Borrowing.

10. *That when by any Bill Powers are applied for to amalgamate with any other Company, or to sell or lease the Undertaking, or to purchase or take on Lease the Undertaking, of any other Company, the Company, Person or Persons, with, to, from, or by whom, and the Terms and Conditions on which, it is proposed that such Amalgamation, Sale, Purchase, or Lease shall be made, shall be specified in the Bill.*

(*The Chairman of Committees.*)

THE MARQUESS OF CLANRICARDE said, he agreed with the noble Lord (the Chairman of Committees) that the transactions connected with the railway system must have an effect on the commerce, trade, and financial condition of the country; but he asked, considering the picture which the noble Lord drew at the beginning of his speech, whether their Lordships supposed that they could deal properly with such vast transactions by passing merely a Standing Order?—though that course of proceeding might have the effect of driving capital into other channels and impeding the progress of the railway system. What reason was there why peculiar legislation was more requisite for railway companies than to any other companies? There were only two reasons why railways could not be constructed without a Private Act with the same freedom of trade as other branches of industry were carried on—one being, that railway companies required compulsory powers to take private property, and the other that validity must be given to their bye-laws, by which their business, as public carriers, and other transactions might be beneficially carried on. When Parliament conferred these powers on railway companies they were bound to take care that the companies provided the public with sufficient accommodation in return; but if their Lordships were to undertake to say what the management of railways should be as between the speculators in such schemes and those to whom they intrusted their money, they undertook a task which it was impossible they could satisfactorily accomplish. How could a speculator, be he contractor or engineer, who applied for powers to construct a line of railway of twenty or 100 miles, tell at the outset what might be the expense of its construction, what the cost of going before Parliament, what the changes which might take place in the price of materials or of labour? His noble Friend had, he thought, omitted to touch in his speech on a point which was of the greatest importance—he meant the interest of the public as involved in the question with which he asked the House to deal. He had stated how the Directors of railways had mismanaged, and something more than mismanaged, their own affairs; but he had neglected to point out the results to the country of that which they had accomplished. What had been the results as regarded the public? How many railways, he should like to know, had been made by the use of Lloyd's bonds that would not have been constructed without their aid? Would it not be a monstrous thing to lay down the doctrine that a great public work should not be carried out, because the capital which might at first be deemed necessary for its construction should afterwards be exceeded? The cases of three railways had been specially pointed out in illustration of the argument of his noble Friend—one the Stafford Railway, in the centre of England, another a railway on the southern coast of Ireland, and the third a railway in the metropolis. But what, he would ask, were the facts with regard to those lines? His noble Friend himself had on a former occasion admitted that the Stafford line was a good and useful line; and was it not for the advantage of the country, he should like to know, that that railway should have been made? Then came the case of the Cork and Youghal line, which had been alluded to as the worst of all, and to whose Directors it was imputed that they had been guilty of something worse than mis-management, inasmuch as, having received £150,000 in Lloyd's bonds, and having applied to the shareholders for powers to raise £150,000 to pay off those bonds, and having got the money did not pay off those bonds, but applied the money to other purposes. How could misconduct such as this be prevented by means of Standing Orders? Such cases must be referred to the Law Courts of the country, and could be prevented for the future only by some general Companies' Act. But what he wished to point attention to was the result to the public. The railway company in question ran from end to end of their line four trains a day, while no less than fifteen trains a day ran on the branch to Queenstown. The line, moreover, was not of benefit to Youghal and the district immediately surrounding it only; it was of advantage to the whole Empire, inasmuch as the postal communication with America was carried by this very line. How, then, in the case of that line—the grossest case of all—had the public so suffered that their Lordships should in consequence be induced to adopt his noble Friend's proposition? There had been mis-management, also, it was alleged, in the case of the London, Chatham, and Dover; but how was their action in that respect to be controlled by means of a Standing Order? There were, he found, sixteen down and fourteen up-trains on that line every day—an amount of accommodation being thus furnished of which he was sure no noble Lord would like to see the public deprived. The Returns of receipts on that line for last week were £12,775, showing a total of between £600,000 and £700,000 for the year. If, then, such results were produced under the existing system, he must ask his noble Friend to pause before he placed such a barrier as he proposed in the way of railway construction. It would be, he contended, a complete misapplication of a Standing Order to meddle between shareholders and directors, as his noble Friend sought to interfere, and he hoped their Lordships would not, by acceding to his suggestion, give encouragement to a system of monopoly which he could from his own experience state would operate most prejudicially. This was illustrated by the case of two railway companies in his neighbourhood, which, having a dispute as to the construction of a short line which would be of great advantage to the district into which it was proposed it should run, agreed to refer the matter to arbitration, the result of which was an award to the effect that the line should not be constructed by either. That, he thought, was not a decision which ought to induce the House to give monopolies to railways. Was it to be supposed that, when all their other Standing Orders had been evaded, the proposed Standing Orders would not be evaded also? There was, moreover, another objection to their proceeding in that manner without consultation with the other House of Parliament, which was that their Lordships would be undertaking to make what would be neither more nor less than a law—if it had any effect at all. They would throw the whole railway world, and not merely those who were interested as projectors and speculators, into great confusion if they insisted on one day that there should be a large deposit of money, while on the next day it might be taken out. The matter was one which ought to be more fully inquired into. Nobody was more alive than he was to the necessity of the regulation of railways; and there were matters which they might not be able to regulate by Standing Order, and those matters ought to be regulated by Bill. Among them he referred to the protection of life and property upon railways. He found from a Return that in the year 1864 no fewer than 220 persons were killed and about 800 injured by railway accidents. The proposal of the noble Lord was made avowedly with the view of stopping the progress of railways; but if that course were taken they would be going back to the policy of the Committee of 1825, which rejected the first railway between Manchester and Liverpool. He begged their Lordships, if they took any step to check railway speculation and the management of companies by their directors, to do so by an Act of Parliament, and not by a Standing Order, of which the only effect, if it had any effect at all, must be to arrest the progress of the wealth and commerce of the country.

An Amendment *moved,* to leave out from ("That") and insert ("a Select Committee be appointed to consider how far it is expedient to amend the Standing Orders relating to Railways.")—(*The Marquess of Clanricarde.*)

THE MARQUESS OF LANSDOWNE said, that if the railways under the existing system had been properly laid out there might be some weight in the argument of the noble Lord who spoke last as to the impropriety of impeding railway enterprize. But not one-half of them had been so laid out. With regard to the question of the subscription contract, the proposal now made seemed to him to be necessary, and he thought it would have a salutary operation on the construction of railways, without being unduly restrictive. If it made the progress of these works a little slower than it had been, it would be a benefit rather than an injury to the country.

LORD HARRIS said, he was astonished at the statement which the noble Lord the Chairman of the Committees, with his experience, had made with regard to the issue of capital by the London, Chatham, and Dover Railway Company. The noble Lord, as he understood him, had said that the Company had issued the first capital at a discount of 42, and the second and third capital at a discount of £27 10*s*.

LORD REDESDALE explained that he had said there was an issue of £1,100,000 additional capital of the Company when they gave £40 fully paid up stock for £21, and subsequently an issue of £2,270,000, when they gave £100 for £27 10*s*. He had no doubt that that was issued by the contractors. He had seen the terms advertised. That capital was for the company's metropolitan line.

Lord HARRIS said, the fact was that a certain amount of capital was required to be raised for what was termed "the Metropolitan Extension" of the London, Chatham, and Dover Railway Company. The arrangement made was the same as that which had been adopted in many other cases, and which had been most successful, in regard to the Great Northern Railway—namely, that there should be a division of shares. B shares were put out at par, and some of them were held as a guarantee by the contractors. It was afterwards found necessary to make a fresh arrangement, and some C shares were issued. The contractors found that they required other money, and shares were issued which came as a third charge on the line, and which, consequently, were put out at a considerably lower rate. The contractors got the money without inconvenience, and the shareholders were aware of what had taken place. It was a greater advantage to the contractors to get that money without paying interest upon it than to have raised it at a higher rate. The London, Chatham, and Dover Railway consisted of different portions, and had a separate capital, which had nothing to do with that for the Metropolitan Extension. It had to do with the original line. It was a great disappointment to the directors that the capital invested in the line had not hitherto proved reproductive, but at the same time it did not follow that the shares would remain at their present market value. The shareholders must wait, as on other lines, until the railway could earn money enough to pay a sufficient dividend. The original stock did not exceed £700,000, and nearly £600,000 was bought by the holders at a small sum above £35; so that if the line met with the success for which the directors hoped the shares might yet be worth what they had cost. The London, Chatham, and Dover Company had its origin in a railway company formed some years ago to accommodate the district between Canterbury and Chatham. That district being unable to obtain the accommodation it required from the South Eastern Company, determined to make a line for itself of twenty-five miles in length to connect the towns of Chatham and Canterbury. They were subsequently encouraged by the Duke of Wellington's opinion of the military importance of the line to go on to Dover. They were again unable to induce the South Eastern Railway to give them the accommodation they required, and a separate and independent access to London was accordingly made. A portion of the line—the western extension from Beckenham—was actually a paying line. He should be exceedingly glad if a cheaper mode of constructing railways could be secured, but the proposal of the noble Lord the Chairman of Committees would have a most prejudicial influence upon railway enterprize, and would injuriously affect the public interests.

Earl GREY said, that while he felt disposed to support the Motion of the noble Marquess for a Select Committee, he entirely differed from him as to the grounds for that proposal. The noble Marquess was quite right in saying that the Legislature ought to take no steps the effect of which would be to check the formation of railways; but the present state of things prevented the country from getting the accommodation it required. Railways were proposed by persons having no real command of capital wherewith to construct them. Their object was to make a profit from the passing of the Bill and the construction of the line, and then to get rid of the line before it was completed. He was far from saying that it was the business of Parliament to prevent the shareholders in these concerns from losing their money. He fully recognized the principle that individuals could take better care of themselves than Parliament could take care of them; but when the Legislature gave power to a company to construct a railway, it did two things—it empowered them compulsorily to take the property of other persons, and it gave them a virtual monopoly of making railways in that district. What was wanted was practically to secure that the railway should be judiciously planned and that it met a real want on the part of the public. He believed that the lines which were usually denominated "non-paying lines" were of great importance to the country, and ought to be encouraged. The main lines of communication had already been made, and the railways now required were of a minor character, and were not calculated to return more than a moderate interest upon the outlay of their construction; the principal advantage of such railways was to be found in the increased value of the districts through which they passed. These were the lines that they ought as far as possible to encourage, and they ought especially to hold out inducements which would lead to the construction of such railways by the people who would derive the greatest benefit from them when completed. With this view two years ago Parliament passed an Act which enabled the owners of estates to come forward in support of railways which would improve the district in which their property was situated. At present Railway Bills were chiefly promoted by contractors and persons who sought their remuneration chiefly from the expenses which attended the progress of the Bill through Parliament; it was to these persons a matter of comparatively little importance whether the line was needed, or whether it was judiciously planed, or whether it would be likely to make a return to the shareholders. Oftentimes their object was simply to compel existing companies to purchase their interests at extravagant rates. He believed that the requirement that a considerable portion of the capital should be really raised before a line was undertaken would be an advantage to the public in the end, because while that was not done there was no security for the construction of a line, and owners of property were left in a state of uncertainty as to whether the compulsory powers of the Act would be exercised or not, and another evil was that the money for completing lines was raised on disadvantageous terms to the detriment of undertakings of a better character. Parliament ought, as far as possible, to take care that compulsory powers and exclusive possession of the line of railway should be given to those only who had the means of carrying on their undertaking, and that the powers granted by Parliament should not be employed purely for the exclusion of others. The present system, instead of tending, as his noble Friend supposed, to the promotion and construction of railways in the best manner, and in those parts of the country where they were most needed, had precisely the contrary effect. It tended rather to discredit the whole system of railway enterprize in the public mind, and to make people unwilling to advance their money for the furtherance of such schemes.

LORD PORTMAN said, the question was not whether the London, Chatham, and Dover Company was paying or not, or whether the Great Western wished for an additional line, but whether the remedy proposed by the Chairman of Committees was the right one to adopt in order to meet the evil which had been brought under their notice. It seemed to him that the wiser course would be to send his noble Friend's proposal to a Committee upstairs, where it could be carefully considered by those of their Lordships who had given attention to railway matters, when such Standing Orders might be framed as would meet the emergencies of the case. He placed no faith in the opinion that anything which Parliament did would act as a check upon speculation. He was old enough to remember what took place in 1825 and 1826, when people squandered their money as they had done since, although there were no railway schemes in which they could invest their capital. The existing Standing Orders were framed for the protection of those whose property was to be compulsorily taken; and having taken care that they were sufficient for that purpose it was now their duty to see what could be done to protect shareholders. There were, it seemed to him, several defects in the Resolutions proposed by the noble Lord, which would require the attention of a Select Committee. For instance, it might, perhaps, be advisable not to allow any company to apply to Parliament in the same Session for more than one second-class Bill; but he thought it would scarcely be advisable to make it necessary that a subscription contract should be entered into by at least twenty subscribers. In many places the lines constructed were short, and purely local in their character. It would, therefore, he thought, be unwise to require so many subscribers when a few good and substantial men would often be willing to undertake all responsibility. As many subscribers only agreed to take shares in the proposed schemes on certain conditions, he thought that such conditions ought to be stated, and that an order making this necessary should be framed. He objected to Clause 2, because it authorized the payment of interest out of capital. A particular Act of Parliament permitted the payment of 4 per cent interest out of capital under certain circumstances; but the clause to which he referred authorized a further payment of interest out of capital. Turning to Clause 3 he found that the money to be lodged was not to be laid out on the works necessary for the construction of the line until half the amount of the capital had been paid up.

LORD REDESDALE said, that the regulation referred to was identical with that contained in the existing Standing Order.

LORD PORTMAN said, that by Clause 10 it was provided that when in any Bill powers were applied for to amalgamate with any other company, or to sell or lease the undertaking, or to purchase or take on lease the undertaking of any other company, the company or persons with whom such agreements were to be made and the terms and conditions of such agreements should be specified in the Bill. In the event of such a clause being inserted Parliament would have no power to alter the terms of those agreements. He thought the whole question should be sent before a Select Committee.

LORD STANLEY OF ALDERLEY said, he thought it would be highly objectionable that one House of Parliament should legislate as it were upon the future conditions upon which railway companies were to be entitled to come to Parliament. The Resolutions were framed upon the principle of securing prudence in lending money for the construction of railways, and in the carrying out of such undertakings; but it did not appear to him that those were matters in which Parliament ought to interfere, any more than they ought to interfere with the management of any other commercial transactions. He thought the best course that could be adopted with regard to the question would be to send it before a Select Committee, when the opinion of the leading Members of the other House who took an interest in railway legislation could be ascertained as to whether subscription was the best mode of insuring the *bonâ fide* character of the railway schemes brought before Parliament, and that by so doing they would thus avoid the danger of adopting Resolutions which they might afterwards have to abandon in consequence of the House of Commons refusing to join in their views. Subscription as a test of that kind had been abandoned because it had been found impossible to insure that the subscription list was *bonâ fide.* The principal point they had to insure was that the persons whose lands were compulsorily taken under the powers of the Railway Acts should have some security that the lines should be completed, and as long as that security was obtained he saw no reason for throwing impediments in the way of lines promoted by contractors, who frequently projected and constructed through mineral and other districts railways which were of the greatest advantage to the localities. He hoped the noble Lord (Lord Redesdale) would not object to the whole subject being sent before a Select Committee, and thus ascertain, at any rate, how far his propositions were likely to receive the assent of the other House of Parliament, and not unnecessarily interfere with the prosecution of undertakings which were of great importance to the country.

THE DUKE OF CLEVELAND thought the subject was one for the House to determine. It would be useless to send the question before a Select Committee composed of Members holding different and even hostile views.

EARL GRANVILLE said, he was sorry to hear the noble Duke who had just sat down raise any objection to the matter being sent before a Select Committee. He was certainly not prepared without having further information upon the subject to agree with the noble Lord who proposed the alteration as to the extent of the evil he complained of, or as to how far it was possible to deal with that evil, and as to how far the alteration he proposed was the best method of extirpating it. He should be sorry to force the House to a division upon a subject which involved no party feeling, especially as the Government was greatly indebted to the noble Lord for the assistance he had so frequently rendered them in matters connected with the regulations of the House. He thought it would not be advisable to adopt these Resolutions without any communication whatever with the other House, and he hoped the noble Lord would not object to the appointment of a Select Committee.

LORD REDESDALE said, he felt himself placed in a difficulty. He feared that if he acceded to the Amendment of the noble Marquess, the object he had in view would be defeated. He had no objection to some arrangement being come to whereby an opportunity might be afforded of taking the opinions of leading Members of the other House upon it. At the same time he feared that at this late period of the Session if a Select Committee of their Lordships were appointed, in the terms of the Amendment, to consider generally how far it was expedient to amend the Standing Orders relating to railways, it would be impossible to obtain the concurrence of the other House. He would be willing to withdraw his Motion if he were allowed to propose the appointment of a Select Committee, to consider how far it was right or expedient to assent to the amendment of the Standing Order No. 184 which he proposed. In this case he would have the appointment of the Committee in his own hands, and not leave it in the hands of a Peer who was opposed to any change in the Standing Order. He believed that the change would prevent immature schemes being brought forward in November for the next Session ; and in that sense so far from impeding the progress of the railway system, it would really promote it. He thanked the noble Lord the Chairman of the London, Chatham, and Dover Railway Company (Lord Harris) for confirming his statement.

The Marquess of CLANRICARDE said, he was willing to accede to the terms of the noble Lord.

Amendment (by Leave of the House) *withdrawn.*

Then the Original Motion (by Leave of the House) *withdrawn;* and a Select Committee appointed to consider Alterations in Standing Order No. 184, proposing that a Subscription Contract shall be entered into in certain Cases by the Promoters of Second Class Bills.

POOR PERSONS' BURIAL (IRELAND) BILL—(No. 136.)—(*The Earl of Belmore.*)

COMMONS AMENDMENT CONSIDERED.

Commons Reasons for disagreeing to a certain Amendment of the Lords *considered* (according to Order).

The Earl of BELMORE said, that with regard to this Bill, the Commons had disagreed to an Amendment, made by this House in Committee after some discussion, and for reasons which were substantially the same as those which the noble Lord the Under Secretary for War had used on that occasion, although he had not then thought it worth his while even to say "Not-Content," on the question being put. The Commons had sent up their reasons for disagreeing, which in substance were as follows. They called this a new kind of relief. Now this was not a Bill for the relief of the destitute poor, but for the decent burial of the dead. Incidentally under this Bill, in some cases, the relations of poor deceased persons might be relieved from the expense of burying them; but the object of the Bill was to provide for what until two years ago was done by the churchwardens out of the vestry cess (at which time when that fund was abolished)—namely, to provide for the the burial of deceased persons whose relatives could not be found, or were unable to bear the expense of burying them. However, he did not attach any great importance to this point, but what he did object to was the unsatisfactory way in which the opposition to the clause had been conducted. When he took charge of the Bill, he found there would be objections made to it, and he told the hon. Member who introduced the Bill into the House of Commons, that without some such clause the Bill was very likely not to pass. That hon. Gentleman communinated with the Irish Government, who thought that this was a necessary Bill, and he (the Earl of Belmore) was authorized to say that under the circumstances the Government would waive their objections to the Amendment. The noble Lord opposite contented himself with the mild protest he then used, and the Bill passed with the Amendment. When it went back to the other House, however, it appeared that the Government had changed their minds, and without giving any notice they caused the Amendment to be disagreed to. Under these circumstances, he would move, *pro formâ*, "that this House do insist on its Amendment." If noble Lords thought it ought to be retained, he would press his Motion, butif not, and the noble Lord (Lord Dufferin) opposite chose to move, as an Amendment to it, "not to insist," he would accept that Amendment.

Moved, To insist on the said Amendment.—(*The Earl of Belmore.*)

Lord DUFFERIN, on behalf of the Government, said, he hoped the noble Earl would not press his Motion.

Viscount LIFFORD supported the Motion, believing that if it resulted in the Bill being dropped it would be so much the better.

On Question, Whether to insist? *Resolved* in the *Negative.*

NEW FOREST.—MOTION FOR PAPERS.

Earl NELSON *moved*—

That there be laid before this House, any Report or Suggestions made to the Commissioners of Woods and Forests or to the Treasury, by Mr. Clutton or others, as to the Value of the New Forest if leased for shooting Purposes ; and as to the best Mode of dividing the same for the Purposes of public Tender ; and any Correspondence on the Subject either with Mr. Clutton or the Deputy Surveyor.—(*The Earl Nelson.*)

Earl GRANVILLE did not think it would be very convenient, or would tend to an advantageous arrangement for the public in the meantime, to produce these confidential communications.

Motion (by Leave of the House) *withdrawn.*

House adjourned at Eight o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, June 4, 1866.

MINUTES.]—Select Committee—On Rochdale Vicarage *nominated;* on Commons (Metropolis) *nominated.*

Public Bills—*Ordered*—Landed Estates Court, &c., (Ireland)*; Oyster Bed Licences (Ireland)*; Straits Settlements.*

First Reading—Landed Estates Court, &c., (Ireland)* [174]; Oyster Bed Licences (Ireland)* [175]; Straits Settlements* [176].

Second Reading—Standards of Weights, Measures, and Coinage* [166]; Oyster Fisheries* [169]; Pier and Harbour Orders Confirmation (No. 2)* [170].

Committee—Representation of the People [68], and Re-distribution of Seats [138], debate *resumed;* Bills *considered* in Committee [R.P.]

Third Reading—Indian Prize Money* [146]; Marriages (Sydmonton)* [167], and *passed.*

VOTING PAPERS.—QUESTION.

Sir WILLIAM STIRLING-MAXWELL said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, in Committee on the Re-distribution of Seats Bill and the Representation of the People Bills (Scotland and Ireland), he will propose Amendments for the purpose of enabling the Electors in the new University Constituencies to vote by means of voting papers, as the Electors of the existing University Constituencies of Oxford, Cambridge, and Dublin now have it in their power to do?

The CHANCELLOR of the EXCHEQUER, in reply, said, he was sorry to decline giving an answer to the question of his hon. Friend. It was a question of very great interest, and would constitute a fair matter of discussion. Voting papers had been adopted in England; but he thought there were more considerations in favour of their adoption in Scotland than in England. The discussion of this subject ought to be approached without prejudice.

EDUCATION—THE REVISED CODE.

QUESTION.

Mr. POWELL said, he wished to ask the Vice President of the Committee of Council on Education, Whether managers failing to present children for examination under the standards are entitled, under Revised Code, 1866, to a grant per scholar according to the average number in attendance throughout the year at the morning and evening meetings, not being less than 400 of their school?

Mr. BRUCE replied that only one case of the kind suggested by the question of his hon. Friend had occurred, and it was then decided that when no children were sent for examination, no grant should be made.

ARMY—NORWICH BARRACKS.

QUESTION.

Mr. WARNER said, he would beg to ask, What are the intentions of the Government with regard to the lease of the Cavalry Barracks at Norwich, which would expire shortly?

The Marquess of HARTINGTON said, in reply, that it was intended to give up the barracks at Norwich, because the troops which were formerly quartered in them could be accommodated in the new barracks at Colchester. The lease expired that day, and the premises would be forthwith handed over to the Dean and Chapter of Norwich, to whom they belonged.

THE REFORM BILLS.—QUESTION.

Lord ELCHO: I wish, Sir, to repeat the question which I put to my right hon. Friend the Chancellor of the Exchequer on Friday night last—namely, Whether, in the event of the Amendment of the hon. Member for Wells (Captain Hayter) being rejected it is the intention of the Government to proceed with the United Bill, consisting of the Franchise Bill and the Bill for the Re-distribution of Seats, now before the House, and to endeavour with their whole power to carry it through Parliament during the present Session?

Mr. HADFIELD: I also wish to ask the Chancellor of the Exchequer, whether he has received any notice from the hon. and gallant Member for Wells to the effect that he does not intend to proceed to a division on his Amendment, but to withdraw it?

THE CHANCELLOR OF THE EXCHEQUER: Sir, in answer to my hon. Friend the Member for Sheffield, I have to reply that I have not had the honour of receiving any communication whatever, either officially or unofficially, from my hon. and gallant Friend the Member for Wells respecting his Amendment. With reference to the question of my noble Friend, I can quite understand that he repeats this inquiry—though he is very unobservant of the forms of the House—upon the grounds which he alleged on Friday night—namely, the rumours which are in circulation to the effect that the Government have formed the intention of abandoning the united Bill in the event of the rejection of the Amendment of the hon. and gallant Member for Wells. I understand my noble Friend to ask me whether there is any foundation for those rumours. Her Majesty's Government have neither said nor done anything whatever to constitute a foundation for such rumours or to warrant their circulation; and they have formed no intention of abandoning the Bill. As to anything beyond that, and our proceedings in later portions of the Session, of course those are matters which can easily be made the subjects of a specific inquiry. At the present moment—because in political struggles of this kind they are the proximate steps to be taken—they can hardly be made the subject of immediate consideration; and we must be guided by the demands of public interests and the circumstances of the time as we proceed.

MR. HADFIELD: I beg to ask the hon. and gallant Member for Wells, whether he intends to proceed to a division with his Amendment?

SIR HUGH CAIRNS: Although we have no right to ask for any fresh explanations, I may, perhaps, be allowed to ask, whether the Government intend to adhere to the resolutions already announced—namely, that they will not advise the Crown to prorogue Parliament till the Bill be either rejected by the House or passed through it?

THE CHANCELLOR OF THE EXCHEQUER: Considering the question which is now proceeding, and the nature of the issue which has been raised, which involves at once the fate of the Government and the fate of the Bill upon the moment of decision, and considering the answer I have given to my noble Friend, I do not think I ought to make any further reply.

CAPTAIN HAYTER: I hope, Sir, as the mover of the Amendment before the House, I may be allowed to say that, as far as my intention is concerned, it is impossible for me to arrive at any decision till we receive the statement of the leader of Her Majesty's Government in this House, which we shall probably have at a later period of the evening.

SIR THOMAS BATESON: I wish to ask the hon. and gallant Member for Wells, whether any communication has been made to him either directly or indirectly, intimating, that in the event of the Government getting a majority on the Amendment, there will be any manipulation of the Bill for the Re-distribution of Seats, or any re-arrangement which may make things more comfortable for Members?

CAPTAIN HAYTER: No, most certainly not.

MR. HORSMAN: Sir, I want to ask a very short, and to repeat a very distinct question which was made not long ago to the Chancellor of the Exchequer in reference to the House going into Committee on the Reform Bills. The question was put by the hon. Member for Brighton (Mr. White) in order that the House might fully understand its position. The hon. Member for Brighton said—

> "I want, before we go into Committee, to know the terms upon which we shall go into Committee, that we may clearly understand our position. I therefore ask the Chancellor of the Exchequer this distinct question,—Do we go into Committee with the Government abiding by their pledge—to stand or fall by the Bill they have introduced?"

The Chancellor of the Exchequer replied—

> "What I mean by standing or falling is this, as long as the Bill stands we stand, when the Bill falls we fall."

Now, I wish to repeat the question of the hon. Member for Brighton.

THE CHANCELLOR OF THE EXCHEQUER: I apprehend, Sir, that if the Government give to the House an expression of their intentions and determination of a very definite nature, and if the Government subsequently alter or modify this determination, it is their duty to themselves to come down to the House and make known this change in their intentions. That I apprehend to be absolutely required by the first elements of their obligations to this branch of the Legislature. Clearly, therefore, if we had changed from the declaration which we made to the House we should be the parties to declare it, and in order to do so we should not have waited for a question of the nature put by my right hon. Friend.

BRIDGWATER ELECTION.—QUESTION.

Sir HARRY VERNEY said, he would beg to ask the hon. Member for Montrose to state to the House the reasons for which the inquiry into the alleged corrupt practices by the Bridgwater Election Petitions Committee was stopped, one hundred and eighty cases of bribery having been stated, and only seven of them investigated?

Mr. BAXTER, in reply, said, the question put to him was one of a very unusual nature, and he could not help thinking that if he were to state in detail the reasons which had induced the Committee to arrive at the decision which had been recorded he might be setting a very unfortunate and inconvenient precedent. Unless called upon by the hon. Baronet for further explanation, he should confine himself to the assertion that the course taken in no way affected the honour or impartiality of the Committee, which sat for eight days investigating the case, and was unanimous in all its decisions.

Mr. DARBY GRIFFITH said, he hoped the hon. Member would give some explanation of the reasons why he, as Chairman of the Bridgwater Election Committee, was not present in the House the other evening, when his authority was quoted, and that he would also state whether in his absence he had authorized any hon. Member to express his opinions?

Mr. BAXTER said, it was true he had been appointed Chairman of the Bridgwater Election Committee, and to the best of his ability he had endeavoured to discharge his duty in that capacity; but he did not consider it any part of that duty to attend in his place subsequently, when a Motion for the issue of the Writ was under discussion, at the rather inconvenient hour of two o'clock in the morning.

Mr. DARBY GRIFFITH said, the hon. Member had not mentioned whether he gave authority to anybody else to speak for him.

Mr. SPEAKER: I think the original Question was hardly in order. The hon. Member for Montrose has performed his duty as Chairman of the Election Committee. The evidence of that Committee has been laid on the table of the House; it has been for some time in the hands of Members, and the House has acted upon it and issued the Writ. It is beyond the province of a private Member to interrogate the Chairman now as to the proceedings of that Committee.

REPRESENTATION OF THE PEOPLE BILL [Bill 68.], AND RE-DISTRIBUTION OF SEATS BILL—[Bill 138.]

(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers.*)

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [28th May], "That Mr. Speaker do now leave the Chair;" and which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "this House, while ready to consider the general subject of a Re-distribution of Seats, is of opinion that the system of grouping proposed by Her Majesty's Government is neither convenient nor equitable, and that the scheme is otherwise not sufficiently matured to form the basis of a satisfactory measure,"—(*Captain Hayter,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Lord JOHN MANNERS: After the announcement just made by the right hon. Gentleman the Chancellor of the Exchequer, that the Government adhere to the determination which they formerly expressed to pass this Bill through every stage, however late into the autumn the House might be compelled to sit in order to accomplish that purpose, and that by this condition Her Majesty's Government intend to stand or fall, we have no alternative but to continue the debate, and endeavour to answer the arguments of the Government in support of the provisions of this remarkable measure. One thing has, I think, been made apparent in this debate. It is abundantly clear that while the Scotch system of grouping is endeared to the hearts of the Scotch borough Members—we have had no expressions of approbation from the Scotch county Members—it is likely to find very little favour either with English or Irish Members. Under these circumstances, I should have thought that the necessary result of the comity of nations would have been that the Scotch Members would have been as backward to press upon a reluctant majority of English and Irish

Members their favourite system of grouping, as they undoubtedly would have been earnest in resenting any wish on the part of English and Irish Members to press upon them anything distasteful to their country. But on Friday night we heard from the learned Lord opposite as animated a vindication of the system which compels the Member for Ayr to go to Oban, and thence to Inverary, as if a hostile league existed among the English and Irish Members to break through the Scotch system, and force upon that part of the kingdom a change altogether distasteful to them. I entreat the learned Lord (the Lord Advocate) to conjecture from his own feelings upon this point what must be the reluctance and dislike experienced by English Members at the attempt made to subvert the English system, and by subverting it to transfer some seven seats from England to Scotland. The learned Lord endeavoured to point out the advantages which would accrue to us from the adoption of the Scotch system. He combated the arguments brought forward in the masterly speech of my hon. and learned Friend the Member for Belfast (Sir Hugh Cairns) —after which I really feel that an apology is due to the House for occupying their time —and the learned Lord contended that the identity of boroughs was as much broken by grouping boroughs now existing with unrepresented as with represented towns. That, I should say, is an assumption of the whole question. No doubt if you take an unrepresented town in the North of England and affiliate to it a borough in the South of England, the borough in the South will lose its identity. If, as was said just now, Congleton be affiliated to Christchurch, Christchurch will lose its identity. But what man, sane or insane, ever made any proposal of the kind? The objection is to grouping boroughs which have no necessary or possible connection of identity with each other, and not to grouping a borough represented with a town unrepresented where the arrangement has local affinity and geographical convenience in its favour. But then the learned Lord went further, and said these grouped boroughs will not have less identity than is to be found in large counties. But a county, at any rate, has the geographical argument in its favour; it is under the administration of one lord-lieutenant, convened by one high sheriff, convoked at one quarter sessions, with immemorial traditions and long-established usages; it is a substantial integer. But the noble and learned Lord finding, I suppose, that his arguments were not making much way with the House, suddenly shifted his ground, and said, "Admitting that this system of grouping represented boroughs may not be satisfactory, it forms no necessary and essential element of the Bill. You may discard it or modify it, if you please, without detriment to the main principle and objects of the Bill." A few minutes before the House had heard a most ingenuous and ingenious speech from one who bears an honoured name—the hon. Member for Warwick (Mr. Arthur Peel), and who, unlike the noble Lord, was so enamoured of this principle of grouping that he declared it to be the principle of the measure. Disliking the inconsistencies, the anomalies, and in many respects the injustice of the Bill, so essential did he deem this provision of grouping that, in spite of his objection to nearly all the other provisions of the measure, he yet intends to vote for it on the present occasion. That being so I should really like the Members of the Government and their supporters to settle beforehand what really are and what are not the essential principles of this measure. The hon. Member for Warwick not only objected to the anomalies and inconsistencies of the Bill, but made use of a very strange phrase—he said the Bill absolutely bristled with anomalies. That is a very curious ground for supporting a measure, but, undoubtedly, it is a very true description of the Bill. And now I, in turn, will make an admission to Her Majesty's Government. I agree that this Bill does bristle with inconsistencies and anomalies; but I say, over and above all those anomalies and all those inconsistencies, I do recognize one main principle animating and directing the whole of this heterogeneous mass to the prosecution of one great and definite end. Distrust, dislike—shall I go too far if I say hatred?—of the land, the desire to take away from the landed interest in that House all influence in their decisions, and the transfer of all political power from the rural to the urban population, seem to be the principle upon which the measure was founded. Now what was the real state of the case as affected the representation of the counties? The figures had been read before, but as the observations which he should have to make would depend on those figures, he trusted the House would excuse him if he repeated them. The population of the counties amounted to 11,427,000;

the number of the county electors to 542,000; the rated property in the counties to £59,695,000; and the number of county Members in that House to 162. The population of the boroughs was 9,326,000; the rated property £33,900,000; the number of electors 488,000; and the number of borough Members 334. But great and astounding as was the injustice disclosed by those figures, it did not represent the whole case; because, in 1861, of the 542,000 county electors no less than 86,000 were borough freeholders. The result was that in some instances the borough freeholders were sufficiently numerous to wrest counties from the county constituencies, as ordinarily understood by that term, and to turn those counties into great urban electoral districts. I will admit the truth of what is alleged by Gentlemen on the other side—that certain of the small boroughs send to Parliament men who may be regarded as additional representatives of the county constituencies; but the balance is not adjusted by that addition, for the counties are still inadequately represented in point of numbers. Yet so averse are the country Members to agitation of those matters that, if no Reform Bill had been introduced, no doubt they would have submitted to that anomaly and injustice. The case was, however, widely different when, with wide professions of impartiality and liberality, a measure was introduced the whole purpose of which was to convert the counties into vast urban electoral districts. When introducing this measure the right hon. Gentleman said the effect of the Bill, so far as it related to counties, would be to give them 171,000 additional voters, with a £14 franchise. He might just observe that he thought it would be fairer to describe what were called £14 county voters as £6, £7, or £8 voters possessing an acre or two of land. The right hon. Gentleman had characterized those new electors as an independent addition to the county constituencies; but he would ask the House to recollect that, while the 86,000 borough freeholders were an increasing quantity, the number of farmers who had votes under the Chandos clause, if not positively retrograding, at best was only stationary. He presumed that, with all his dislike to the land, the Chancellor of the Exchequer did not mean to say that the great mass of the county electors were not independent in the ordinary sense of the term; what, therefore, the right hon. Gentleman meant no doubt was, that they would be liberal in their politics, and in that sense he admitted that the new £14 electors would be independent. Undoubtedly they would exhibit their independence of the county constituencies in their desire to subserve the interests of the urban, and not those of the rural, populations. The hon. Member for North Devonshire (Mr. Acland)—he believed pretty nearly the only Member representing a large county who was so pleased with the Bill that he supported it—had told the House that it would tend to liberalize the counties. He supposed the hon. Member did not mean to say that at present the counties did not contain any elements of true liberality, but meant that the measure would transfer the whole of the political power from the rural community to the towns. He agreed with the hon. Member that such would be the effect of the Bill; but as if that was not enough—as if the other proposals did not sufficiently swamp the county representation—the crafty device of the borough leaseholders and the borough copyholders was brought into operation. He did not know which to admire most—the audacity of the proposal or the extraordinary character of the reason assigned for it. At the time of the discussion of the Reform Bill of 1832, the right hon. Gentleman who now occupied the Speaker's Chair and some other Liberal Members endeavoured to prevent the creation of these borough freeholders; but the efforts of these Gentlemen were unavailing, and from that time to the present the anomaly and injustice had gone on increasing until 1859, when Lord Derby's Government introduced a Reform Bill. It seemed to them to be absolutely necessary to take some step to check the evil; but the House all knew how that proposal was defeated. He, however, believed the sound sense of the country approved the principle laid down by Lord Derby's Government, which was that property should give a vote for the locality in which it was situated, and not for the locality in which it was not situated. The least the counties had a right to expect from the Government was that no borough freeholder hereafter to be created should have a right by reason of that freehold to vote in a county. But the reason assigned by the right hon. Gentleman for his proposal was a curious one—if it could be called a reason. He told the House that he had no notion as to the number which it would add to the county constituency—it might be great or it might be small; but he said it would give a body of electors most germane to the county constituencies. He (Lord John Manners) took leave to differ from the right hon. Gentleman; but, admitting for argument's sake that those borough leaseholders and copyholders would be germane to the county constituencies, then the converse also would hold, and owners and occupiers in counties ought to get votes in the boroughs; and so struck was the hon. Member for North Devon with the fairness of this principle, that when he made his second speech he said, that while he still adhered to his proposition to liberalize counties by an infusion of the urban element, he should, in Committee on the Bill, suggest that rural voters should be introduced into boroughs. Whether the hon. Member meant this to be done for the purpose of illiberalizing the boroughs it was difficult to say. The plan of the Government was a kind of approximation to electoral districts; but, for his own part, if they were to have electoral districts, he should infinitely prefer the clear, unmistakable propositions contained in the Charter, to the manipulated urban electoral districts of the right hon. Gentleman. They first had the addition of 171,000 by the reduction of the qualification to £14; but when the infusion of the borough leaseholders and copyholders and that which was to result from the fancy franchise and the lodger franchise were taken into consideration, the addition to the county constituency would not be less than 250,000. According to the statement of the right hon. Gentleman the Chancellor of the Exchequer, it was impossible for the Government to arrive at any precise estimate. He must say, however, that he was a little surprised at what had occurred with reference to the figures relating to the borough leaseholders and copyholders. The only information which the House had received on that subject had been given by his right hon. Friend the Member for North Staffordshire (Mr. Adderley), who quoted early in the debate some startling figures, which had not been touched upon, answered, or refuted by any Member of Her Majesty's Government. His right hon. Friend stated that from a careful analysis of the town of Birmingham he had discovered that no less than 5,000 voters would be added to the county constituency by this franchise alone. In the same debate a speech was delivered by the hon. Member for Birmingham; but, though he alluded to the right hon. Gentleman the Member for North Staffordshire, he neither refuted nor gave any explanation of the figures which had been given by him. All the hon. Member for Birmingham said was that the right hon. Gentleman had spoken in a frenzy; but he might remark that Gentlemen who spoke in a frenzy were seldom so accurate in their figures as his right hon. Friend had been in his. At all events, the figures having been left untouched, he (Lord John Manners) was disposed to think the frenzy of his right hon. Friend was more sober and sane than were the arguments of the hon. Member for Birmingham. Well, then, this enormous addition to the county constituency would effect a complete revolution in the state of the county representation. How, too, would the constituency be still further affected by the second part of the Bill which related to the re-distribution of seats? The Bill contained no effectual provision for the re-arrangement of borough boundaries, and whole armies of voters in the suburbs of all the great represented towns would be poured into the counties. The only provision which nominally and apparently had a tendency to repress the injustice and inequality of the measure was that it gave twenty-six additional Members to the counties. But whence were those twenty-six Members to be taken from, and what would be their real character? In the first instance, they would be the pillage of the smaller boroughs which, in the eyes of hon. Gentlemen opposite, are only supplementary sources of rural representation; and, in the second place, the slightest consideration would show that these twenty-six Members could in no sense be called county Members, as the term was generally understood, any more than the right hon. Gentleman, who had come in third on the poll for South Lancashire in July last, could be said to be a county Member. He would endeavour to show the House what would be the effect of the proposed addition to the constituencies of some of the largest counties, and hon. Gentlemen would then see whether it were likely or possible that county Gentlemen would come forward to contest an election when the constituencies were so gigantic. He would first take the case of South Devon. The present constituency consisted of 8,700 voters, but by the operation of the lowering of the franchise alone it would be raised to 13,000 or 49½ per cent. South Essex had a constituency of 7,300, which would be raised to 13,800 or 89 per cent; West Kent had a constituency of 9,800, which would be raised to 19,600; North Lancashire had a constituency of 13,000, which would be raised to 21,200; South Lancashire had a constituency of 21,500, which would be raised to 36,300; Middlesex had a constituency of 14,800, which would be raised to 33,900; and East Surrey had a constituency of 9,900, which would be raised to 22,800. It was clear from this enumeration that what the counties required was not a third Member, but subdivision. He would now point out what would be the effect of the Bill on the status and character of the county representatives. Every one conversant with country life was aware that there was a growing reluctance among county gentlemen of independence, education, social position, and moderate fortune to embark in the turmoil, anxiety, and expense of a contested county election. In illustration of this statement he would take the case of Middlesex, in which was now, as there always had been, a very large and powerful Conservative party. Everybody was aware that at the last general election that county was not contested, simply because no county gentleman could be found who was willing to incur the enormous expense of a contest. Then, again, there was the case of North Derbyshire—a division to which the right hon. Gentleman proposes to give the exceptional boon of a third Member—when it lost the services of one of its representatives, through illness, in the last Parliament, the Whig and Conservative Gentlemen of the county were most anxious to supply his place with a country gentleman, not much caring whether he called himself a Whig or a Conservative; but not one gentleman on either side in politics was willing to contest that great county, and the hon. Gentleman who filled up the vacancy was not in any sense the representative of either the Whig or the Conservative feeling of the county. The Solicitor General had said that whatever faults might be found with the Bill it would, at all events, diminish the power of the landowners. There might be some Gentlemen in the House, even on the Treasury Bench, who would look with complacency on the exclusion of county gentlemen from the House of Commons, but he thought no philosopher, or statesman, or friend of the people would share those views. The great difficulty of Napoleon was to connect with the land the institutions which he had raised, and these were the words that he had left on record—

> "The electoral colleges attach the people to the Government and *vice versâ*. They are a link, and a most important one, between the authorities and the nation. In that link it is indispensable to combine the class of proprietors with the most distinguished of those who have not that advantage; the former, because property must be the basis of every rational system of representation; the latter, because the career of ambition must not be closed to obscure or indigent genius."

When the dynasty of Napoleon had been swept away the philosophical statesmen of the succeeding generation had endeavoured in their turn to place the institutions of France upon a firm foundation. M. de Fontanes, in the French Chambers, made use of these remarkable words—

> "The holders of land in every age and country have constituted the strength of nations. They it is who are the guardians at once of our morals and institutions. In intrusting to them the enjoyment of political rights, our legislators have done no violence to natural justice; because civilization renders property always accessible to the persevering efforts of industry, and it is the sure recompense of labour and economy."

In what community, ancient or modern, should we find more than in ours that property had been and was the sure reward of labour; and not property only, but those political privileges which had been wisely attached to property, and that security and confidence which alone rendered either property or privilege enjoyable or valuable? These great results had been achieved under our present system, which was the creation neither of doctrinaires nor of demagogues, and he, for one, would have no part in suppressing it. Ours is—

> "A land of settled government,
> A land of old and wide renown,
> Where Freedom broadens slowly down
> From precedent to precedent."

The Solicitor General the other evening seemed to think that it would be a laudable thing to disfranchise those boroughs which had any sympathy with the landed interest, but the Attorney General took a sounder line of argument, and said that they had no right to disfranchise except for the purpose of enfranchisement. That was the just principle. He complained that the Government's plan of disfranchisement was extravagant, severe, and unjust, and he objected altogether to giving Members to boroughs and counties because of their magnitude. If the principle were to be acted on in future, and three Members were given to a borough because its population was over 150,000, or to a division of a county on corresponding grounds, the inevitable result would be that in ten or twenty years more places must be disfranchised for large boroughs and populous counties. Therefore he objected to the proposal to give third Members to big boroughs and unwieldy counties. He came now to the Scotch proposal. As the hon. and learned Member for Belfast (Sir Hugh Cairns) had pointed out, there was no justification on the score of population for the extraordinary proposal to give Members taken from English boroughs to Scotland. The hon. and learned Gentleman showed that since the Reform Act of 1832 the population of Scotland had increased only 29 per cent, while that of England and Wales had increased 43 per cent, and a little study of the figures made the case even stronger. Whereas in England the decennial increase had increased continuously, in Scotland it had been precisely the reverse. In the ten years ending 1831 the increase in Scotland was 13 per cent; in 1841, it was only 10·82 per cent; in 1851, it was 10·25 per cent; and in 1861 it had fallen to 6 per cent. Therefore there really was no case whatever for Scotland; and, if population were to be a guide, Scotland ought rather to have yielded some seats for England. He protested altogether against giving to Scotland seats taken from the English smaller boroughs. He admitted that for ten or eleven of the larger towns in England a case might be made out; but he could not understand on what principle Government had selected the towns they had, while they had overlooked such towns as West Bromwich, Croydon, Glossop, and other places of larger population than those selected. He had no objection to the University of London having a Member, but he objected to twenty-six seats being given in the way proposed to the counties, for he was sure that the seats would not be filled by county Members in the ordinarily accepted sense of the phrase, but by millionaires representing houses of business in Manchester and other commercial centres. Some eight or ten counties might, perhaps, be legitimately divided into four divisions with two Members each, and thus with the new boroughs some twenty-seven or twenty-eight seats would require to be obtained by the process of partial disfranchisement. With regard to the principle adopted by the Government in grouping the boroughs, he thought the scheme was open to all the objections which had been raised against it. Where geographical considerations did not intervene, represented boroughs might be grouped with each other, and, for the seats that were really required, there might be isolated cases in which appeals might be made to the patriotism and good sense which the hon. and gallant Gentleman the Member for Harwich (Captain Jervis) appealed to in 1859 with such success as to induce the constituency to recognize the justice of the appeal, and to offer no impediment to the giving up of one of their seats to a large county. Among the glaring inconsistencies of the Government scheme was this, that it left untouched the following nine boroughs, with two Members, and with populations under 10,000:—Chichester, with 8,059 inhabitants; Guildford, with 8,020; Lewes, with 9,716; Malton, with 8,072; Poole, with 9,759; Stamford, with 8,047; Tavistock, with 8,057; Windsor, with 9,520; and Wycombe, with 8,370; making a total population of 78,420, returning eighteen Members. There were to be ten new groups of boroughs, each having more than 10,000 inhabitants, and having an aggregate population of 123,702, who would return only ten Members. How was this extraordinary injustice and anomaly arrived at? By a process which reminded him of the old English game of "leap-frog." Some of the unfortunate small boroughs were made to perform the extraordinary evolution of leaping over each other. For instance, Woodstock was made to leap over Oxford in order to reach Abingdon; Harwich jumped over Colchester to Maldon, and the claims of Chelmsford, the county town, were overlooked. Those who objected to the reduction of the borough franchise would not be reconciled to the measure by such anomalies as these. Such being its main provisions, was it wise and useful to proceed further with it? Could they hope, at the commencement of June, to go into Committee on a measure containing so many anomalies, tending not to a reform, but a revolution, of the existing electoral system, with the slightest hope of attaining any practical result? He objected to this measure because it had been introduced under circumstances necessarily exciting the gravest suspicion; because it had been prosecuted with a mixture of haste and indecision which had characterized the Government up to this very evening; because it created far more anomalies than it removed, and destroyed the present character of the county constituencies. The right hon. Gentleman the Chancellor of the Exchequer, in introducing this measure, had stated that it could not be produced earlier because it was not until the end of October or the beginning of November that the Government had determined to get information upon the measure of Reform. But a curious revelation had been made by the right hon. Gentleman the Home Secretary, who stated that, so far as he was concerned, he announced his opinion in August that a Reform Bill was necessary. Confidences of that nature coming from Cabinet Ministers were always interesting. He would have liked the right hon. Gentleman to have continued that revelation, and to explain to whom he made that statement, and what was the nature of the answer he received? Because, if the right hon. Gentleman wished the House to imply that in last August his Colleagues, as well as himself, had resolved to bring in a Reform Bill, the Government were much to blame for their *laches* and indolence in forming a judgment on this subject in August and taking no action respecting it till October. If, however, as he (Lord John Manners) believed to be the case, Reform was not thought of in the Cabinet until the death of Lord Palmerston, then he blamed the Government for the haste, the precipitancy, and indiscretion they had shown in introducing this fragmentary measure of Reform. Under these circumstances, the House could not be held responsible for any mischance which might befall this measure; the responsibility must rest with the Government. The question which Conservative Members had to ask themselves was, "Shall we who appreciate the blessings which the Constitution has conferred upon all classes of the community—shall we acting under no compulsion, unconvinced by arguments, because we have heard none, unconverted by figures, which only tell the reverse way from that intended—shall we, to gratify the pride of a veteran Reformer, or enable a versatile statesman to retain his hold upon the waning affections of his party—shall we, yielding to the threats of a vituperative demagogue, tamely, basely shatter the fair fabric of the Constitution in order to erect on its ruins a new structure modelled after some transatlantic pattern?" Did the issue rest with them (the Conservatives), this Bill would never become law. But it was notorious that the issue did not rest on that side of the House. It depended upon the great and independent Whig party. In their ranks a crisis was occurring like that which occurred in 1791. They had been deserted by their nominal leaders, who had appealed to "the Mountain," and sought for support in the Benches below the gangway. But if he could attribute to any one of the eminent men who were now prosecuting, he hoped with success, this appeal from the new Whigs to the old, the commanding position or towering genius of Burke, yet the right hon. Gentlemen the Members for Calne (Mr. Lowe), and for Stroud (Mr. Horsman), and the noble Lords the Members for Haddingtonshire (Lord Elcho) and for Chester (Earl Grosvenor) were leaders, orators, and statesmen of whom any party, however ancient, however great, and however illustrious, have just reason to be proud. In the last Parliament, when the Whig Gentlemen of England discovered what were the real intentions of the Liberation Society and their supporters below the gangway, they did not hesitate to join the Conservatives in their successful resistance to the attempt to sever the connection between Church and State. He did not believe, he would not believe, that they would fail or falter now when they were asked to interpose the veto of a wise delay upon measures subversive of our existing political institutions. Patriotism, common sense, ordinary prudence, and a just regard for the insulted dignity and outraged independence of this House impelled them no less than the Conservatives to affirm the Resolution of the hon. and gallant Member for Wells.

EARL GROSVENOR: It is due, if not to the House, at least to those Members with whom I lately had the honour of acting, that I should not give a silent vote on this occasion, and that I should explain the reasons why I shall vote in favour of the Government and against the Resolution of the hon. and gallant Member for Wells. But before I give those reasons, let me refer for a moment to the Motion which I made on a previous occasion. That Motion met with decided opposition from the Government, and was treated as a vote of censure upon them. Certainly, I did not submit it to the House with any such intention, whatever may have been the intentions of those who supported it; but, although it was defeated in a very full House by a majority of five, the Government, by fusing the Re-distribution of Seats Bill with the Franchise Bill, practically conceded the point at issue and the object with which I had moved the Resolution. I have no reason to find fault with the Government for having fused these two Bills; but I must say that the responsibility of the delay which has occurred now rests with the Government for having done that in May which it was their duty to have done, if not in February, at all events at the earliest possible moment afterwards. No doubt the Re-distribution of Seats Bill has met with opposition from different quarters of the House, and the opposition must be attributed to the crudeness of the Bill itself, which can only be accounted for by the haste with which it was necessarily drawn after the Government had decided that such a Bill should be brought forward. In my humble opinion the Franchise Bill is not the best that could be devised, and I think the Re-distribution of Seats Bill cannot be considered a satisfactory measure, The House will judge what the result must be when a bad Bill is added to an unsatisfactory measure. But I submit that we had some reason for hoping that the re-distribution part of the Reform scheme would be of a moderate and equitable character. When in 1859 the right hon. Gentleman the Chancellor of the Exchequer supported the Bill of the right hon. Gentleman opposite (Mr. Disraeli), it may be in the recollection of the House that he then said the re-distribution part of the Bill was by far its best feature, the proposal then being to take one Member from fifteen seats, while the Bill of the present Prime Minister, brought forward in 1860 provided that one Member each should be taken from twenty-five boroughs returning two Members. It is difficult to understand why the Government discarded the precedent there set, for it certainly was not owing to the re-distribution part of these two schemes that they failed to pass the House of Commons. Sir, the incongruities and anomalies which would arise from the present Re-distribution Bill have been so well exposed by those most interested in the question that I will not intrude any further opinion of my own respecting it. My chief object in rising was not to uselessly occupy the time of the House, but to state my reasons for the vote which, if a division does take place, I shall feel bound to give this evening against the Resolution of the hon. and gallant Member for Wells. I hope that the hon. and gallant Member may be induced to withdraw his Motion; but whether he does so or not, that will be, in my opinion, the wisest course he could pursue. One question with me was, whether, by voting for the Resolution, I should not, if it were successful, be both defeating the Bill and upsetting Her Majesty's Government. There is no doubt that these two results would arise. Now, I have always expressed my regret that the Government should have regarded my own Resolution as a want of confidence, for I had no personal hostility to the Government. On the contrary, I am bound to Members of the Government by ties of relationship, and certainly by admiration, and in many cases by confidence. Another question with me was, whether, if I now voted with the Government and against the Motion of the hon. and gallant Member, I should not by so doing retain the Government in office, and yet defeat the Bill of the Government. It is possible for us who vote against the Motion still to oppose the Bill in Committee; and I certainly hold myself free to oppose, tooth and nail, if I may use so homely an expression, those provisions which I think objectionable. After due reflection, and not without some difficulty, recollecting the hon. Members with whom I had acted on a previous occasion, I resolved to vote against the Motion, though I felt little confidence in the Government with regard to this measure of Reform, but felt confidence in certain Members of the Government and in their policy. When I reflect upon the state of the affairs of Europe, and on the financial crisis, which has not yet subsided—and I am afraid is not likely soon to subside—I hold it to be of the utmost importance that the Government should not resign office at this moment. I do not doubt the ability of hon. Members on the opposite side of the House; but I must say in the present critical state of things I have great confidence in Lord Clarendon—a statesman who conducted our foreign affairs on previous occasions with great credit to himself and honour to his country, and I am convinced that he will continue to do the same at the Conference which is now about to meet. I should be sorry to see him removed at the present critical moment. And now, before I sit down, permit me to say a few words with regard to the Cave of Adullam, which was notorious in former times, and which of late had become famous in this House. In olden times unquestionably the inhabitants of that Cave, as we have the best authority for stating, were always in distress, in debt, and discontent. Now, though some of us were in great distress when we repaired thither, we may not have been all in debt, though some of us may have been, but we were all very much discontented, and I do not know that our discontent has been in any way allayed. There is another cave well known in history of far older date, and, perhaps, of greater fame, the cave which Abraham bought in which to bury his wife Sarah—the Cave of Macphelah. Now, the latter more dismal cave may be put to some use on the present occasion—it may serve as a receptacle where the disfranchised boroughs may lay their bones. At one time I had some ground for believing that it was possible this measure of Reform might be so managed as to be made a settlement of the question, for I happen to know there were many hon. Gentlemen opposite who were certainly not unprepared to come to some compromise with the Government—["Hear, hear!" *from the Opposition*]—with a view to see the question of Reform satisfactorily settled. But, to whatever it was owing, whether to the attitude of the Government, to the want of conciliatory proposals to hon. Gentlemen opposite, to the ridicule that was cast by the Treasury Bench on any suggestions that were offered—for they ridiculed the notion that hon. Gentlemen opposite were willing to act with a view to the settlement of the question—nothing was done. I took the liberty of prophesying on a previous occasion that unless Government did consult with hon. Gentlemen opposite there would be no chance of any Reform Bill passing. The right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Goschen) stated that this Bill was made mainly to pass the House. I ask, is it likely to prove correct that it will pass? In my opinion it is not. Because, if I thought the Bill would not pass before we had the Re-distribution Bill, and the plan which is to be added on the subject of bribery and corruption, and perhaps the scheme with regard to education—I think, now that we have all these on our hands, any chance of a Bill passing this Session is very remote indeed. I can only venture to make an appeal to Her Majesty's Government, though I cannot expect any notice will be taken of that appeal coming from the quarter from which it proceeds. But still I will appeal to the right hon. Gentleman and ask him, knowing that the feeling of the House and the country is against going forward with the measure during this Session, for there are none enthusiastic, and but few wholly in its favour; and I would venture to say, the majority of this House being against the measure of the Government, that as this House is but the reflex of public opinion which is also against it, though some below the gangway may dispute the fact;—I would ask the Chancellor of the Exchequer, therefore, whether he will not yield to the feeling of the House and the country, and thus ward off that opposition and that disaster which will be fatal to himself and the Government of which he is a member. If he would consent to do this with a view to further inquiry, an opportunity may be given which would lead to a satisfactory settlement of the question.

MR. OSBORNE said: Mr. Speaker, the noble Lord the Member for Leicestershire (Lord John Manners) has alluded to the new and the old Whigs. Now, I cannot claim to be either a new or an old Whig, or to be anything more than simply an independent Member of Parliament, who will respect the evident lassitude of the situation and endeavour to compress my observations into the smallest possible space. Sir, I am not sorry that my noble Friend the Member for Chester (Earl Grosvenor) caught your eye in the first instance, because I think it is always an interesting spectacle to witness the reconciliation of friends. We know that the quarrel of lovers is said to be the renewal of love; and although I condole with the inhabitants of that Cave, which may now be said to have shrunk to the dimensions of a grotto, and although I think the speech of the noble Lord is rather a proof of his adroitness in looking one way and rowing another, at the same time it is a most agreeable spectacle to see a man of his ability and of the great respect in which he is held by the House and the country returning to the ranks of that party which has been an honour to him, and of which he forms a distinguished ornament. But, in considering this question of Reform, I am more than ever struck by the speeches of the two noble Lords who have preceded me; and, I am more than ever afraid that this present House of Commons is about to treat this question of Reform very much in the same manner as it was treated by other Houses in former Sessions of Parliament. There appears to be no difference of opinion among hon. Members as to the necessity of some extension of the franchise, or as to the expediency of a re-distribution of seats; but, somehow or other, it appears, whenever a Reform Bill is brought in, that hon. Gentlemen are occupied in subjecting it, not only to the minutest criticism, but to the most hostile condemnation ; and yet, in spite of all this, not a single Member of this House—not even my right hon. Friend the Member for Calne—ventures to submit a direct negative. Well, that is, I think, a most peculiar position for the question of Reform to have got into. There is no quarrel at all on either side as to the necessity of some Reform, and the only question is as to who is to be the constructor of the measure. I think Reform in previous Sessions was very much in the situation of Cinderella, who was neglected because she was so much despised. But suddenly she puts on the guise of an heiress, and now all the quarrel is which party is to measure her for the glass slipper. But what will be the result of all these contradictory discussions, these various Amendments ? Reform will vanish, like Cinderella, suddenly, in the midnight of August, and go back to the retirement and dusty attics of Downing Street. It is evident that that is to be the fate of Reform, and whose fault is that? Is it the fault of Her Majesty's Ministers ? Now, I am not a particular supporter of Her Majesty's Ministers, but I should be wanting in candour if I did not say that Ministers are not to blame in the matter. What is the position of what I call the great Liberal party and the Liberal Ministry ? The position of the Liberal party is excessively puzzling, and the position of Her Majesty's Government is excessively critical. What has been the occasion of all this ? I have always understood that the new Parliament had returned to it a great majority—upwards of seventy Liberal Members—to support Her Majesty's Government, all pledged to retrenchment, most of them panting for Reform. Well, what has become of this majority of seventy Members ? I think there must have been some errors made originally by the returning officers—that they must have made some mistake. I do not believe that majority ever existed. There can be no doubt, at the same time, that Her Majesty's Government were guilty of a mistake in policy and tactics in not having felt the pulse of the House of Commons at least for one Session before they so rashly committed themselves to a Reform Bill, and took for granted that these seventy "panting" Liberals were going to give them their support. Why, Sir, they will be left in the lurch, and I think the Chancellor of the Exchequer might paraphrase the old fable, and say—" I returned to the home of my birth, and sought the friends of Reform, and I cried 'Where are they ?' and echo answered 'Where ?' " Well, how was this brought about ? Has the reduction of the franchise been mainly hindered by the devices or the malice of opponents ? They have never brought forward any hostile Amendment, they have taken no step for the extinction of Reform, and they would have voted for an extension of the franchise. Well, then, to what is it owing ? To the extraordinary zeal of the supporters of Her Majesty's Government, and particularly of one right hon. Member —" my own familiar friend," I may say, and not a familiar friend alone, but one of the most familiar—I mean the right hon. Gentleman the Member for Kilmarnock. My right hon. Friend, in the kindest and most disinterested manner, not being in any way asked for his advice, came down to the House and urged upon Her Majesty's Government not to offer to the House a bit-by-bit Reform, but to produce a comprehensive incomprehensible amalgamation, and he forced upon Her Majesty's Government this absurd scheme. The consequence is that the Chancellor of the Exchequer having in an evil moment yielded to the tempter in the person of the right hon. Member for Kilmarnock, the Bill for the reduction of the franchise will be withdrawn the moment the weather gets hot, and the only re-distribution of seats this House is likely to see is a new grouping of officials on the Treasury Bench. And who has done all this ? Why, my own familiar friend. Now, I have heard many hon. and right hon. Gentlemen ask, " What is the principle of this Bill ?" To me the principle is very evident ; its main feature is in conformity with the Amendment which Lord Russell moved to the Bill of 1859—namely, " That no re-adjustment of the question of Reform would be satisfactory which did not provide for an extension of the suffrage in cities and boroughs." That is the principle of the Bill as I look at the question ; and I do not think that any Reformer who has voted consistently for a reduction of the franchise will have difficulty as to the course which he ought to pursue when he finds out that this is a Bill for reducing the franchise in cities and boroughs. Sir, I confess to being one of that numerous class who are wise after the event, and I deeply regret the conduct I pursued and the language I used in 1859 with reference to my right hon. Friend the Member for Stroud; for he and the right hon. Member for South Lancashire (the Chancellor of the Exchequer,) alone among us Liberals, took the sensible view of the case, and abstained from giving an absurd and party opposition to the Bill which was brought in by the right hon. Gentleman the Member for Buckinghamshire. I have no hesitation in saying—and I am ready to do penance in a white sheet if necessary — that the House committed an enormous mistake in losing the opportunity of settling the question. Well do I remember the eloquence of the right hon. Baronet the Member for Hertfordshire. It shook me at the time, it shakes me now as I reflect upon it. He said, "Whatever you do, pass the second reading of the Bill, and if you have objections urge them in Committee." I say the same, pass the second reading of this Bill, which proposes to effect a reduction in the franchise. [An hon. MEMBER: It's passed.] What? It has been reported to me that this is an Amendment to the Motion for the second reading? [An hon. MEMBER: No, for going into Committee.] Well, then, go into Committee and urge your objections. You who represent little boroughs strike them out; but for Heaven's sake do not stand in the way of the committal of this reduction of the Franchise Bill for one hour. The principle of the Bill is, as I have stated, a reduction of the franchise, and have we not all been, Session after Session, endeavouring to frame some measure by which the artizan class shall be better represented in this country? We have all had a wonderful sympathy with what is called the superior artizan class; but, at the same time, there is a wonderful agreement among us to keep them excluded from the franchise. What is the case at present? Is it not patent to the world that the aristocracy reigns supreme in the counties; that plutocracy is dominant in the boroughs; and that a very small part of the artizan class have their proper share in the government of the country? I place no trust in the Returns furnished by the Government. They are a mass of confusion and mistakes from beginning to end. I gather that especially by judging them according to the borough which I represent. People are put down as working men while they are neither more nor less than publicans—and sinners. But I ask the House one question. What have been the changes since 1832 in property and prosperity in the country? It is notorious that there are at present fewer of the artizan class in possession of the right of voting than there were in 1832. That has been caused by the increase in the value of what was formerly a £10 house. I have taken some trouble to ascertain the facts of the case, and I find that a house which in 1832 was valued at £10 a year is now valued at £14. Moreover, the present mania for building speculation induces many of the artizan class to reside in flats instead of houses. Thus the tendency on the whole is to decrease the political power of what is called the working classes, because they do not now live in £10 houses to the same extent as they used. But look at the contrast afforded by the Vote for education. The Vote for public education only reached £30,000 in 1839, while in the present year upwards of £1,000,000 has been voted for England and Ireland. I may remark, by the way, that my right hon. Friend is surely not excluding Ireland from his calculations; I do not hesitate to say that if grouping goes on there no fortune will be able to carry anybody's election. To return to my argument, I have one other important point to mention with respect to figures. The deposits in savings banks in 1832 amounted to £380,000; last year they amounted to £2,000,000. These are facts pregnant with instruction, and you cannot in the face of them refuse a considerable reduction of the franchise. The Lord Advocate produced considerable sensation the other night by saying that this House was the embodiment of democracy. I am surprised that any hon. Gentleman should differ from him on this point. But how far is this House the embodiment of democracy? I find that 217 of its Members are either directly connected with or are actual members of the aristocracy. Talk of trades unions! why, is not this House a trades union to a certain extent? [Mr. BRIGHT: Hear, hear!] Have we not 217 Members who constitute to all intents and purposes a trades union? But it is said, do they all give their votes on one side? No; like the trades unions, they differ in their political sentiments. I find, on referring to Mr. Sandford's *History of Great Families*, that there are no less than 1,500 members of great families who constitute the whole of the Upper Chamber, and one-third of this House, and yet we hear hon. Gentlemen talk of the necessity of keeping out the artizan class. It is evident that the labouring classes have not their fair share of the representation, and that we are to all intents and purposes an aristocratic trades union. It is asked, however, whether we do not pass the best measures, and whether we have at present any practical abuses? I say that we have many practical abuses. If there were no practical abuses in the year of grace 1866, would you have Ireland in her present condition? Would you have a rampant Church in that country? Would you have the old land question unsettled? Would you have the enormous and profligate expenditure still going on to the same extent as was declaimed against in 1859 by the Chancellor of the Exchequer, when he said he could not answer for the consequences if such an enormous outlay were continued? I hold that the very best thing that could happen in this country would be a healthy admixture of the artizan class among the Members of this House. It would tend to diminish flunkeyism, which is fast increasing to our prejudice. So much for trades unions and reductions of the franchise. I must now say that I listened with great admiration, and greater sorrow, the other night to the speech of my right hon. Friend the Member for Calne (Mr. Lowe). I listened to him with admiration, because I think he is in talent second to no man in this House, and because I regard his removal from the Treasury Bench as a great loss to the country; but I listened to him with sorrow because, although his speech exhibited extraordinary power, it was nothing from beginning to end but an impeachment of the representative system of this country. He almost adopted the language of Burke—not Burke in his best day, when he said, "The House of Commons was constituted to be a control, not upon the people, but for the people." Why, Sir, if these theories were carried out to their legitimate conclusion, we should not be here to talk about enfranchisement, disfranchisement, and re-distribution of seats. The right hon. Gentleman would put an end to the three estates, and would substitute a paternal tyranny in their stead. Then, in place of a fresh, free democracy, we should have a nation of cowering pupils receiving spoon diet at the hands of an intellectual despotism. That is what the speech of my right hon. Friend the Member for Calne amounts to. But I shall always call him my right hon. Friend, and shall always listen to him with pleasure. Now, with respect to the Re-distribution of Seats Bill. It is asserted that a Bill for the re-distribution of seats should have three objects in view—first, to correct anomalies; next, to remove inequalities; and finally, to supply deficiencies. That would form the basis of a good measure. But the Bill of my right hon. Friend the Member for Kilmarnock, for it is his Bill, and not the Bill of the Government, contrives to steer clear of all these objects. I must observe, however, that the hon. Member for Galway has had something to do with the Bill; he seconded the Amendment proposed by the noble Lord the Member for Chester, and in Ireland they call the Bill by a very expressive title. They have named it "Gregory's mixture." It is impossible not to see the difficulty of Her Majesty's Government upon this question. How can you expect any Government to bring in a Bill for Re-distribution of Seats to please all of us, when the measure is bound to call upon a number of the Members of this House to ascend, like so many political suttees, the pyre on which they are to be consumed. You cannot expect it. It is an amount of public virtue not to be found save in very exceptional cases, such as that of the hon. Member for Knaresborough, respecting whom an hon. Gentleman expressed the opinion to me the other day that he had gone out of his mind. It is perfectly impossible to bring in a Bill by which you expect to get Members of this House to put the torch to the funeral pile of their own extinction. Now, with regard to small boroughs, I am one of those who think that these small boroughs have many great advantages, and I should be very sorry ever to see the day when they were abolished. I say this, not for the reasons mentioned by the Chancellor of the Exchequer. But just remember this—in small boroughs, if bribery takes places, it is clearly illegal, and you can always, or generally, get at it, but look to the situation of the large boroughs. The candidate for a large borough, by employing an enormous number of paid canvassers, which is not illegal by law, and by opening a great number of public-houses, which is not illegal, for if it is, I know a great number of hon. Members who have lost their seats. In this way large boroughs can be carried, but our small boroughs are evidently necessary excrescences of the Constitution. I protest altogether against the policy which would deal with them without any respect to their past character for purity, or for returning men of distinction to the House. I never wish to see Calne disfranchised. Calne has sent to this House too many great men, and the last of them is not among the least, to lose its representation. Here is another borough, upon which the right hon. Member for Kilmarnock has laid his sacrilegious hand—one with which I formerly had some connection—the borough of Liskeard. Although the voters for that borough were not particularly partial to me, I am bound to say that I believe a better and a purer set of men never existed. In this one part of the country that is an extraordinary fact; but Liskeard has been always a bright and shining light in Cornwall. And what are you about to do by this Re-distribution Bill? You are going to ally Liskeard to a widow of very questionable character. Is that a proper way of treating a borough which has always been famous for its independence and purity? And see what you do. By forcing changes of this description entirely upon populations the result in this instance is this, that although the population is a little less than that of Truro or Helston, both of which are to retain its Members, the electors of Liskeard are many more than the electors of either of the other places, and the number will be doubled under a £7 suffrage. Yet Liskeard is to be linked to Bodmin, which does not bear the best of characters, while Truro and Helston are allowed to retain the first its two Members, and the second its one Member. It seems to me, therefore, that very little can be said in favour of the Government Bill for grouping. I believe it would be found on inquiry into the Scotch system that the elections in those grouped boroughs are extremely expensive, even when there is no contest. ["No, no!"] No! why hon. Gentlemen come to me out of the House and admit that grouping is a bad system. One hon. Gentleman in particular tells me—I have got my eye on him now, and he called out "no" a moment ago—that this grouping is a very bad system, that he has got five boroughs, and is obliged to have an agent and committee in every borough, and he says, "Even when my return is not opposed it costs me £1,000." It stands to reason that if you group boroughs—and especially boroughs in Cornwall—that the expenses will be enormous, and therefore I am totally against the introduction of the grouping system into England. It may answer in Scotland—though I do not believe it does. There are very few contests there compared with the number in England; but, at any rate, I dissent from the proposal to extend it to this country. We heard some quotations in defence of these small boroughs made from an altered edition of Lord Russell's work on *The British Constitution.* I must say that I was sorry to hear my right hon. Friend the Member for Calne say that Lord Russell succeeded by seniority to the position of Premier. The right hon. Gentleman the Member for Calne is very bitter in public, but he is the kindest man in private life; and he ought to have remembered that Lord Russell has earned his position by his able and consistent support of all measures which relate to popular progress. I have no particular intimacy with Lord Russell, but I must say, as a public man, that I should be ashamed of my position if I did not offer my humble tribute of respect to the Prime Minister as to one who has attained that proud position by virtue of his great services. We are told that Lord Russell published certain statements in the autumn of last year. But people do sometimes alter their opinions; and very wisely. I know a very notorious instance of it, which I will produce, and which relates to the opinions expressed on one occasion by my right hon. Friend the Member for Calne. Here is the speech of the right hon. Robert Lowe at Kidderminster, extracted from *The Times.* I do not take it from any country paper. This is evidently the report of his own speech as sent to *The Times* and published on the 10th of December, 1858. He had then just been turned out of office. I went with him. Here is the account:—"Last night Mr. Lowe met his constituents in the music-hall, to explain his views." I will come at once to the point to which I ask the attention of the House. In the sense in which a man exclaims, "Oh, that mine adversary would write a book!" he might well wish that he had not spoken this speech. He was speaking of the Conservative party, and he said—

> "They have found it convenient to divest themselves of their old principles, and to adopt those of which the Liberal party formerly had the monopoly. If I might venture to be so censorious as to find fault with the Government it would be not on account of their conversion, but the enthusiasm of their conversion. Sheridan, when he saw an Highlander in a very large pair of trousers, remarked that 'converts were always

enthusiasts.' The Tories have not only accepted and gone beyond our principles, they have caricatured them, and in some respects made them ridiculous.'

I will do my right hon. Friend the justice to say that he has always been consistently against any reduction of the franchise, consistent even when he voted for it. But I pass to his observations upon the re-distribution of seats, and the small boroughs which he now wishes to preserve—

> "I have no hesitation in saying that, in accordance with the principles of the first Reform Bill, I am willing to vote for disfranchising those boroughs which, in violation of the liberties of this country, and of the spirit and nature of the Constitution, have fallen into the hands of single patrons [the right hon. Gentleman was speaking in Kidderminster then, the House must remember], who appoint the Members those boroughs shall return to Parliament; further, if there be any boroughs which have become so small and insignificant (and I have many of them in my eye) to which the principle might be properly applied that they are unworthy to return Members to Parliament, I am perfectly willing the privilege should be at once withdrawn."

The right hon. Gentleman now objects to the scheme of Reform as affecting the counties and to the proposal as to the third Member, forgetting that there are seven counties in England which already return three Members. What did he say at Kidderminster about the county constituencies?—

> "The Reform most needed is in the county representation. The franchise there is eminently unfair, and for that reason I supported Mr. Locke King's Motion for the reduction of the county franchise to £10. Nay, more, I have given an earnest of my sincerity in that cause, for by my advice the Colonial Office was induced to lower the franchise of all the Australian colonies from a much higher amount down to £10."

Was there ever a Highlander made his appearance in so big a pair of breeches? After all, this question of the re-distribution of seats is one eminently formed for Committee; and I take it that he is a very poor and lukewarm Reformer who will take advantage of the Government having accepted the good advice that was given them by the right hon. Member for Kilmarnock, to get rid of the £7 Franchise Bill, because the Re-distribution of Seats Bill is a bad one. If it is a bad Bill, which I believe it is, let us amend it in Committee. Do not let us, after all our protestations, refuse to go into Committee on this Bill. I am quite willing to act on this principle. I know the difficulty of passing any measure of Reform in this House, and that it is much better on this principle to take half a measure of Reform than to have no Reform at all; and, therefore, I shall be content with what Her Majesty's Government may do. But there is one thing I hope they will not do. A great deal of advice has been tendered to them in the course of this debate, many Amendments have been moved; Reform, like Tarpeia, has been almost crushed by the contributive zeal of its friends; but there is one bit of advice against which I wish to warn them. It was given by the right hon. Baronet the Member for Droitwich (Sir John Pakington), in his usual insidious and attractive manner. He said, "We are all Reformers here; do not let us dipute about it, but refer the whole question of Reform to a Royal Commission." If there could be one thing more damaging than another to Her Majesty's Government, and to our whole representative system, it would be to adopt this suggestion and refer this question to a Royal Commission. No matter what you do, accept the responsibilities of the position. I may be found in Committee voting against you on many items of the Bill, but at any rate I would not give you one atom of support if I thought you would condescend to the meanness of referring this question to a Royal Commission. Reform may be postponed, but take care, I say, and more particularly do I say this for the interests of the Conservative party; take care that you pass it while the demand is moderate, while it is mild. By throwing it over this year you will be getting up a feeling that you little dream of, instead of being satisfied with a proposal for a £7 franchise and a mild re-distribution of seats, take care that one is not made for household suffrage. ["Oh, oh!"] It is more to your interest to settle the question than it is to the interests of the Ministry to do so. At any rate, be you wise in time; abjure the advice of the right hon. Member for Kilmarnock—go into Committee. But in going into Committee, I say to the Government, do not give way upon one thing, and that is the £7 franchise. That is the principle of the Bill; on other points we shall be ready to meet in a fair spirit of compromise anything which may be thought excessive.

Mr. ADDERLEY said, that he could quite understand the satisfaction of the noble Lord the Member for Chester (Earl Grosvenor) at the success of his late Motion—though, he was sorry to say, at the cost of one-half of the Session—which compelled the Government to put the two fragments of the measure before the House, of which each without the context of the other was wholly unintelligible. He could not, however, understand the noble Lord's intention to vote with the Government and against the Amendment now under discussion. The noble Lord had certainly given the House some glimpses of the reason which was to justify this extraordinary proceeding; he said that he was anxious to retain the present Government in office, and that with that view he would vote against the Amendment in the hope that the Government would have a majority, and with the intention immediately afterwards of inducing them to withdraw the Bills. Now, this certainly appeared to him to be a most indefensible proceeding. If that was the intention of the noble Lord and his Friends, and if the rumour which had spread through the House that the Government intended to follow the course indicated was true, it was really deceiving the House to induce them to proceed with the debate any longer. The intention was evidently to get up a sham majority to retain the Government in their places. What reason could there be for such a procedure? The hon. Member for Nottingham had said that the Gentlemen now constituting Her Majesty's Government had obtained office on the question of Reform, and that they should be retained in office till that question had been settled. He was not surprised that the hon. Gentleman who had just sat down, seeing that he had been returned to sit in that House in the middle of the discussion, should have taken this to be a debate on the second reading of the Bill; but that was owing to the extraordinary conduct of the Government in regard to it. When the first portion was introduced alone at the commencement of the Session, a protest was made against such a proceeding, and when the second part was produced that was allowed to pass the second reading in order that the House might have the whole measure before it. In this way a great deal of time had been lost; and the House was now practically discussing for the first time the second reading of both portions as a complete Bill. It was, however, difficult to discover what was the principle of the Bill. It was clearly in defiance of its assigned data, and of the evidence which had been produced for its foundation. He was, however, not surprised at that. It was well known that the hon. Member for Birmingham was the instigator of the present measure, and that he did his utmost to induce the Government to bring it in before the production of any statistics; for he said, "What do we want statistics for? We are ready with our scheme; produce the Bill." Since their production he had repudiated them, and had induced the Government to disregard them. The right hon. Gentleman the leader of the House had himself confessed that he had not got statistics completely before him when he produced the Bill, and when the blue book was produced he was utterly astonished at what the statistics revealed. Still, the course of the right hon. Gentleman had not in the slightest degree been affected by them. It was now the duty of the House on the occasion of what was in fact the second reading of the whole measure to ask what principle could be discovered in it, and whether there was any principle in it which would suffice for the House to take it into Committee and there shape it in such a manner as to make it fit to be passed. It seemed to him, however, that whatever its principle two objects were unquestionably aimed at in the Bill—the one was, the utter suppression of the country interest in the county elections, and the second was, to depart completely from the principles of the Bill of 1832, which was brought in by the noble Lord who was now at the head of the Government, and who had ever since that period professed to be still guided by the same. The evils aimed at in the Bill of 1832, according to Lord Russell, were—first, that Members were nominated to Parliament by individuals; secondly, that many were returned by close corporations; and thirdly, that the expenses of elections were too great. Now, the two first of these evils had ceased to exist, while the third must be aggravated, not cured, by the present measure. In advocating the Bill of 1832 the noble Lord said that it was framed in accordance with the ancient principle of the Constitution, that the voters for Members of Parliament should be men of property—that "real property and real respectability," to use the very expressions of the noble Lord, should alone attain to the privilege of the franchise, and that under the Bill he anticipated the admission of about half a million within the electoral body, all of whom would have a stake in the property of the country, and, therefore, an interest in the maintenance of our institutions. At that time the noble Lord repudiated the assistance of those who supported the measure because they thought or hoped that it would lead to universal suffrage. But what was the case now? Was not the present Bill framed upon totally different principles? Was not every consideration of the possession of property eliminated from it, and numbers and population made the only basis of it? Nothing now was heard of voters who had a stake in the country. The £7 franchise with the rating clause repealed would amount to nothing more than a £6 franchise in boroughs, which was equivalent to household suffrage. Why did not the Government boldly and honestly come forward at once with a plain measure granting household suffrage? Merely because they wanted the franchise to descend by a sliding scale, the bottom of which was universal suffrage. There was another striking novelty proposed in this Bill. He wished to call the attention of the Government particularly to what the right hon. Gentleman the Member for Buckinghamshire had called the principle of plurality of representation. This principle had been condemned, he believed, by almost every Member of the House who had spoken upon the subject. What was got by the innovation of the present Bill in this respect? It treated the Members of the House not as intelligent men sent there to discuss the interests of the Empire, but simply as "counters" in a division. The old principle was that every locality should have its spokesmen, and that each should have the same number. At one time it was four, at another three, till it came to two Members for every county, and city, and borough. The object was evident, that each, whether large or small, might have a voice in the legislation. It was not now proposed to send so many knights from the counties and so many burgesses from the boroughs to consult on the affairs of the Empire; but it was proposed to have so many Members returned from each in proportion to its population to act as mere delegates, to give their votes cumulatively on the numbers in the place on the foregone conclusions of those who elected them. That was a grave innovation, and he thought that portion of the Bill to which he had just alluded was the main one the House ought to contest, inasmuch as it involved a serious charge on the constitution of the Legislature. It was quite true, by late measures, that three Members had been given to certain counties, but he thought that had been done almost inadvertently, and the practice ought not to be followed. It was easy to see the animus of the proposal, for it was equivalent to giving Manchester five Members, three Members to Birmingham, about thirty to London, and so on. It would be more in accordance with the Constitution if the towns were divided, and if the suburbs sent a Member of their own. But to have a multitude of Members for the same area was a novel principle which ought to be deprecated. He should say the same with respect to counties just as much as boroughs. If it were proposed to add a third Member to his own county—North Staffordshire—he would rather advise a division of the area into three. Another novelty was the practical refusal to bring growing suburbs within Parliamentary boroughs. He concurred in what had been said by his noble Friend (Lord John Manners) on the subject of the borough leaseholders and copyholders. In the two counties he was best acquainted with the county borough freeholders already constituted a third of the county constituency, and these would be increased indefinitely as time went on by the refusal to bring the suburbs of large towns within the political area. He was quite certain that the Greek Kalends would come before the suburban population of Birmingham would consent to include itself within the borough. By allowing these large and growing boroughs to swamp the counties, the Bill would simply urbanize the county constituencies. There would be no country interest to balance the towns in this House. There was no reason why the town interests and the county interests should be always antagonistic. ["Hear, hear!" *from below the gangway on the Ministerial side.*] He asked the hon. Gentleman who cried, "hear, hear!" whether, although their interests coincided, yet, in all political struggles the towns did not represent the principle of change, while the counties represented that of conservatism. The two combined had always kept the political system in order, as the centrifugal accutrifutal forces were mutually necessary to keep nature's order. But the present Bill would, he feared, while it suppressed the country interest, give such an impulse to the town interest as would lead ere long to an unlimited excess. Upon these grounds he deprecated the urbanizing tendency which ran through the whole of this Bill. The Opposition had been charged with obstructing this Bill. He utterly denied it. The real obstructives were its authors the Government by their mode of introducing the measure which they might have known the House would never sanction. The Government had so conducted matters that now, on the 4th of June, the House was in the first discussion on the whole measure. The hon. Member for Nottingham was not the first Member of the party opposite who had repented of having assisted to throw out the Reform measure introduced by the Government of Lord Derby, in 1859; but not only did the party now in power prevent the House going into Committee on that Bill, but the speech of the right hon. Member for Buckinghamshire the other night showed that he had been ready to extend the terms of that Bill, and to meet what they considered to be the exigencies of the moment, and the just claims of the country. In 1859 they had to encounter all kinds of obstacles and objections raised not to discuss, but simply for the purpose of defeating or delaying the measure, and their willingness to make concessions was ridiculed and thrown into their teeth. What they wanted was a fair extension of the constituency of the House. He would ask the hon. Member for North Devonshire, whether, from his experience of Birmingham, he did not think that the large body of artizans in reality carried that borough election? The question was not the admission of the artizan class, but the widening further the constitution already open to all classes. He believed that many were exercising the franchise who were not entitled to it, and that in the way in which elections were carried on they only corrupted themselves and demoralized the country. In fact, numbers looked to voting only as a means of getting money. The ground on which they opposed the Government was one of principle — distinctive, and fairly antagonistic. It was their wish to liberalize, but not change the constituency. It seemed to him that the Government had been led on by certain demagogues to carry this measure farther than they intended at first. Demagogues were the most unsafe advisers, and especially the demagogues of the modern type. The demagogues in ancient times when they fancied that the land had too much influence in the State sought to lessen it by raising the needier citizens to independence. Modern demagogues aspired not to elevate the lower class to the electoral franchise, but to degrade the franchise in order to make tools of them to overthrow those above them.

MR. GRENFELL said, he was glad to follow the Member for North Staffordshire, because that right hon. Gentleman, not only in the House of Commons, but elsewhere, had expressed himself in terms which exposed him more to the charge of setting class against class than those whom he was pleased to call demagogues were open to. With respect to the Franchise Bill he might say that in the borough which he represented some publicans and small shopkeepers were returned in the statistics as working men. He believed the same was the case in other boroughs; but passing from such details, he wished to say a few words on the whole Bill of the Government. The Re-distribution of Seats Bill had been prepared in a hurry; but clearly that was not the fault of the Government, but the fault of those who refused to allow them to proceed with the Franchise Bill till the other measure was brought in. The right hon. Member for Calne (Mr. Lowe) had said the other night that he could not discover any principle in the Re-distribution Bill, but the right hon. Gentleman had said that whenever he had spoken on the subject of Reform. Now, it appeared to him that the Government ought to act upon the principle of the first Reform Bill, which was that the system of close boroughs should cease. The right hon. Gentleman upheld close boroughs for the sake of young men of unappreciated genius, who wished to get into Parliament. But that would not stand the test of experience; and even the right hon. Gentleman himself had not been elected for Calne as an unappreciated genius. It was very rare indeed that the few remaining close boroughs returned Members who could be compared to Pitt, Fox, Burke, or Canning, who had been referred to by the right hon. Gentleman in illustration of his argument. With regard both to the franchise and the grouping of boroughs, there was no reason why the propositions of the Government should be accepted without alteration or modification in Committee. On the contrary, the Bill might be so altered as to meet the views of both sides of the House. It would be to the advantage of all parties to have this question settled for at least one generation, and if both sides of the House met in Committee with a determination to carry a good measure, this Bill might still be saved, especially as there was reason to believe that the Government would adhere to the most important part of it—the £7 franchise.

LORD ROBERT MONTAGU thought the hon. Member who had last spoken had closed his eyes to the advantage of small boroughs. No less a person than the late Lord Macaulay had entered the House of Commons as the representative of a small borough; and it was a small borough that had returned the present Attorney General. He did not rise, however, to carp at the details of the Bill, but to find some common ground on which all parties were agreed, and which might form the basis for a future structure. If he were to go into details, indeed, he could only repeat what the right hon. Gentleman the Member for Calne and the hon. and learned Member for Belfast had already said so much better than he could. To reiterate such matters would only weary the House, without advancing the cause. The hon. Member for Westminster, in the speech which was so complimentary to the Conservative party, doubtless meant that many of them had prejudices which were burdens to the party; to which they clung too tenaciously because their forefathers, in different circumstances, had so bravely defended them. He meant that we, as it were, insisted upon going into a modern battle gleaming in the burnished armour of other days. It might, however, with no less truth be said that hon. Members opposite made a theory of Government, like a dogma in religion, to become a mere cause of fanaticism. They worshipped at the shrine of 1832, because their forefathers had done so before them; although its inspiring deities had long since fled and gone! Let one side divest itself of its prejudices, and the other cease to worship Reform, and let all try to find some common ground on which all were agreed. The hon. Member for Nottingham, instead of seeking to throw oil upon the troubled waters, had reopened an old controversy. The hon. Gentleman said that the Peers had one-third of the representation of the House of Commons, and a chamber entirely to themselves. But who were the Peers? They were distinguished generals, persons who had attained to eminence in the law, men who had served their country for many years in the House of Commons. That was the class of men who chiefly constituted the Chamber of Peers—those were the persons of whose stock the House of Commons drew its best Members. To turn, however, to the common ground to which he had alluded. All parties seemed to concur that working men ought to have a share of the franchise; but all allowed, on the other hand, that they ought not to possess the greater share, they ought not to have a pre-eminent power. Then, too, while it was generally agreed that the working men were less liable to corruption than the lower class of shopkeepers, it was admitted that they were likely to combine for the purpose of carrying out their objects. As instances of this he need only allude to the combination formed to force the Permissive Bill on the country; and to the combination recently mentioned in *The Times*, by which workmen succeeded in crushing a new invention for making bricks more rapidly and at a reduced cost. Look, again, at the colony of Victoria, where the working men combined to put an end to an enlightened commercial policy which the colony had inherited from this country; and seeking their own immediate advantage rather than the future good of the colony, had resorted again to protection, and forced that tortuous policy upon the Government. Many of the working men were well educated, and even wise; but, on the other hand, there was among them much of that silly ignorance which led a man to decide questions of which he did not know the real bearings. He did not say that such ignorance was confined to the working classes; but certainly predominant power ought not to be given to a class of which number was the characteristic, and in which a haughty ignorance was found. The right hon. Gentleman the Member for Buckinghamshire in his speech on the Re-distribution Bill, and in that of 1859, and in nearly all his speeches on Reform, had said that the House of Commons must be the mirror of the nation. He was the leader and spokesman of the Conservative party. The right hon. Gentleman the Member for Calne, the leader of the intermediate party, had said that the House must be the exact reflex of the nation. Lastly, Earl Russell, the leader of the Liberal party, had said, "The one great principle is that the representative body should be the exact image of the represented." Now, what did all that mean? It did not mean simply that every class should be represented; even if a class were supposed to denote those who were bound together by common interests, and who indulged in a common mode of thought. It meant that the inequalities existing in the nation should be recognized in the representation. The nation was organized. It was not merely an agglomeration of individuals. All the elements of power in society, all the influences at work throughout the nation, all the sources and grounds of social weight, ought to be correctly and adequately represented in the House of Commons. That was what he called an exact mirror, or reflex and image of the nation—a mirror showed an image of a thing as it really is. What followed if all those social influences were not adequately represented in that House? The absence of such representation gave rise to all the abuses of which complaints were made. If any power or influence in the nation was not given a direct outlet, it would assert one for itself, and exteriorize itself in an illegitimate manner. Take, for example, the man of wealth, who felt that wealth was not adequately represented in the House; who became aware that the interests of wealth were disregarded or perhaps sacrificed for the advantage of other classes. What would he do? He would at once make use of his wealth. He would put forth the power which was peculiarly his own. He would attempt to regain by wealth what he had lost by legislation. Many a rich man was perfectly honest and upright, and would not stoop to a dirty action; he would not bribe for other objects; but he would say, with regard to political affairs, "Necessity knows no law; if I do not do this I shall be ruined; I must use in my defence the only power and influence which I possess." This was the history of bribery. A landowner might feel that legislation was injurious to his class, and that the interests of the land were not properly cared for; that the land was unequally burdened, to relieve the taxation on trade; he would say, "Necessity has no law; I must save myself; I must use that influence, which circumstances have given me, in order to ward off an utter annihilation from my class;" and he would put forward that power which resided in the relations between the landlord and the tenant. So the working classes, if they felt that their interests were not properly attended to, would put forth the power peculiar to their numbers; and then we had the appearance of physical force in legislative matters. This was, he believed, the *rationale* of bribery, intimidation, and physical force. Moreover the rule held good in regard to all classes, that if they found their interests were not properly attended to, if they were inadequately represented in that House, they would welcome despotism to free themselves from the results of the unjust inequality of misrepresentation. A representative Government where the nation is not truly represented, is the worst kind of tyranny; it is the despotism of a privileged class. Reform, they were told, was the removal of abuses—and how should abuses be removed? Surely, by going to the source and the fountainhead of the abuses. The only way to remove bribery and intimidation and the resort to physical force was to give correct, precise, and adequate representation to all classes. The means by which he would do this were not popular in that House; they were at least worthy of consideration; but they had not received any discussion as yet in the debates on Reform. He firmly believed in the expediency of giving a plurality of votes. He was aware that the right hon. Member for Buckinghamshire did not approve the idea, and had put a plurality of votes upon a par with a plurality of representation to towns. By a plurality of votes adequate representation could be given to all social influences, to all the weights and elements of power in society. Give a vote to every man as a citizen; give another vote to him if he is a houseowner; again give additional votes to landowners; men should also have votes in virtue of their education and attainments; to lawyers, doctors, and other professional and learned classes, he contended that votes should be given; and thus the various classes of society could be adequately represented. There were other theories of representation; but every one of them, except this, was inadequate and indefensible. If—accepting representation according to numbers—a vote were given to every man, power must fall into the hands of the most numerous class. Then the nation would no longer govern itself, but would be governed by a privileged class—namely, the most numerous and least educated class. This class would promote its own interests and allow the interests of other classes to suffer. A preponderance of power was always abused, being employed as a means to obtain increased power. So Charles I. and James II. employed power to get more power. That led to bloodshed and the uprising of a fierce and angry nation. It was the case again in the times of the three Georges. Blood was not then shed, because Pitt, the leader of the Conservative party, recognized the evil, and proposed the remedy in 1785. After these Kings the Peers had a preponderance of power and sought to increase it. But the angry struggle of 1832 terminated their efforts. If Kings and Peers sought in this way to increase their power, would not the multitude do the same? Give them superior power, and would they not abuse it in the endeavour to get more? In a representative body there must always be a conflict of interests to prevent the selfish sway of one class. Every moderate and reasonable and wise course was the result of antagonism. It proceeded from a clashing of interests, and a consequent sifting of opinions. Where there is no struggle there is mere stagnation, and no improvement. [Mr. J. STUART MILL: Hear, hear!] He was encouraged by hearing so decided an approval from the eminent political philosopher opposite. The unchecked domination of one class is the detriment of all. If any class obtained supreme power, not only would that class suffer because of the stagnation it induced, but every other class also would suffer indirectly; because the interests of each of these would be disregarded. Especially would that be the case if the class that had the supreme power was the lowest and the least educated of all. For these reasons he abjured the doctrine that representation must be in proportion to numbers, which the hon. Member for Westminster designated as "the principle of democracy," and which was the prevailing principle of the Bill of the Government. With respect to representation according to taxation, he quite agreed with the hon. Member for Westminster, whose book he had much studied of late, that direct and not indirect taxes must be considered. For indirect taxes are not felt to result from the expenditure of the State; and therefore the payment of indirect taxes did not affect a man's vote. Had the House any idea what would be the effect of carrying out the theory of representation according to direct taxation? In a paper read before the British Association last year, Professor Leoni Levi said that if representation were proportioned to direct taxation, the upper classes ought to have 83 per cent of the franchise, the middle classes 13, and the artizan class, instead of 27 per cent, ought only to have 4 per cent. Therefore, on this principle the representation of the artizan class ought to be reduced, and that of the upper classes increased. The House had no intention of making a change in this direction. The fault of this theory was that it supposed the whole duty of the State towards the individual was that which was paid for out of the taxes; and that the only duty of the individual towards the State was to pay taxes. This theory altogether ignored other relations and conditions which were much more sacred. He alluded, of course, to the theory of hon. Members opposite, so often heard in debates on church rates, that the State was a mere policeman, whose duty was merely to protect persons and property. Apply such a theory as the taxation theory to a family. Would it not be monstrous that the ablebodied sons should rule the affairs of the family in proportion to their contributions to the common store; while the father, whose hand was palsied and whose eyes were dim, exercised an authority in proportion to his earnings? And now with regard to representation in proportion to property. This was to some extent constitutional. The landowners elected the knights of the shire; the possessors of floating wealth sent burgesses to Parliament. Yet the evils of Plutocracy must be borne in mind. It had always been the tendency of wealth to acquire increased representation in that House. The adventurer who returned, say, from the gold diggings, possessing wealth but not social standing, would pay any sum to get into the House; it gave him that weight which money alone could not confer. And, like MacSycophant in the play, though he could not speak in the House, he could bow and cringe to a Minister. Joint-stock companies were already too much represented in the House. *The Spectator* stated that 225 Members were connected with railways, 195 were directors of financial and banking companies, and 185 were directors of miscellaneous companies. Charles lost his head because his word had no authority and his wisdom was depreciated. If the House of Commons came to be treated with contempt by the people of England, it would be speedily deposed from power; it would continue to fall until even the *nouveaux riches*, the adventurers of society, mere *parvenus* would not seek seats in it. It would be avoided, as many local bodies now were. This Bill certainly would not increase the representation of wealth. The more the franchise was reduced, the more power was taken from the rich and middle classes. They became, therefore, the enemies of the party who proposed to lower the franchise. The wealth of the country would support the Conservative side. To give representation to education and intelligence, as proposed by the hon. Member for Hull, seemed to be the most sensible theory; but he maintained that it could not be the only basis of representation, because it was not intelligence alone which gave standing and weight in society. The learned professor or the schoolmaster had a position; but the rich contractor and the country squire had also their influence. He returned, therefore, to his former proposition; that all social influences and sources of power ought to be represented in this House. The Chancellor of the Exchequer, however, had proceeded upon the principle of democracy; he had affirmed that representation and population ought to go together. The principle of democracy was the principle of the Bill. For instance, every county in which the population was more than 150,000 was to have three Members; every borough in which the population was more than 200,000 was to have three Members; every borough in which the inhabitants numbered 100,000 or more, was to have two Members; every borough with a population of 8,000 was to be left untouched. Where the inhabitants were fewer than 8,000 the boroughs were to be grouped. Small boroughs were to be sacrificed to large constituencies. Every question was to be settled (so the Chancellor of the Exchequer had told them) by the old-fashioned rule of three. The character, the industry, the mode of thought of a town was never considered; numbers alone governed the amount of representation. But he was not consistent in carrying out this rule of three principle. He did not give Members to large towns, like Torquay, which were now unrepresented. This was a departure from the principle of democracy; but it was not an approach to any other principle of representation, except it were to keep up discontent and make "finality" impossible. Again, it was to be remembered that in proportion as the size of a constituency was increased, the less were minorities represented. Take an extreme case, if Great Britain and Ireland were one constituency, returning the present number of Members, the House would represent but one opinion—namely, the opinion of the majority of the nation. All the minorities would be unrepresented. The House would not be a mirror of the nation. Yet the hon. Member for Westminster had written that it was essential to the principle of democracy that minorities should be represented. There were numerous other violations of the true principle of representation—namely, the principle of mirroring—namely, the grouping of agricultural and seafaring or manufacturing boroughs; the swamping of the landed interest by unrepresented towns, and by the freemen, the copyholders and the leaseholders of towns. For these reasons he cordially opposed the Bill. He had not carped at points of detail; he had sought for a common ground of understanding. He had found it, but discovered that the Bill did not stand upon that ground. But for his part he took his stand with the leader of the Conservative party; the leader of the Cave of Adullam (Mr. Lowe), that is to say the head of the new intermediate party; and he asserted the principle which Earl Russell had deliberately put on record in his book on the Constitution; that the representative body must, like a mirror, show the image of the represented nation.

MR. PIM said, he did not wish to give a silent vote on that occasion. He had voted for the Resolution of the noble Lord the Member for Chester, and in giving that vote he was still of opinion that he did right. The country had, he believed, endorsed the course which he and others had then taken, and the Ministers had themselves given their sanction to it, because they had since brought in the second part of their measure, and had agreed to unite the two Bills into one. Was there not, however, an implied promise on the part of those Gentlemen who called for the complete scheme of the Government to support that scheme when it was submitted to the House? He confessed that he thought that all those Liberals who supported the Resolution of the noble Earl on the ground stated by him, being really of opinion that some Reform was necessary, were bound now to support the Government, whose measure could not be fairly considered unless it went into Committee. As to the objection that the Reform Bill was "inconvenient," any one—even if gifted with the wisdom of Solomon—would be puzzled to bring in a Bill which would not be thought "inconvenient" if it disfranchised any boroughs. He agreed with those who regarded the measure as "immature," and he also thought that it was ill-timed and ought not to have been brought forward this year. But that was not the question now before the House. The measure had been accepted; it had been read a second time; and the question now to be asked was—"Is it wiser to throw out the Bill or to give it a fair consideration in Committee?" For himself, he thought there were many faults in the Re-distribution of Seats Bill, and that the plan of giving three Members to one constituency was a very doubtful one. The Irish Bill, also, had serious faults. But all these were matters of detail which might be amended in Committee. The object of hon. Gentlemen opposite seemed to be to unite in opposition to the Bill all those who found any fault with it; and if that suggestion were followed, the Bill would be thrown out not merely by the majority of the House, but by the unanimous vote of the House; for even the Chancellor of the Exchequer had admitted that there were some details of which he did not approve. But this was not a fair way of dealing with any subject that was brought before the House. Now that the measure had advanced to its present stage it should be allowed to go into Committee, amended there as far as it could be amended, and if from want of time or other circumstances the measure was not carried, he did not think the time spent in discussing its provisions would be lost. That discussion might be usefully directed to particular points on which a difference of opinion existed, and thus a settlement would be facilitated next year. Another reason why the Bill should not be treated with contumely, as it would be if it were now rejected, was the agitation and political animosity which such a course would engender out of doors. The subject was one requiring a calm and impartial consideration, freed from party bias, so that a fair conclusion might be come to which would satisfy moderate men on both sides of the House. The only object of the course that had been pursued by the opponents of the measure appeared to be delay; but in saying this he did not wish to be understood as desiring undue haste.

Mr. WALROND said, when he attempted to catch the Speaker's eye awhile ago it was not with the view of replying to the speech of the noble Lord the Member for Chester, nor that of the hon. Member for Nottingham, inasmuch as one portion of that speech pretty well answered the other. After his remarks with reference to the Cave, he could not say that the hon. Gentleman the Member for Nottingham was an Adullamite, but he would rather call him an Ishmaelite, "whose hand was against every man." He flew his hawks impartially at every sort of game, whether it rose from the snug covers of the Treasury Benches or from the barren moor of the Opposition. Now, after three months of delay the House had got the complete measure of the Government. For that delay Her Majesty's Government were entirely responsible; but if the House and the Government were prepared to turn to the best account the debates which had been carried on, he ventured to hope that the cause of Reform would have gained as much as the Government would have lost by the delay which had occurred. The House were called on unfairly to pass a fragmentary measure in March, they were unfairly called on to place in the gallery of the Constitution a veiled statue, concealed with what no doubt would be termed appropriate drapery. The face only was visible, and they were told they should not raise the veil to see what it concealed. They knew not whether it ended in the monstrosity of a centaur or a merman, or simply in a mass of unmoulded clay. The result was that the Government which began with a majority on paper of seventy, on their first important division could only present a majority of five, and yet they were told that the Government were not to blame in regard to this measure. He believed, too, the Government was responsible for having brought forward this measure with undue haste, which was not to be excused by the exigency of the hour. There was no complaint against the governing bodies in the State, or the constitution of that House, except the complaint of the hon. Member for Birmingham that the House was never earnest for any good measure. The result of the late division proved pretty clearly that Her Majesty's Ministry could not pass a Reform Bill satisfactory to the House or the country without the support of hon. Members on the Opposition side of the House. The proceedings in reference to the Reform Bill of 1859 proved the difficulties that surround the settlement of the question by the Conservative side of the

House. He had only further to observe that the Liberal Benches showed how entirely they had failed to carry with them the support of their own party. The hon. Member for Nottingham had said that no Member on that side had the boldness to meet the question with a direct negative. He was not going to move a negative, because he believed it would not be in accordance with the wishes of the country. What was the moral to be drawn from all this? Did it not point to a compromise? But he might be told that this measure was a compromise. A compromise might be called by many a refuge for weakness and indecision, but, rightly considered, it involved a great principle in itself; it was the safe medium between two extremes, and its wisdom was illustrated by the proverbs and history of every-day life. He asked what conjuncture of circumstances could be more favourable to a compromise. It might be said that this Bill was in itself a compromise. Between whom? Certainly not between Her Majesty's Government and the Conservative party. That party's eyes were fully open to the necessity of meeting the wants of the country, and of dealing with the question of Reform, and carrying out a measure satisfactory to the country, but they were not bound to support a hastily and ill-considered measure; and to say they were opposed to all Reform because they did not support this measure was simply to attempt to raise a false issue. The late debates would not have been altogether uninstructive. In the first place, the House had heard from an authoritative source the value of the franchise to a working man, for they had been told by the Chancellor of the Exchequer that a working man's vote was not worth to him the wages of one day's work, and the working classes would be able to estimate by this opinion how much the Chancellor of the Exchequer was opening the door in their interests, and how much for the purpose of strengthening his own position in the House. And not only that, but they had seen the hon. Member for Birmingham "standing on the lines of the Constitution," and advocating Conservatism. He could well understand why the hon. Member always objected to "fancy franchises," for he had always consistently advocated household suffrage, and he therefore objected to any extension of the suffrage which was based upon a principle which offered any fitting resting-place short of that. The hon. Member objected to the harsh line of £10, but agreed to the equally harsh line of £7, because he knew it was a temporary measure leading to the end he desired. For his own part, he (Mr. Walrond) would alter the £10 line in a different manner, so as to enable the better specimens of the working classes to find their way to the franchise by introducing tests of industry, prudence, and intelligence; and if they could eliminate from the question of its extension all reference to household suffrage it would simplify the matter very much, because then they might admit the working man by elastic, self-adapting tests not open to fraud, but suited to the increasing wants of the community. As to the re-distribution of seats, they would have greater difficulty in dealing with that. What they required might be done by grouping combined with disfranchisement, but in a better manner than was proposed by the Bill before the House. With reference to the rectification of boundaries, he quite acknowledged the justice and plausibility of the argument of the Chancellor of the Exchequer when he said that they did not eliminate entirely the urban element in the counties whilst they retained the agricultural element in the boroughs. He admitted that; but the value of that argument depended on the right hon. Gentleman's proving that there was a fair balance between the two. In regard to the franchise, he should be perfectly willing to support £20 in counties, and £8 in boroughs, if such an arrangement were softened by the admission of the working classes to the right of voting through the means of "fancy franchises," but he should prefer keeping the £10 franchise in boroughs, and assimilating to that the £10 in counties, because it would materially simplify the difficulties of dealing with the question of the re-distribution of seats. If they had a lower franchise in towns they could not reduce the counties equally. If they would retain the £10 in boroughs, and admit, by the means he had suggested, the better class of the working men, and would establish an uniformity in the franchise between the counties and boroughs, they would simplify the question of the re-distribution of seats. When, then, the hon. Member for Birmingham ridiculed the idea that the moderate amount of re-distribution proposed by Lord Derby could be considered as otherwise than temporary, he would answer that if taken in connection with the proposal to assimilate the county and the borough qualifications, it would bear a permanent character, because no town could in that case complain of being excluded from the representation. The present Bill would, if carried in its present form, extinguish the Conservative element in the House; therefore he was not surprised that it had not received the support of the moderate men of the Liberal party who did not desire to see such a calamity happen to the country. This was an experimental attack on the English Constitution in its most vital part. To attack the Constitution hastily and inconsiderately was no small constitutional crime. If the Conservatives were doomed to die, let them die fighting in what they believed, however erroneously, their country's cause. They had not only had threats and cautions; they had also had prophecies. They had been told that they might bury the corpse of Reform, but that it would rise again. He did not mean to say that the banner of Reform would not again float in the breeze; but he did believe that if raised hereafter, in the same spirit and manner in which it had just been unfurled, unless a great change came over the spirit of the nation, it would be raised, not to float in victory but to droop in defeat.

MR. WYLD remarked, that since not only the people of this country were looking to the conduct of that House in reference to the question of Reform, but every country where constitutional liberties existed read what was spoken in that House, no word ought to be lightly spoken there. Nor would he have risen had it not been for some remarks which recently fell from the hon. Member for Nottingham. He repudiated the assertions made by that hon. Member in reference to certain boroughs. He had held a seat in that House for Bodmin, with a slight exception, ever since 1847; and although the constituency of that borough could have chosen a wiser and a better man, he must say that his relations with the constituency had been of the utmost purity, and of the most constitutional character. Bodmin had a small but intelligent constituency, and was much distinguished in past periods. However, in course of time it might be requisite to take away a portion of the representation from some places and transfer it to other parts of the country. If the Government had proposed a fair and just Bill for the improvement of the representation of the people neither his constituency nor himself would have objected to it; but he did object to the Government Bill, on the ground that it did great injustice to Cornwall, and particularly to the eastern division of that county. It was the extreme inequalities that were found in the Bill that prevented those Liberals and true Reformers who had always supported the Government from giving the present measure a hearty support. He hoped that the Government would assent to Amendments in Committee.

MR. MITFORD said, as the representative of one of the boroughs which was to be grouped, according to the Bill of the Chancellor of the Exchequer, and to return half a Member, or rather one-fourth part of two Members, he begged to make a few observations relative to those parts of the measure which specially concerned his constituents. Those were the re-distribution of seats, and especially that part which related to the grouping of boroughs. He considered the re-distribution excessive; in the case of some boroughs inconvenient and inequitable. He admitted that as great towns rose in importance, and new communities sprang up, it was necessary and desirable that they should be represented, and that that representation must be obtained at the expense of small boroughs. But when he remembered that so short a time as thirty-three years—for that was a short period in the history of a great country—had elapsed since the whole question of the representation had been thoroughly gone into, and gone into much more thoroughly than the present Government had condescended to do, he thought it was not expedient now to take fifty seats from the small boroughs, which the Reform Act had retained as being advantageous to the working of our representative system. In the year 1831 the present Prime Minister said—

> "In the representation we propose to leave a certain class of boroughs which may seem to be a blot on our system, but their existence will add to the permanence and welfare of our institutions and of the people—I mean 100 Members for places with three, four, five, or six thousand persons, who will not represent any particular interest, and who may be able to inform the House on questions of interest to the general community. If we, testing the existing system, allow no Members to any places but counties and large towns, something will still be wanting—a number of persons not connected with land, commerce, or manufactures, but who are well able to advise on matters connected with the general welfare of the nation."

Lord Russell retained this opinion until about six months ago, and he should be glad if any Member of the Government could state at what time the opinions of the Prime Minister underwent this change. Again in 1859, the Chancellor of the Exchequer entertained a strong opinion in favour of small boroughs. He (Mr. Mitford) was a heretic on that point up to that time, but on reading his speech he became thoroughly convinced that the country could not get on without them. The right hon. Gentleman and the noble Lord would forgive him for saying that he preferred their opinions as independent men to the opinions which they had adopted since they had been inspired by the hon. Member for Birmingham. The Chancellor of the Exchequer seemed to have given up the idea that small boroughs were of any use, but he was either singularly forgetful, or singularly diffident—forgetful, that a small borough had been the means of introducing him to the House, and diffident in rejecting the notion that his services had been useful, a compliment which both sides the House willingly accord to him. Facts were against the right hon. Gentleman. At the very moment when he was recanting his former opinions respecting small boroughs in that House, there was sitting at his side one of the greatest ornaments of the bar, the Attorney General, whose absence would be a great loss to the House, and who would not have been returned but for the small borough of Richmond; and the Attorney General for Ireland was also returned by a very small constituency. He would now make a remark or two on a subject on which his constituents were very much interested—he meant the grouping of boroughs. The Chancellor of the Exchequer had adverted to the system of grouping in Scotland and Wales. In the case of Scotland there certainly was a kind of precedent, but it was not a very close one, because it took place before the Union of Scotland with this country. The precedent of the Welsh boroughs was in reality no precedent at all. It was not the grouping of boroughs, but of towns—a very different thing. The right hon. Gentleman went on to say that the boroughs in Scotland and Wales were models of purity, and that it would be desirable to increase the number of such boroughs. But the remark had been made that they were models of purity only because they had no chance of being otherwise, very few of them having been contested. The hon. Member for Montrose had informed the House that there had been many contests in Scotland, and that there was one at Edinburgh which cost a considerable sum of money. But the hon. Member made a mistake in his point, for the constituency of Edinburgh did not consist of a group of boroughs. There could be no doubt that if the House adopted the system of the grouping of boroughs, the expense to the borough Members must be enormous. The borough with which he was connected (Midhurst) was grouped with three others, in each of which agents must be employed, and a considerable length of time must be occupied in canvassing. The necessity of having recourse to such means would keep out of the House a great number of men who could not afford to incur the necessary expense of a contest. There was another objection to the proposition—the grouping of boroughs would be the means of sowing discord amongst them. Each borough in a group would be anxious to return its own Member, and the contest would be fought not on political grounds, but the question would be whether this or that borough was strong enough to return a particular Member. He would not allude further to the question of grouping, which was a matter for consideration in Committee. He would only say that his constituents, and the electors of the other places belonging to the group, considered the arrangement a most inconvenient one. He agreed with the hon. and gallant Member for Wells (Captain Hayter) that it was not only inconvenient but inequitable. He would not go so far as to say that in the manipulation of the boroughs to form groups there had been any absence of fair play. He would take it for granted that there had been no unfairness. But he thought it was no feeling of fair play which had induced the Government to draw the line at a population of 8,000, above which number no borough was to be touched at all. That was an important consideration which could not be too often repeated. There were twenty-five Members returned to that House by boroughs having populations of between 8,000 and 10,000. Twenty of these boroughs returned at the last election supporters of Government, and five sat on the Opposition side of the House. Now, was any person so innocent as to believe that this was entirely an accidental arrangement?

There could be no doubt the line must be drawn somewhere, but would the hon. Member for Lewes (Mr. Brand) state that the arrangement was an accidental one? He (Mr. Mitford) could not believe that to be the case. The right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Goschen) had informed them that the Government would not be able to carry the Bill if they had done otherwise. But, in reply to that observation, he would say that even in the sacred cause of Reform the end in no way justified the means, and anything which approached, he would not say trickery—for that was not a Parliamentary phrase—but which approached partiality, would never be successful in a case of this kind. The right hon. Member for Kilmarnock (Mr. Bouverie), at the beginning of these debates, had recommended the Conservative party to accept the measure, because Reform would always be held as a stick over their heads to drive them from office. Now, he would ask the right hon. Gentleman if that advice was worth anything? Did he not know that if that stick were removed, another stick, and a far heavier one, might be wielded over their heads with far greater effect? Could any one suppose that when the hon. Member for Birmingham wished to have the Franchise Bill as a means of "leverage," to use his own words, by which other changes might be effected, that we were to see the end of agitation? Such a result could not take place. The Chancellor of the Exchequer had found himself able to change so many of his opinions that Her Majesty's Government, whom he controlled, had alienated all moderate men. He had thrown over the advocacy of church rates. He had thrown over his avowed opinions with regard to small boroughs, and in the same way he would find it just as easy to throw over the remnant of Conservative opinions which he held and cast it to the winds. No doubt hon. Gentlemen on the other side considered it absurd for the Members of small boroughs to defend the existing state of things. And the right hon. Gentleman the Member for Kilmarnock had been polite enough on two occasions to call the small boroughs "miserable boroughs." But however miserable the small borough which he represented and its Member might be, they would scorn to retain the privileges which they now held if they did not conscientiously feel they retained them for the good of the country; and so long as they retained those privileges they would make a better use of them than to support a measure which, in his firm opinion, was not called for by the country, of which the promoters were so afraid, that they only introduced one half of it at a time, which sufficed to frighten the great body of their supporters, and to reduce their majority of seventy to five—a measure which, in his opinion, must have the effect of entirely destroying the balance of power, and that equilibrium and just representation of all the interests of the Empire which had worked so well and so happily for many years past.

Mr. HENRY SEYMOUR said, that if Her Majesty's Government were unable to carry the measure this Session they would have done that which would facilitate its passing at some future period, whether in the spring or in the autumn. They must naturally expect to hear some kind of remonstrance from those boroughs which would be affected by the disfranchising portion of the Bill, but those small boroughs must think themselves particularly fortunate in being grouped instead of being really disfranchised altogether, and absorbed in the counties instead of being grouped. He was delighted to find from the speeches of two right hon. Gentlemen who had been Members of Lord Derby's Government that they were not opposed to all Reform, but that they had shown a reasonable willingness to listen to the proposition of some kind of Reform, and that they were also willing to admit a certain portion of the working classes to the franchise. There was in reality very little difference on both sides of the House with regard to the first part of the Bill. And the reason why the moderate Liberals had received it was that the conduct of the working classes during the last six years had shown them to be first-class working men, and also that they were the equivalent to the £10 shopkeepers. The Liberals considered the seven-pounders proper persons to be admitted to the franchise, and that being so it was the duty of the Government to bring in a measure to admit them. The "old prophet," Mr. Carlyle, in his recent address at Edinburgh, used a remarkable passage which bore on the present measure. He fixed the limit as necessary for the enjoyment of man's faculties at precisely that which had been adopted by Her Majesty's Government in this Bill. Mr. Carlyle said, it mattered not, so long as a man got meat and clothes, whether he purchased them with £7,000, with £7,000,000 or with only £70; and as a man's rent was generally one-tenth of his income, the £7 limit gave each man an income of £70 per annum, which was sufficient to enable a man and his family to support himself, and enjoy the good things of this life. So far from the £7 franchise tending to reduce it, he thought they might safely take their stand on it, looking to the rise of wages and the depreciation in the value of gold. The £10 franchise in 1832 was looked upon by the Tories of that day as the £7 franchise was by the Conservatives of the present day. The result had been that the ten-pounders were eminently Conservative, and showed a greater affinity for those above than those below them. It was but natural that they should hear the wail of the small borough, but they did not expect to find it led off by the hon. and gallant Member for Wells—the son of a former Member of a Liberal Government. It, however, corroborated an expression which he had heard fall from Sir William Hayter, "That if you make a man a Baronet or a lord-lieutenant he is as sure to forget his maker as a Bishop." He (Mr. Henry Seymour) hoped the hon. Gentleman would have seen the error of his ways, and would save the House the trouble of a division on his Amendment. They could not after that ask the Government what they would do, because they were in the hands of the House, and it was for them to determine what should be done. He thanked the Government for having brought in this measure, and he assured them that if they had not done so he should not have supported them, but would have joined all those who were opposed to them on the question of Reform. The same causes were in operation now which stopped the Bill of 1854. There was then, as now, a European crisis, and it was unadvisable that the Government should be placed in a situation which should compel them to resign and which would entail the loss of the services of the most tried and experienced statesmen that England could now boast of. In one sense he would almost wish that the hon. Gentleman would carry his Amendment to a division, because the result would show that the Reform question was gaining ground, and that some of the Conservatives were sincerely anxious to see this question settled, and would be prepared to give the Government a lift, as they had done on former occasions, if they were in a difficulty. He believed the effect of this Bill would be rather in favour of the Conservatives than otherwise. He was surprised at the absurd argument of the hon. and learned Member for Belfast (Sir Hugh Cairns) that three Members for counties was unconstitutional. They might have two or four Members, but three, it was said, was unconstitutional. London, from the remotest antiquity, had had four Members, and if that was the only argument that could be used against the Bill, the sooner they passed and got rid of this difficult question the better, and passed to subjects of greater social importance. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) said that the Bill would destroy the Conservative party, and the right hon. Gentleman the Member for Calne (Mr. Lowe) said it would destroy the Constitution. He did not believe that Conservatism and the Constitution were synonymous terms, but he thought it would destroy the Tory party (not the Conservative party) which the right hon. Gentleman the Member for Buckinghamshire raised up in 1846, and which had met with what success he would leave the House to judge.

Sir THOMAS BATESON said, he congratulated the Government on having the support of the last speaker, but when they recollected that the population of the borough of Poole was very little in excess of 8,000, the number fixed on by Her Majesty's Government as the margin where disfranchisement should begin, it would be unnecessary for him to answer the arguments that had been addressed to them by the hon. Gentleman. Representing as he (Sir Thomas Bateson) did a flourishing town (Devizes), venerable for its antiquity, though not *effete* or decayed, but, on the other hand, increasing in wealth and population, he for one protested against the Government scheme as being unjust, dishonest, and ill-matured. He would prove to the House why he considered it was eminently unjust to the borough of Devizes which he represented. Unfortunately because it did not contain 8,000 inhabitants, the number fixed on by the Government, it was to be disfranchised, because it was only to retain a fraction of a Member. At the time of the passing of the Reform Bill of 1832 the limits of the borough were so circumscribed that the suburbs of the town were not included in the Parliamentary borough. Now portions of parishes were in the borough, whereas, other portions, because the borough at the time was not what was called Liberal, were omitted from the borough. If those portions of the borough which had been omitted were added to the borough it would have between 9,000 and 10,000 inhabitants, and its population would exceed that of the borough which the hon. Member who had just sat down represented. He considered the Government scheme a dishonest one. He would not refer to those boroughs many of which were smaller than the one he had the honour to represent, but which, owing to the favour of the Chancellor of the Exchequer, had not been touched, but had been allowed to retain one Member each. The right hon. Member for Calne had demolished that portion of the Bill already; but there was one important point which the right hon. Gentleman had not mentioned. In the county of Wilts there was a small and decaying village—he regretted that he did not see the hon. Member for Salisbury in his place—but the village to which he referred was a small suburb to the town of Salisbury, and it had not even a market. Its urban population amounted to 1,930 people, and out of that number upwards of 1,000 were females. He did not see the hon. Member for Westminster in his place, and therefore he would not pursue that portion of the subject. That wretched little village of Wilton had been spared by the Chancellor of the Exchequer, and they knew the reason why. That wretched little village had been retained, while the county town of Devizes, with one of the largest corn markets in the South of England—a town containing all the public institutions of the county—it was proposed to disfranchise. He found that wretched little village of Wilton was represented by an hon. Gentleman who for many years after he (Sir Thomas Bateson) entered Parliament sat upon the same Bench as he did, and voted in the same lobby. They fought side by side, and shoulder to shoulder; but the hon. Gentleman had since seen cause to change his opinions, and had become—a convert—for, as he did not see him in his place he would not call him a pervert, as that might be offensive. The hon. Gentleman, however, had changed his opinions, and now sat on the opposite side, with his knees into the Treasury Bench—he was at the beck and call of the Treasury whip, and was, of course, a very useful Member. It might be desirable to retain that nice little Government preserve. The Attorney General had sacrificed those constituents by whose favour he had occupied for some years a position on the Treasury Benches, and it might be necessary to keep a quiet little preserve for him. He did not say that that was the case, but it might be possible. Of course, the Chancellor of the Exchequer knew nothing of those arrangements; probably the right hon. Gentleman never heard anything of the town of Wilton in his life, but he (Sir Thomas Bateson) would say there were some unscrupulous subordinates, some unscrupulous partizans, who had arranged these matters, and it was not to be forgotten that the House of Commons and the country at large would hold the Chancellor of the Exchequer responsible for the dealings of those unscrupulous partizans. They had heard a great deal about the necessity of providing additional seats for the large populous towns in the North of England, but if the Government were really in earnest why did they not disfranchise those towns which were proved to be utterly corrupt? Why did they not disfranchise Wakefield and Gloucester, both of which had been proved to be notoriously corrupt? The other night the hon. Member for Wakefield actually had the audacity to come forward and propose the abolition of small boroughs. The hon. Member, however, was not in his place, and therefore he would say no more about him. There were various places that might be disfranchised; there were Wakefield and Nottingham; Great Yarmouth and Totnes; Lancaster and Berwick; and many other places. What had they seen at Nottingham and at Windsor? If the Government were in earnest, if they were sincere, it was for them to come forward and disfranchise those places, and to give the Members who represented them to the large populous towns in the North of England. If the Government did not adopt that great principle, would not the country say that all their wordy protestations were a mere farce and a sham? Would not the country ask whether the Treasury Bench meant to set its face against bribery and corruption? The Members of the Government came down to that House and selected a number of small boroughs; but it was a very curious circumstance that the great majority of those small boroughs returned Conservative Members and Members opposed to democratic theories. The great majority of those small boroughs returned Members who were opposed to the principles of the hon. Member for Birmingham. He contended that the great majority of those small boroughs were pure and incorruptible. [Mr. GOSCHEN made a gesture of dissent.] He would tell the right hon. Member, in spite of his sneer, that his (Sir Thomas Bateson's) election for contesting Devizes only cost him between £100 and £200. So much for the sneer of the right hon. Gentleman the Member for London. In spite of the right hon. Gentleman's sneer he could tell him that the grouping of the boroughs had been "dodged." He could tell the right hon. Gentleman that with a cunning and a subtlety which might be necessary in a fraudulent transaction, but which were never necessary in an honest one, the grouping of the boroughs had been dodged. [*Cries of* "Order!"] He would repeat the phrase—the grouping of the boroughs had been so dodged as to hand over the Conservative Members to democratic boroughs, and the Conservative element in the small boroughs would be perfectly unrepresented. A great deal had been said about the unequal distribution of seats according to population, but if there was anything in the argument he would ask, did the counties cry out for a democratic Reform Bill. No; they were satisfied with the blessings they enjoyed under the existing Constitution. They were aware that the small borough Members represented the interests of trade and agriculture combined, and he maintained that in them the interests of trade and agriculture were so combined and interwoven that the individual representing them represented both. It almost appeared to him that Her Majesty's Government wished, and that it was their intention, that no hon. Members for Parliamentary honours should in future enter that House unless they were either millionaires or demagogues. He would ask, would the interests of the country then be better represented in this House than they were at present? Or would the interests of the working man be better represented than they were at the present moment? He would say no. A very short time had elapsed since the whole nation had had to deplore the death of a great statesman. He said the whole nation, but perhaps he should except the hon. Member for Birmingham and his accomplices, because the hon. Member for Birmingham could not but feel that that statesman's death had removed the great barrier against the eruption of a republican deluge. A shorter time still had elapsed since they had heard the Chancellor of the Exchequer, the leader of that House, enlarging with his usual eloquence upon the high character, the statesmanlike qualifications, and the great judgment of his deceased chief. It was now that they missed that great man in the House. It was now that they found that those orations, that those eloquent speeches of the Chancellor of the Exchequer, were merely a string of set phrases in honour of the man whose policy the orators adopted while he lived, but which had been consigned to the tomb when he died. He (Sir Thomas Bateson) would ask the Government whether, had Lord Palmerston lived, he would ever have brought in a democratic Reform Bill? Had Lord Palmerston lived would he ever have brought in an unjust and dishonest Re-distribution Bill? He regretted to see that there were only two occupants on the Treasury Bench now; but if all the Ministers were present, and the Bench was crowded, he would ask them whether there was a single man amongst them—whether there was a single placeman amongst them — whether there was a single official amongst them, who, had Lord Palmerston declined to touch the question of Reform, would have sacrificed his place on that Bench to his democratic convictions. He heard no response. Not a man among them would have removed. He would ask, further, was there a single man who now advocated with such enthusiasm the new doctrine—the new "flesh and blood" theory—was there one of them who would have sacrificed his place? No, there was not. He could tell his hon. Friends on his own side of the House, however, that this new-born sympathy for the working man, whom the Government found to their astonishment already possessed one-fourth of the franchise, although the figures were sent back to be—what was it? "revised." He could tell them that this new-born sympathy for the working man was begotten by the lust of power and the love of place, was suckled by the unctuous "pap" of peripatetic stump orators, and was dry nursed by the insolent and swaggering bluster of domineering agitators. But after all the baby was but a puny one; it was but a weak, delicate creature, and after all that artificial nourishment, and after its having gone through all the forcing process, he doubted very much whether they would ever see it reach maturity. The motto of the Government was "Fixity of tenure" — and unfortunate Irish landlords knew what that meant. At the instigation of the hon. Member for Birmingham, the policy of "Rest and be thankful" was abandoned. The noble Lord at the head of the Government, aged in years and rather decrepid in constitution — [*Cries of* "Order!"] If the House liked, he would call it his political constitution, as he had no wish to excite hon. Gentlemen opposite—the noble Lord, with the rashness and recklessness of his younger days, and with a self-confidence wholly his own, volunteered to "ride the whirlwind." Whether his Lordship would be able to maintain his position—whether he would not overbalance himself and fall off — it was not for him (Sir Thomas Bateson) to say; he left that in the hands of the House. But he would say that since then almost every vacancy had been handed over to the hon. Member for Birmingham, and the old constitutional Whigs had been "snubbed." There were only two Bright born Members on the Treasury Bench. He wished he could have spoken to a fuller House; but he would tell those two right hon. Gentlemen that they had sold themselves, bound hand and foot, to their imperious taskmasters; and he would further say that he did not believe there was any man in that House who was simple enough to believe that this wretched Reform Bill would fully satisfy the hon. Member for Birmingham. If it did satisfy him, the hon. Member for Birmingham must be a greenhorn and a simpleton indeed. The hon. Member for Birmingham was, no doubt, straightforward and aboveboard. Unlike a great number of his accomplices, he had avowed in a manly and open manner that his object was the overthrow of the aristocracy of this country—that his object was the abolition of the laws of entail and primogeniture. Pass this Bill, and what happened? The old constitutional Whigs would be annihilated. Committed as the hon. Member for Birmingham was at the present moment, it was impossible for him to take office. He had watched the hon. Member for Birmingham attentively last Friday evening — he saw the hon. Gentleman take his seat upon the Treasury Bench, and sit there for a considerable time. It struck him (Sir Thomas Bateson)—he might no doubt be wrong—that the hon. Member for Birmingham was then contemplating the time when he should occupy those Benches as a Member of the Government. It struck him that the hon. Gentleman was then feeling whether those Benches were comfortable, and that he was calculating whether they were becoming to him. But let them be serious. Pass this Bill, and what happened? The hon. Member for Birmingham would go direct to the Treasury Benches, and then take up a very important position on those Benches. What next would happen? Why, all the moderate portion of the Cabinet would be shunted off to a siding. The hon. Member for Birmingham would draw Liberal infusions from the mountain. He did not see the hon. Member for Westminster (Mr. Stuart Mill) in his place. However, as the representative of similar doctrines, that hon. Gentleman must make one of that Cabinet, and he would then be in a position to advance those socialist and democratic theories which he had so energetically advocated in his writings. The hon. Gentleman would then be in a position to wage a successful war against the rights of property and the hated landlord class. "Coming events cast their shadows before." Already the note of war had been sounded, already the organs of the clique had threatened. Lord Westminster, they were told, was to be deprived of his property, and why? Because his son, upon the second reading of the Reform Bill, had had the audacity and the hardihood to oppose the dictates of the hon. Member for Birmingham. Pass this Bill, and what happened? When the hon. Member for Birmingham was duly installed upon those Benches. When seven other spirits worse than themselves had entered into the Cabinet what then would happen? When the aristocracy of this country was emasculated — the Chancellor of the Exchequer laughed at that — no doubt the right hon. Gentleman thought the emasculation of the aristocracy a very pleasant amusement. When, he said, the aristocracy of the country was emasculated—[*Laughter*]—oh, that was no laughing matter, he could assure them—when the House of Lords had been emasculated—in spite of that laugh and in spite of that sneer from the right hon. Gentleman opposite—he said when the House of Lords had been emasculated by the abolition of the law of primogeniture and of entail, what, he asked, would then happen? Was it not probable that when the Constitution of Old England had been Americanized that an attack upon the monarchy of this country would very soon follow. Was it not probable, when that had taken place, that a Republic and a President with a salary of £10,000 a year would be considered a much stronger institution than a hereditary monarchy? He did not wish to detain the House much longer. [*Cheers from the Ministerial Benches.*] He thanked hon. Gentlemen opposite for their cheers. He hoped that they would take the same views that he did. But before he sat down he wished to say a word to the old Conservative Whigs, many of whom occupied seats upon the Benches opposite. He wished to say a word to the scions of the proud Whig aristocracy, many of whom he saw before him. Contrary to their instinctive dislike to the democratic theories of the ultra section of the Cabinet—in spite of their conscientious dislike to those advanced doctrines upon the second reading of the Reform Bill—they voted with the occupants of the Treasury Benches. He understood that a number of other Gentlemen who were found in the same lobby with the Opposition on the last division upon this question now intended to go into the Government lobby. Those hon. Members, he believed, were under the impression that the Leader of that House, following the example of a remarkable individual in another place—an individual of the name of Mace—not a political gladiator—following, as he said, the example of an individual in another place—they were under the impression that the right hon. Gentleman the Chancellor of the Exchequer upon this question did not really "mean business." It was rumoured that the right hon. Gentleman meant to run "a cross." Now, that might be the case, or it might not be the case. He would say nothing more about it. But he told the old Conservative Whigs this—that the time would come, that the time was fast coming, when it would be necessary for all men who held moderate views—all men advocating moderate opinions—to join together in defence of the ancient institutions of this country. He did not say that the time would come now, for if they asked any one Member in that House a question on this subject, he would say that the idea of passing a measure like the present that year was a mere sham, a delusion—that it never could be done; that, in fact, nothing of the kind was intended. Well, he told those old Conservative Whigs that the time would come when they, the Conservatives, would have to appeal to their patriotism—to call upon them to think of their country more than of the ephemeral interests of an ultra Government. He said the time would come when they would have to call upon the old Conservative Whigs to remember that Constitution under which their ancestors had achieved such historic renown. He repeated that the time would come when those Whigs would have to meet the Conservatives half way. And when both parties must be prepared to make sacrifices for the sake of the glorious Constitution of this country under which they had lived and prospered. What was the difference between them, the Conservatives, and the old Whigs now? None. What was the difference between the Constitutional Whigs and the advanced section of the Cabinet? Why, between them there was a great gulf fixed. He said it would not come that year, but it possibly would next year, when they, the Conservatives, should have to appeal to those Whigs to come forward boldly and manfully, and to declare that that Constitution which had stood the test of so many centuries, should still be preserved inviolate—

"Nolumus leges Anglice mutari."

They would then all work together in defence of the principle that the laws of this country should be English and not American.

Mr. COLERIDGE said, he was sorry he was not present to hear the whole address of the hon. Baronet who had just sat down, inasmuch as those portions which he had heard made him feel the loss he had sustained by his absence from the House. It appeared to him, however, that some parts of the hon. Gentleman's speech were somewhat disconnected; and being so, perhaps he (Mr. Coleridge) would be allowed to pass by the somewhat excited observations in which the hon. Baronet had indulged, and to express shortly and simply the earnest hope of independent Members that the House would resolve to go into Committee upon this Bill by a majority sufficient to enable the present occupants of the Treasury Benches, who had again and again identified themselves with the measure, to retain their position with dignity and credit and with power enough resolutely to push on the Bill, or at least the more important portions of it, through the Houses of Parliament in the present Session, so that the year 1866 might not pass away, as so many others had done, without anything accomplished towards the settlement of this most vexed, most difficult, and most important question. It was really a matter of serious importance that it should not be thought in the country that the House was strangling Reform by indirect means, that the measure was not met fairly and frankly by direct negatives, but that advantage was taken of Motions and Amendments brought forward by persons professing to be favourable to Reform to defeat Reform with the aid of persons altogether opposed to it. In the House of Commons there were a few, and but a few, professed opponents of Reform. The opposition to Reform came almost wholly from the Ministerial side of the House. Among these could not be counted the right hon. Gentleman the leader of the Tory party, the right hon. Baronet the Member for Hertfordshire (Sir Bulwer Lytton), the right hon. Baronet the Member for Droitwich (Sir John Pakington), or the hon. Baronet the Member for North Devon (Sir Lawrence Palk), or many other hon. and right hon. Gentlemen who addressed the House in the course of this debate. As far as he could make out, the only Gentleman on the opposite side of the House who, with the characteristic gallantry of his profession and his family, committed himself to determined opposition to this Bill, and to all other Bills of a similar kind, was the right hon. and gallant Gentleman the Member for Huntingdon (General Peel). On the Liberal side of the House, the noble Lord the Member for Haddingtonshire (Lord Elcho), had always been opposed to the lowering of the suffrage; and, of course, first and foremost among those opposed to anything like a reduction was the right hon. Gentleman the Member for Calne (Mr. Lowe). That right hon. Gentleman, as far as he could make out, was the only person who had endeavoured to put his opposition to this Bill on any plain, straightforward, and intelligible principle with which the House could deal. As far as he was able to understand the objection, it was that the advent of democracy would be the triumph of everything that was worst in the social and political system of the country, and that the passing of this Bill would be the advent of democracy. He supposed the right hon. Gentleman thought that well worth saying, because he thought it worth saying exceedingly well, and, moreover, he took the trouble of saying it twice—first of all and much at large in his speech upon the second reading of the Franchise Bill; and secondly, not quite so much at large, but with considerable emphasis, in the speech to which the House listened on Thursday last; not, however, if he might be permitted to say so, with much novelty of expression, and certainly not with much novelty of idea. The passage certainly in which he expressed great indignation at anybody who ventured to lay a sacrilegious hand upon the temporal power of the bishops was a novel and interesting feature of the address, and must have been exceedingly reassuring to the minds of those right rev. persons. It gave promise, he supposed, of a time when the right hon. Gentleman and the Bishop of Oxford might be found working heart and soul together for the immediate restoration of the active functions of the two Convocations of York and Canterbury, which, if not as old as the bishops, were sufficiently old and constitutional to excite the warmest sympathies of the right hon. Gentleman in his present mood. But apart from that Episcopal passage of the right hon. Gentleman's speech, there was nothing novel in his second definition of democracy. He should like to say a word on another passage upon which the right hon. Gentleman laid great stress. He hoped the House would perceive that he approached the matter with a proper amount and decorous quantity of awe, such as the subject demanded. There were probably not half-a-dozen Gentlemen in the House of Commons who would approach a discussion with the right hon. Gentleman without a certain amount of nervous apprehension; but irrespective of the great personal ability which everybody, or almost everybody, who entered into conflict with him must of necessity deal with, he (Mr. Coleridge) could not help thinking that in that House they did not argue with him upon altogether equal terms. In the early days of George III. it was Lord Chatham, he believed, who was accustomed to say that he did not mind the opposition of the Throne, but there was behind the Throne something greater and more powerful than the Throne itself. To use an expression which had fallen from the right hon. Gentleman the Member for Buckinghamshire, he could not help feeling that any debate in which the right hon. Gentleman the Member for Calne took part was adjourned in a peculiar manner to another place—a place not so distant as the County Palatine of Lancaster, but a place no less difficult to get at, and where it was especially difficult to obtain the last word, and there the debate was conducted, not by the right hon. Gentleman himself, but by his disciples and followers, who echoed his sentiments and applauded his arguments with an eloquence only inferior, if inferior, to his own. As far, therefore, as his recollection went, it was a somewhat hazardous and uncomfortable piece of business to criticize in any way the remarks of the right hon. Gentleman, unless it was added that the right hon. Gentleman's tone was resolute, his arguments cogent, and his illustrations splendid. No person could admire more than he did the abilities of the right hon. Gentleman. No Member could be more proud of him as a Member of the House of Commons. No Gentleman could feel more pride in recognizing him as a member of a common university than he did; but he could not help feeling, and he must say so frankly, that his abilities appeared to be exercised at present in a most mischievous direction. It would be well, he thought, if those great abilities which were so constantly before the House, and the exercise of which afforded them so much delight and gratification, were employed in the inculcation of principles, politically speaking, of a less utterly detestable character. ["Oh, oh!"] He had not the slightest intention of saying that they were detestable because they were Tory principles. He could respect, he could admire, and he could appreciate Tory principles. Such opinions were not, to his mind, at all detestable. Respect for authority, veneration for the past, personal loyalty to the Sovereign, with other principles of a similar sort, were high and noble principles, in which, to some feeble extent, he hoped he could himself participate. Those principles, however, were not those entertained by the right hon. Gentleman. The right hon. Gentleman attacked democracy in the House because he thought its advent, unmixed, might work certain changes in the political and social relations of society, and possibly in the laws of property, while even if mixed it might tend to diminution in the temporal prosperity which the upper and middle classes enjoyed. But out of that House he went to other places and deprecated, with all the power of his eloquence, scholarship and cultivation, and called civil engineers, great men in their way, the "heirs of all the ages," setting up before his hearers large bridges and electric telegraphs as the chief objects of human admiration. That sort of Conservatism for mere material wealth, and Liberalism so far merely as Liberalism tended to increase wealth, could not be regarded as either good Conservatism or good Liberalism. Such principles were not, and never had been, the principles of the great party opposite. He trusted that they never would be; and though, perhaps, his opinions upon the subject might have but little weight either with hon. Gentlemen opposite or with the right hon. Gentleman himself, he could not help expressing his grief that such miserable, hopeless, cynical materialism should be put forth as a serious ground for political action. ["Oh, oh!"] He could not express the horror with which his whole nature would recoil from a Government whose conduct was in the slightest degree guided or animated by such principles. He was not, and never had been, the advocate of unmixed democracy, though in all free Governments there must be a large mixture of the democratic element; and even were he a strong advocate of democracy, he should not think for one moment of forcing his opinions upon a society of Gentlemen to whom he knew them to be repulsive. He desired to say, however, that when the right hon. Gentleman quoted without acknowledgment from De Tocqueville passages which condemned democracy, he did not quote passages which, though side by side, were equally emphatic in its praise. Certainly, recent events had shown, in spite of what the right hon. Gentleman had shown, that democracy could at least be as merciful in peace as it was terrible in war, and that it could be as remarkable for its respect of law and order as it had been resolute in its determination to maintain a magnificent Empire undissolved. Why had this horror about democracy been kept over their heads when the question was simply one of lowering the franchise and the re-distribution of seats, and when nobody but the right hon. Gentleman, as far as he could understand, pretended to say that they could stand with the borough franchise at £10 and the county franchise at £50? The measure before the House was a moderate measure of Reform—a measure more moderate in many respects than the last Reform Bill brought in by Earl Russell; more moderate in many respects than the Reform Bill brought in by the Government of Lord Palmerston; more moderate in many respects than the Reform Bill brought in by the right hon. Gentleman the Member for Buckinghamshire in 1859. It was so moderate that hon. Gentlemen sitting on the Ministerial side of the House had felt considerable difficulty in accepting the measure. ["Oh, oh!" *and ironical cries of* "Hear, hear!"] Was he not entitled to say what was true? It might be disagreeable, but if it was true he was entitled to say it. ["Oh, oh!"] He said again, that hon. Gentlemen sitting on his side of the House, who did not agree with hon. Gentlemen opposite, had had great difficulty in accepting the Bill of the Government because of its moderation; but they had accepted it *bonâ fide*, with a real intention of carrying it as a compromise, at least for a political generation. They accepted the measure as a compromise, it being a moderate one, and not open to the objections made to it on the score of its supposed democratic tendencies. Those able discourses, so carefully composed, so skilfully delivered, and so delightful to listen to, might be very well as the exercitations of clever men; but as arguments on the Bill before the House they had really no force, and no relevancy whatever. But whether they had democracy or did not have it, there was this at all events to be considered—in spite of the sarcasms of the right hon. Gentleman, he could not help thinking that the honour of the great Liberal party and the honour of the Government had been pledged to bring forward a measure of this kind. It was very well for Gentlemen to be smart on the point—to tell them that there was no contract, that the last Parliament was dead and had left no executors. The right hon. Gentleman had quoted Hudibras and an American squib, and he had also quoted Falstaff's opinion about honour. Now, if he were minded to know what honour meant he would not go to Falstaff to inquire on the subject, no more than he would inquire what virtue was of Iago, who said it was "a fig;" but if he wanted to know what honour meant he would go to a high-spirited officer who once neglected his duty, and feeling that he had stained his honour exclaimed, "I have lost the immortal part of myself, and all the rest is bestial." That was his notion of the matter. No doubt it was a great loss to one not to be able to make a joke when a joke was desirable; but it was an equally unfortunate thing not to be able to be serious when seriousness was required. The characters of public men, the political consistency of a great party, the truth of political declarations made year after year and again and again under various circumstances, were not matters which could be settled by a joke. They were very serious things indeed. Though he himself was entirely free from anything like a pledge on the subject of Reform, he could not help thinking that the honour of the Government was pledged to bring forward a measure of this sort, and that the honour of the Liberal party, and his honour as one of that party, was pledged to support it. If they were beaten, so it must be; but it appeared to him that, until they went into Committee, and took a vote on some definite issue, it was the duty of the Government to persevere, and it was the duty of the Liberal party to persevere in supporting them. It was because he did not for a moment believe in the existence of the danger which was said to exist, and did believe in the existence of the honourable obligation which was said not to exist, that he did earnestly hope the Government would persevere in their course, and that he did sincerely hope their perseverance would be followed by success. Moved by the example of the right hon. Gentleman, he would conclude by quoting a few lines from a great poet who sprung from the people, who loved the people, and was loved and honoured by them in return. He said—

> "We should rejoice if those who rule our land
> Be men who hold its many blessings dear,
> Wise, upright, valiant; not a servile band,
> Who are to judge of dangers while they fear,
> And honour which they do not understand."

MR. WHITESIDE: The speech of the hon. and learned Gentleman who has just spoken induces me to address an observation or two to the House—not to the Bill, because the hon. and learned Gentleman never touched the Bill at all, nor did he say anything with regard to the arguments which have been urged by the right hon. Gentleman the Member for Buckinghamshire, by my hon. and learned Friend the Member for Belfast, and last, though not least, by the right hon. Gentleman the Member for Calne. Those arguments, indeed, have hitherto remained entirely unanswered. I admire the character and the ability of the hon. and learned Gentleman, and I thought he was about to apply himself to the matter of those speeches which hitherto have been unanswered, and that he would dissect the clauses of the Bill and consider its principles, and show that the House ought to adopt the measure at once. But the speech consisted simply of two parts—panegyric on the Government, and a tissue of abuse of the right hon. Gentleman the Member for Calne. The speech appears to me to have been carefully studied, elaborately composed, and well digested; but yet I cannot remember that I ever heard anything more feeble, more irrelevant, more declamatory, and more unsound. Now, what was there in the opinions of the right hon. Gentleman the Member for Calne? I am not one of the party of the right hon. Member for Calne, but I can be just to a public man; and, though I have often differed from the right hon. Gentleman, I cannot be insensible to a great exhibition of intellect and intelligence. And, I am convinced that if the hon. and learned Gentleman, when he heard the speech of the right hon. Gentleman the Member for Calne on Thursday, had stood up and replied to it with one-hundredth part of the ability of the speaker, it would have been more creditable to him than to ponder over it for several days, and then to come down and tell the House that, in his opinion, the principles inculcated were utterly detestable. Why are those principles detestable in the opinion of the hon. and learned Gentleman? The only reason I could pick up was simply because they differed from the views of the Government, and because the right hon. Gentleman the Member for Calne pronounced a severe, telling, and unanswered criticism on the Bill. Now, I will put this question to the hon. and learned Gentleman as if he were an enlightened Republican, for I think that is the best idea I can give of him. Suppose he held the opinions of the hon. Member for Westminster, would it be true to say that a person who objected to the reduction of the franchise in this country had no argument in his support? Will the hon. and learned Gentleman allow me to give him a sentence from the great instructor of the Gentlemen who sit upon the opposite Benches, and to state why I, for one, object to a rash reduction of the franchise? This is the opinion of the hon. Member for Westminster. He says—

> "The natural tendency of representative Government, as of modern civilization, is towards a common collective mediocrity, and this is increased by all reductions of the franchise and by all extensions of the suffrage."

Nothing can be more clear than his argument. It is the remedy that is wanting. It appears, then, that the abasement of a Legislature will be or may be accomplished by a reduction of the franchise. The hon. Member for Westminster goes on to say that the effect of it is to place the principal power more and more below the highest level of instruction in the community. And then the hon. Gentleman describes the Government in America as a false democracy, which, instead of giving representation to all classes, gives it only to the local majority, so that the views of the instructed may have no reflex at all in the representative body. It is, he says, an admitted fact that in the American democracy, constructed upon this faulty model, the higher and cultivated members of the community, except those who are willing to sacrifice their own judgments, and become the servile mouthpieces of their inferiors, seldom even offer themselves for Congress or the State Legislature, because there is so little likelihood of their being elected. The hon. and learned Gentleman asked for a principle and an argument. There is a principle which I should like to see refuted. The hon. Member for Westminster says that that false democracy places the enlightened few at the mercy of the ignorant majority, and what better argument could there be than that the best men in America cannot present themselves for election because they would sure to be rejected. There is at this moment in this city a member of the Senate of America; I believe he has never been in this country before, but he is one who is an eminent person. I asked him what he thought of our condition; and the only observation he made upon our system of political government was that, in order to guard against the commission of a great and irremediable evil, we must not descend in the franchise. [*Cries of* "Name!"] It is not necessary to give his name; but he is a friend of the hon. Member for Peterborough, and a very distinguished person, and it would have done the hon. Member for Birmingham good to hear the sensible views he expressed. He described what had been the consequence in America of complete democracy, completed, as he described it, step by step, until they elected Judges by universal suffrage, and for a term of years, and dismissed them whenever they were found uncomfortable in their judgments. That seems to be a great triumph, and this Bill would introduce the same principles here. The hon. and learned Gentleman who has just sat down has said he objects to cynical materialism in political questions. What does he mean by that? I should like to have a translation of that expression. I do not understand it; we are not cynics; nor are we materialists; nor did we start Parliamentary Reform; nor did the Government. Who started it? Earl Russell. The hon. and learned Member ought to read the account given by Earl Grey of the origin of the new business of Reform, and published by permission of the Queen. As there described, Earl Russell, without the assent of his Colleagues, made a speech which forced them into the business they were reluctant to undertake. That is the history of the matter; and it is true. The hon. and learned Gentleman said that the Government had given a pledge upon this question, and ought to perform their pledge. When did they make it? I have sat in this House for a great many years, and have heard Lord Palmerston's speeches snuffing out Parliamentary Reform; and I saw that hon. and right hon. Gentlemen sitting beside him took the benefit of his patronage, and, sustained by his power and influence, they never had the courage or manliness to say a word in favour of the question. The hon. and learned Gentleman, a new Member of the House, informs us that it was their bounden and imperative duty to undertake Reform and to carry it to a successful conclusion. How did the hon. and learned Gentleman answer the arguments addressed to us on the boundary question? How did he answer the arguments addressed to us by the hon. and learned Member for Belfast upon the proposed plan of grouping? How did he answer the statesmanlike and yet simple speech of the right hon. Member for Buckinghamshire in delivering to the House his ideas of a simple and practical measure of Reform? To none of these great questions did he address himself. No arguments has he adduced in reply to those that still remain untouched and unanswered. If the Government were bound to bring in a Bill, why did they not bring it in as an entire measure? If they were bound to act upon their promise with fidelity to the great Liberal party, why did they not at once, in a tangible and rational manner, undertake to deal with this question? The reason is this, nobody believes in the reality of the Bill, nobody can believe it who heard the speech of the noble Lord (Earl Grosvenor) who made a Motion here a few nights ago. With sincere respect for the Chancellor of the Exchequer, I say no one can believe in the sincerity of the Government upon this Bill, because the noble Lord having argued admirably against the Bill he was going to support, it is quite plain he does not intend to support it, and that he does not believe in it. He pronounces it a bad Bill; he says the first part is bad and the second part worse, and, having given us these opinions against it, he says the only thing that remains to be done is to give his reasons for the political course of action he has announced it his intention to pursue. There, I think, with great respect, he failed. I am in the dark as to his reasons, although I listened to them with attention. I clearly understand his policy; we heard it announced on Friday. The policy of the noble Lord is a merciful policy, a benevolent policy, a commiserating policy. He sees the condition of the Government, and he announces he will be satisfied if they abandon the Bill. He will spare the Government in consequence of their patriotic and noble conduct in the business of Denmark and of the foreign policy which he eulogizes. He is apprehensive that war may break out, although the Whigs are in office; he looks forward to the influence of the wise principles and the peaceful policy of the right hon. Gentleman, and he thinks the best thing the right hon. Gentleman can do, and the thing he will do, is to preserve his place and abandon his Bill. I thoroughly understand the policy recommended by the noble Lord. Although it may be indelicacy in me to say so, I assure him I could on Friday night last have given him a sketch of the speech he has delivered to-night, for I heard it pretty well detailed what it would be. I am not in the least surprised at the course he has taken; it is quite consistent with his high character and conduct; and I have no doubt he has earned the gratitude of the Ministry by the manner in which he has come to their rescue, and will earn the gratitude of his country by causing the abandonment of the worst Reform Bill ever laid upon the table of the House.

Mr. MARSH said, he did not intend to occupy the attention of the House more than a few moments. One of the reasons for postponing the consideration of the question before the House was that there were at present four boroughs under trial —they might in a short time all be condemned. He thought they should all be disfranchised, and thus seven seats would be obtained for distribution among places that deserved to be enfranchised, which was the number of seats required in the Bill for the new towns to be enfranchised. There might be a difference of opinion as to whether the counties and large towns like Manchester should have additional Members, but if it were decided that the number of Members for those places should be increased it would be an easy task not only to obtain seats, but also to put down corruption by disfranchising some of the rotten boroughs. In his opinion that would be a much better plan to obtain seats than by grouping the smaller boroughs. Another reason for postponing the Bill was to be found in the Resolution come to by the House of Commons the other night with regard to bribery. It would require great consideration to enable a clause in conformity with the Resolution to be drawn up for insertion in the Bill. The Government had declined the task, and it was scarcely likely that the efforts of a private Member to perform it would meet with success. The question before them was one of vast importance, and the only way in which the matter could be satisfactorily accomplished was by referring it to a Select Committee. Another reason for postponing the Bill was to be found in the number of Amendments of which notice had been given, and which would have to be discussed at considerable length. He himself had to propose an Amendment, to the effect that all voters should be required to have a long residence in the same house upon the same principle as a municipal elector or a juryman. He should also propose that not only should the voter have resided in a particular place for a certain number of years, but that he should have paid rates for a like period. The possession of a qualification of this description would be a guarantee of the respectability of the voter. A still stronger argument in favour of the postponement of the measure was that it would be impossible for it to pass this year except by a very slender majority. Most Constitutions were protected by a clause under which no alteration could be effected in them without the consent of a substantial majority of the Members of the Houses of Legislature; and although there existed no similar safeguard to the Constitution of this country, it would be most unconstitutional for the other House of Parliament to pass a measure altering the fundamental principles of the Constitution unless it were sent up to them by a large majority of the Members of that House. He was astonished to hear from certain quarters great praise of the English Constitution. He admired it in its present form, and he was convinced that it became more respected as it grew older. He was still more astonished to hear the Attorney General say that by the ancient Constitution of the country the working classes were almost the only classes represented in towns. Every person must be aware that in the days of the Plantagenets the working classes were almost all in a state of villainage, and he did not suppose that even the Attorney General would suggest that persons in such a position had votes. Again, the hon. and learned Gentleman stated that, previous to the Reform Bill of 1832, the working classes had a greater voice in the election of Members of Parliament than they had at the present time, but he did not coincide in that opinion, as he believed that then the elections were almost exclusively in the hands of the borough-mongers, who managed to get the scot and lot voters, the potwallopers, and the freemen under their control. For the reasons he had given he thought it would be advisable to postpone the Bill.

Mr. ALGERNON EGERTON said, that he represented a constituency which since the Bill for dividing the West Riding of Yorkshire had been passed was the largest county constituency in the country, and he therefore wished to say a few words on a subject that so closely affected county constituencies. He would address himself in the first place to the observations of the Solicitor General upon the Amendment of the hon. and gallant Member for Wells (Captain Hayter), which the hon. and learned Gentleman contended should not have been put because the division ought not to have been taken on the second reading of the Bill. He would not enter into many points which had been raised in the course of this protracted debate, but would simply address himself to the effect of the measure on his own constituency.

As the House was aware it was proposed to divide South Lancashire, and give three Members to each division, besides which the county franchise was to be reduced from £50 to £14. Now, the number of voters in South Lancashire, in respect of property situate in the boroughs, was already more than half, being upwards of 11,000 out of the 20,000 on the register, and the result of reducing the qualification to £14 would be completely to swamp the agricultural element. Even if a Boundaries Bill were brought in and considerable additions were made to the boroughs, this would still be the case, for in the eastern division there were a large number of towns which were not to have separate Members, as he thought they ought to have, so that there would be an enormous influx of town voters. He objected to the Bill, also, because no distinct idea could be formed of the numbers which would be added to the constituency. As to the propriety of giving three Members to each division, something had been said on the representation of minorities, and if there was to be a new cut and dried Constitution, such as the Abbé Sieyes might have produced from his pocket, it might, perhaps, be a good thing to introduce that principle. It was, however, entirely alien to our existing Constitution. The Chancellor of the Exchequer, it was true, might be an instance of it, for he was returned by a Conservative section of the electors of South Lancashire, but this was quite an exceptional case, and generally speaking the dominant party would endeavour to return all three Members, and the elections would be contested at every opportunity.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, the right hon. Gentleman the Member for the University of Dublin complained, I think, that there was no reality in this debate. Well, Sir, I know not if that be so, but if it be it is not our fault. Every step we have taken both since and before the period when our Franchise Bill was introduced to the House has been a real step, and one grounded upon the best consideration we could give to the actual circumstances of the case. Now, let me briefly remind the House of what has taken place. In the first place, it has been objected that we introduced a single Bill; and, in the second place, it has been objected that we did not introduce it till the 12th of March. With respect to the question of the single Bill, I only notice it because the hon. and learned Member for Belfast (Sir Hugh Cairns), in his able speech on Friday night, inadvertently stated that the Government had admitted they were in error in their attempt to separate the two parts of the subject. Sir, the Government have never made any such admission, and have never entertained any such belief. I need not now say more, but so much it was requisite to say.

With regard to the introduction of the Bill on the 12th of March, I must own I have felt it somewhat difficult to reconcile the two opinions expressed by the right hon. Baronet the Member for Droitwich (Sir John Pakington), who in the very same speech both found fault with us for not having postponed the measure altogether with a view to more adequate consideration of the subject until the year 1867, and then only a few minutes afterwards blamed us for not having introduced it, if we were to introduce it at all, at the very commencement of the present Session. Now, if the right hon. Gentleman finds fault, as he did, with the measure as being immature—if he complained of its hasty preparation when we had expended all the time till March in considering and preparing the measure, what would he have said of it if we had introduced it the first week in February? But, in point of fact, this question of the 12th of March has been made more of than it deserves. It was not in our power to have introduced it, if we had been perfectly prepared with it, within the first few weeks of the Session. Have we forgotten the energetic and ardent appeals to us from the Benches opposite to postpone Jamaica—to postpone every public question, to postpone Reform among the rest, until we had completed legislation with reference to the cattle plague? But I venture to say that if the measure had been introduced on the earliest practicable day it would have made little or no sensible difference in the position in which it now stands; because we were enabled by its postponement till the 12th of March to make such progress in the essential business of the Session connected with the supplies required for the service of the country as would enable us—I say it without fear of contradiction—to devote a great portion of the Session to the consideration of Reform; I believe we have not lost a week: and whatever may be urged on this subject, I do not feel that the circumstances of the introduction of the Bill on the 12th of March will in any degree justify us in receding from any position which we have taken up.

It has been said repeatedly in these debates, and it has been repeated in the discussion to-night, that we have pursued the evil course of listening to men of extreme opinions, and have not consulted either with the more moderate portion of our supporters or with our opponents. Now, Sir, in regard to consultation with opponents everyone knows that on questions of political controversy it may, as a general rule, be said to be practically impossible. Speaking of the matter as a general rule, there would be no more dangerous practice; for what it would result in would be this—under the name and pretext of conciliation, it would end in a series of shabby attempts to devolve responsibility on those to whom it does not properly belong. But, Sir, did we not practically consult, that is did we not in every way endeavour to conciliate opponents? Did we not practically endeavour to conciliate them in the actual provisions of our measures? In framing a Reform Bill, was not the natural starting-point for this Government the measure of 1860? That Bill was introduced into the House with the express sanction of Lord Palmerston, whose Conservative tendencies are sometimes contrasted by speakers opposite with our dangerous leanings; and yet, did we not alter our Bill in respect to the counties from a £10 franchise, which had the double sanction of Lord Palmerston and of the Government of Lord Derby, to a £14 franchise; and in respect to the borough franchise, did we not alter the figure £6 to the figure £7, cutting off the very large section of persons whom the figure £6 would have enfranchised? My noble Friend (Earl Grosvenor) and any one else are at perfect liberty, if they so choose, to say these great concessions are not sufficient to satisfy them. But, at least, I am entitled to refer to such facts as indicating the anxiety of the Government to anticipate as far as we could the wishes and feelings that might be entertained in the various quarters of the House, and to make their mission with respect to Reform a reconciling mission. Well, the course we took was to bring in a single measure on the subject of the franchise. We had been warned before the measure came that in some quarters our plan was disapproved, and after it came it appeared unsatisfactory to a considerable portion of the House. We have more recently been censured for giving way, and for not adhering to our original decision to introduce and prosecute steadily the subject of the franchise without allowing, so far as depended upon us, the mixture of that subject with any other question. Undoubtedly we did make concessions—two very important concessions. The first of them was this. As we saw that suspicion was entertained with respect to our intentions—as it appeared to be believed that some plot on our part was connected with the measure to be introduced for the re-distribution of seats, we were bound, however gross we might deem the injustice done us, to relieve ourselves from that suspicion, and to lay a Bill for the re-distribution of seats on the table. We did not willingly, yet we endeavoured not ungraciously, to accede to the desire expressed. We did not do it willingly, because it was impossible not to foresee, as my hon. Friend the Member for Montrose has lately observed, that the difficulties of making progress would be increased from the moment that Bill was produced. But we saw it was no more or less than a question between making progress on those terms of additional difficulty and discouragement and breaking at once with the majority of the House on the subject of Reform. I believe we took a prudent course—at any rate, we took a conciliatory course in departing from our original intention, while we exposed ourselves to the not unreasonable taunts of the right hon. Gentleman the leader of the Opposition in laying that Bill on the table. The immediate result undoubtedly was, that we were enabled to surmount the difficulty and danger of the formidable Motion of the noble Lord (Earl Grosvenor) behind me. So far, we had our reward. But then sprung up a new demand, that the two Bills should be united. Again, it was impossible for us to overlook the fact that by the union of these two Bills we should load the measure so as greatly to increase the difficulty of passing it. But what was the alternative? Again, the only alternative was the rupture with a considerable majority of this House. Again, we gave way to that feeling; we have been censured for doing so; but whatever else it indicates, at least the fact indicates our intention to conciliate. The reason why I refer thus carefully and in detail to facts which I think prove this disposition to concede is, because I feel that much hangs upon the issue of this controversy, and that we all, whether we belong to the Government or the Opposition, shall have a strict account to render for the success or non-success of this new attempt to settle the question of our Parliamentary representation. [*A laugh.*] If there be, as there seems to be, some one single Gentleman in the House who can indicate by his laughter a dissent from the proposition it only proves more pointedly the serious nature of the juncture at which we have arrived, and the need that some at least even among the representatives of the people should open their eyes to perceive facts which they have not yet been enabled to discern.

I must say it was a discouraging circumstance when, the very moment after, with our assent, the two Bills had been united, a majority of this House determined to import into the Bill for the settlement of the franchise and for the redistribution of seats provisions relating to the enormously important, and not less critical and difficult, subject of corrupt practices at elections. This was done in spite of our remonstrance, in opposition to all precedent; in opposition, I must add, to all authority. One authority I will quote. It should have had weight with those who gave the vote that I now lament. It is that of a Peer of great eminence—Lord Derby—who, speaking on the occasion of the discussion on Reform, under the Government of Lord Aberdeen, said—

> "I trust that your Lordships will never consent to couple together as parts of one system, or belonging to the same system, two questions which are essentially different from each other, however they may bear upon your electoral system—I mean measures for the purpose of preventing corruption and bribery at elections, and measures for the alteration of constituencies and the extension of the franchise."

The House knows the success that we met with in the endeavour to give effect to Lord Derby's earnest appeal.

And then, in answer to these various, these perhaps crude, but certainly well-intended efforts in the way of conciliation, we had next to confront the Amendment of my hon. and gallant Friend (Captain Hayter), with respect to which the right hon. Gentleman (Mr. Whiteside) now complains that there is no reality in the debate. However, there appeared to be at the period when the Motion was made considerable reality. There was my hon. and gallant Friend behind me; there was a well-compacted phalanx in our front; there were all the indications—nay, there were more than all the usual indications—of deliberate concert, between those in front of us and some few of those in the rear. Because when the hon. and gallant Gentleman ended his speech by moving an Amendment quite different from, and I think much worse than the Motion of which he had given notice, and when casually, with one or two of my Colleagues near me, I took notice of the difference as you, Sir, were reading the Motion from the Chair, the right hon. Gentleman (Mr. Disraeli) immediately, from an explanatory observation which he passed across the House, indicated that he was already privy to the various editions through which this Motion had passed. [Mr. DISRAELI: No!] The right hon. Gentleman says it is not so. Then, by some divining faculty he attained, at any rate, to that knowledge, for he introduced some words in explanation of the difference between them. However, I need dwell no longer on the incident, for my hon. and gallant Friend, in I must say the most ingenuous and fairest manner —I respect him for it —distinctly announced that it was an Amendment which he moved not only in concert with some Gentlemen sitting on this side of the House, but in concert with those whom he believed to represent the party opposite. That is the state of things at which we have arrived, and, therefore, if reality has been taken out of the debate, it has not been taken out of it by us. It is even a little hard upon men who have been sitting here in that nervous condition which generally befals those who believe they are arraigned upon a matter of life and death—it is a little hard when one probably of the arch-designers against us undertakes to come and charge us with the want of reality in the debate, when, in point of fact, that want of reality only depends upon the breaking down, better know, perhaps, to him than to us, of certain combinations of which, whatever else we may say or think, they appeared to be real and certain enough.

Now, with regard to the speech of my hon. and gallant Friend (Captain Hayter), and with respect to some other speeches that have proceeded from Members representing the grouped boroughs, I make no complaint at all of those speeches. I make no complaint of my hon. and gallant Friend for his reference to the facts and the authority of Sir William Hayter. No one that was ever brought into relation with Sir William Hayter can hear otherwise

The Chancellor of the Exchequer

than with pleasure the mention of his name; and on this occasion in particular we do not at all shrink from recurrence to the authority of Sir William Hayter, because if he objects to the grouping of Wells, and if the distinguished Baronet exercises his great paternal influence to induce the hon. and gallant Gentleman who now represents that cathedral city to object to our grouping system, it need never be forgotten that there is another alternative. I should not have supposed, indeed, that it would have been more agreeable to my hon. and gallant Friend; but still I see that he follows his father's footsteps in everything; and, therefore, I do not fear to mention that Sir William Hayter was the attached, faithful, and able Secretary to the Treasury in the year 1854, when a Reform Bill was introduced, to which I for one was a party, by the Government to which Sir William Hayter belonged, and which contained a schedule enacting not the grouping, but the disfranchisement of Wells. It is perfectly open, therefore, to my hon. and gallant Friend at once to satisfy all the instincts of filial affection, and likewise to perform his duty to his party and his country, if he thinks fit, by suggesting the other alternative. However, Sir, speaking generally, I do not think we ought to criticize too severely the votes or expressions of those who may be called grouped Members; but, on the contrary, we should consider whether in any manner compatible with the demands of justice to the nation, we can either meet their views, or at any rate alleviate their embarrassments. Their position relatively to the towns they represent on an occasion of this kind is one which must be admitted on all sides to be a grave and serious difficulty. It reminds me of a remarkable and almost historical passage in a great speech of Lord Brougham, delivered in defence of Queen Caroline. In that passage he says—

> "An advocate, by the great duty which he owes his client, knows, in the discharge of that office, but one person in the world—that client and none other. To save that client by all expedient means he must not regard the alarm, the suffering, the torment, the destruction which he may bring upon any other. In separating even the duties of a patriot upon those of an advocate, and casting them off to the winds, he must go on, reckless of the consequences, if his fate should be to involve his country in confusion for his client's protection."

And so I find no fault with my hon. and gallant Friend if he was willing not only to displace the Government, which is a small matter, but even to arrest the course of this national question, and to plunge us once more into political confusion, for the sake of saving the representation of the ancient, venerable, and respected city of Wells.

Whether the policy which we propose is a wise one I shall presently inquire; but I cannot but think that Gentlemen who are in the position of my hon. and gallant Friend would do well to represent to themselves this one consideration; that the system of grouping adopted by the Government, even if it were chargeable with all the faults which have been so freely imputed to it, was at least not adopted in a spirit of hostility to those small boroughs. It was intended to mitigate the severity of a stroke which the public good required them to receive, but which might not unnaturally seem harsh enough in many cases to their friends. And it would be well for those concerned to bear in mind that the ejectment of that system of grouping from the provisions of the Government Bill might result in a less favourable, and not in a more favourable, mode of treatment of those boroughs.

I beg now, Sir, for one moment to notice a charge which has run through the thread of the debate on the opposite side of the House—namely, the charge of precipitancy in the preparation of the Bill for the Redistribution of seats. Do not let it be said, as it has been from time to time, "Oh! it could not but be a crude and precipitate affair because Her Majesty's Government only took twelve days to prepare it." When the hon. and learned Member for Belfast said something of the kind, I made a sign of dissent, and he thereupon very liberally enlarged the time to eighteen or twenty-four days, which is, at all events, better than twelve. But I am not satisfied with this concession. It was not a very short time that was allowed for the preparation of the Bill. Unless I am very much mistaken, the official promise for the introduction of the Bill was given on the 23rd of March, and the Bill was introduced on the 7th of May; that was a term of at least forty-five days, or nearly four times the period which the hon. and learned Gentleman first allowed us, and nearly twice the period of which the hon. and learned Gentleman, after all his obliging consideration, could give us the benefit. And here I must observe that in the Cabinet there were many men who had been concerned in previously constructing either two or three Bills containing a system for the re-distribution of seats; and really, Sir, upon the whole, if that Cabinet had not been able in forty-five days to prepare a Bill of this nature, depend on it, the fault would have lain deeper than in a mere want of time. It is the truth that the Bill was deliberately prepared, and deliberately laid on the table.

With regard to the general charge of anomalies created by this Bill, I deny that it creates a single anomaly in the true and proper sense of the word. I ask of those who make the charge, did the Reform Act create anomalies or not by disfranchisement and re-distribution of seats? If you choose to say that the man who destroys a gross anomaly, and re-produces a much milder form of the very same thing, creates an anomaly—to that charge we are open, and to that charge the Reform Act was open. The Reform Act enfranchised Frome with one Member, while it left close by the city of Wells, having less than half of its population, with two Members. Did the Reform Act on that account create an anomaly? It is an abuse of terms to say so. The Reform Act mitigated anomalies, restrained their range, cut off the extremes and extravagances of those anomalies, and confined them within contracted limits; and though to some extent it of necessity reproduced them, it was only in a contracted and in very far from a natural sense that it could be said a single anomaly was created by the Reform Act.

So much for matters bearing generally on the argument; and now let me refer to what has passed in the debate. Of course, it is necessary for me to advert to the speech delivered by my right hon. Friend the Member for Calne; but, as far as regards the general strain of argument, I do not think there was anything in it to call for special notice from me. That is my opinion; for, as far as regards those parts specially pointed to the Bill, I do not know of anything, except, indeed, the spirit of exaggeration with which it was delivered, which distinguished his arguments from the same arguments used by other hon. Gentlemen on the opposite Benches. But I must protest against one portion of the speech of my right hon. Friend, and that is the portion in which he treated largely of the honour of the Government. He gave his view of the Government as composed of persons who needed not be particular, and who were not in a condition indeed to be fastidious on that subject; and he spoke, I think, with marked emphasis of "a truckle bed" in which they were to lie. I frankly own that, in my opinion, all that portion of his speech was one gross and continued error both of taste and judgment. Because, Sir, in these matters we must look, not only at the merits of the sermon, but at the individuality of the preacher; and I want to know what charge is to be made against the Government on this score which cannot be made, at the very least, as easily against my right hon. Friend? In that "truckle bed" there may be a bedfellow, and the right hon. Gentleman would learn with some surprise who that bedfellow might be. No doubt my right hon. Friend thinks he can defend himself; we think we can defend ourselves; but it is just as well that there should be a truce between us on this particular part of the question. If there is a charge against us on this subject I do not object to its being urged, only let it be urged from the proper quarter. The right hon. Gentleman the Member for Droitwich, on the same evening, had charged us, in no unbecoming terms, with a long slumber on this question. Those who were connected with the Government of Lord Derby are entitled to challenge the conduct of the present Government with respect to Reform. But what is the charge? It is this, that while we are now acting on our convictions, we, for a long time, with a view to our own convenience, allowed our convictions to go to rest. I would, then, ask my right hon. Friend the Member for Calne whether it is only to us that that charge applies, and whether it would not be better for him to avoid for the future the dangerous ground on which he has been bold enough to tread.

Again, Sir, I was astonished at the feat which my right hon. Friend performed in that speech. A Bill had been laid on the table for the re-distribution of seats, which may be briefly and simply described as a Bill for cutting off, in round numbers, half a hundred seats from the small boroughs and distributing those seats among the great, populous, and principally the growing communities of the country. My right hon. Friend, however, bitterly complained of what he called the provocation which had been offered him—this it seems in our not having explained to him the principle of this Bill. He declared that when it was produced he could not understand it, that he endeavoured to puzzle its principle out for himself, and that the week which elapsed between its introduction and the second reading was a great deal too short a time to enable him to arrive at a knowledge of what it was the Bill really meant. [Mr. Lowe: To arrive at a knowledge of its principle.] I am obliged to my right hon. Friend for the assistance which he seems disposed to give me. He may, however, spare himself the trouble. The principle of the Bill lay, as I conceive, upon the very surface of what I have stated as the facts of the Bill. I tell him that it did not require any further explanation of its principle beyond that which was furnished to the House when the Minister rose in his place and said that the Government proposed to carry over forty-nine seats from small or decaying, or secondary boroughs, and to distribute those seats among great towns and counties and new communities. That single sentence fully explained, in my opinion, in what the principle of the measure consisted; and when I heard my right hon. Friend state that it took him a week to find out the meaning of that transference of seats, I confess it appeared to me that in the latest freak of his fancy he was endeavouring to emulate the performances of that portion of the party opposite —I do not think, I may observe in passing, that it is quite so large as has been supposed—which has been pungently described in the works of my hon. Friend the Member for Westminster, and to which allusion was very recently made.

Sir, speaking generally, I must observe that my right hon. Friend allows himself such license in his method of handling the whole argument on Reform that, although it is a very great treat to listen to his speeches regarded as intellectual exercitations, yet no man must imagine that if his object be the attainment of a practical issue, it is of much avail to enter into a discussion with him. What ground, for example, did my right hon. Friend take with respect to the small boroughs? He defended them through thick and thin, without the slightest qualification or reserve; while he, in the very same breath, spoke and prepared himself to vote in favour of the Amendment, which pledges the House to the declaration that it is ready to consider the general subject of re-distribution of seats, that is to say of a reduction of the representative privileges of small boroughs. At the same time I admit that my right hon. Friend is so far consistent with himself that he can produce an exact precedent from his own previous conduct, while on a former night he made a speech against all reduction of the franchise, and repeatedly informed us in heated phrase that its reduction would lead to the destruction of the Constitution; yet he, on the same occasion, voted for a Motion the terms of which gave expression to the declaration that the House was prepared to take into its consideration, and to settle the subject of Parliamentary Reform.

But how, let me ask, can we occupy common ground with my right hon. Friend? How can we cherish the slightest hope of mitigating the differences which exist between us, or arriving at a settlement with one who approaches a question of this gravity in such a spirit, and with such a degree of licence so far as regards his own individual opinion? On a former occasion the horror to which my right hon. Friend gave expression was a horror of democracy. He told us this House was to be vulgarized, that it was to be filled up with representatives of the seven-pounder householders, little superior in character and position to those by whom they were elected. But when he spoke on the present debate his tone underwent a change. He had wheeled right about to the other extremity of the argument. He entered upon another line of inquiry. He thought it necessary to state —and, in my opinion, greatly to overstate —the probable expenses of elections under the new system; and he proceeded to tell us the consequence of the Bill would be that the House of Commons would be filled with millionaires; that plutocracy, forsooth, constituted the evil which loomed darkly in the future. It is no wonder, then, that my right hon. Friend takes the liberty to contradict us when he assumes the liberty to contradict himself, and in the keenness of his movements does not seem to think it at all necessary to make the slightest effort to reduce his speeches either into harmony with his votes or with one another.

My right hon. Friend, I must say, in one respect confers upon us a very great advantage. I have listened to the speeches of the hon. and learned Member for Belfast, whom I have certainly been accustomed to look upon as one of the most able and certainly not the least keen partizan in this House. I have heard him and others who sit on the Benches opposite argue patiently and point by point the provisions of this Bill, and with a closeness to the facts of the case which was perfectly refreshing after the speeches of my right hon. Friend; because, although we think they criticize unjustly our propositions, and represent them in colours sufficiently different from the truth, yet, at all events, we can discern so much of likeness in their delineation of them that we know what they are meant for. But when we find my right hon. Friend disfiguring and denouncing in terms so inflamed, as it is his habit and pleasure on each occasion to employ, the whole of every proposition made by the Government, and every step they take, in whatever direction, and in whatever sense, it becomes hopeless indeed for us to deal with matters presented in such a form; but it is, notwithstanding, positively refreshing, and gives us more kindly and philanthropic views of the disposition of hon. Gentlemen opposite, when we come down to the mitigated statements and language in which they close their opposition to this Bill, and appreciate their comparative moderation by the force of contrast.

I must now say a few words upon the speech of the right hon. Member for Buckinghamshire, or at least upon the plan which he proposed; because I think it will be generally admitted that schemes for the re-distribution of seats, involving almost an infinity of details and a vast number of questions upon which there may be most naturally, and even most legitimately, great difference of opinion, cannot well be judged of, perhaps, on the whole, except by being compared with other schemes. I shall endeavour, therefore, to look for a moment at the scheme of the right hon. Member for Buckinghamshire. The right hon. Gentleman repudiated a defence which I had offered some years back for the principle of small boroughs as an antiquated affair, and presented one of his own instead. Well, as to my defence of small boroughs, I believe at least there was a time when it was true. I think that at the epoch of the old Parliamentary system what I said with regard at least to nomination boroughs was strictly true—that is to say, that they were made eminently useful as a means of introducing to this House young men who afterwards won the favour of popular constituencies. And in the whole six hours during which I had the advantage of listening to my right hon. Friend the Member for Calne there was this one single sentence and sentiment with which I had the satisfaction of concurring—the matter indeed was painful, yet the concurrence between us in respect to it was very satisfactory to me, perhaps, because it was so rare—I refer now to his statement that in his belief the door of ingress to this House has been in some degree narrowed by the Reform Act. The enormous benefits conferred upon the country by that Act throw entirely into the shade any incidental disadvantages attending it like this; but I confess that, whether I am right or wrong, I agree with him that to some extent such has been the case. But I do not think, as I have already owned, that the defence of the small boroughs drawn from the experience of a former time, applies to them as they now exist. The right hon. Gentleman the Member for Buckinghamshire, however, has devised a new argument in their defence. He contends that the small boroughs are necessary in order to maintain that diversity in the character and composition of this House, which, as he truly says, is so essential to its efficiency. Now, is it true that the small boroughs do contribute to that diversity?—that is to say, do they contribute to it more than an equal number of seats of any other class? It is not enough to go to a particular small borough and show that it is represented by a very good man, or by a person who has some special qualification. What is necessary is that, taking boroughs, say under 10,000 inhabitants, and going over the whole of the seats which they possess, you should be able to show that they return classes and descriptions of men to Parliament who would find their way there by no other channel. Now I say boldly and sweepingly, that that is not the fact. The right hon. Gentleman, evidently after painful and laborious research, completely broke down in his attempt to show that it was. He quoted the case of my hon. Friend the Member for Frome, but Frome was enfranchised under the Reform Act. [Mr. DISRAELI: It is a small borough.] It is not a small borough in the sense in which we are dealing with small boroughs, for our Bill does not touch it. The right hon. Gentleman went on to speak of Bridport, Huntingdon, and Peterborough as small boroughs. Undoubtedly those places are represented by distinguished mercantile gentlemen; but what did the right hon. Gentleman allege at the beginning of his speech? Why, that large constituencies will return only landowners, merchants, and manufacturers. Then he admits that merchants find an abundant entrance to this House by means of the large towns;

and it is true that no class of men as a body obtain a better access to the confidence of large constituencies than merchants as well as manufacturers. Why, then, should small boroughs be maintained in order to provide for their admission which is amply provided for by other means? These were the special instances as to the class of merchants given by the right hon. Gentleman.

But he said it was very important that gentlemen connected with the colonies should be represented in this House. And so it is. And what gentlemen here do represent the colonies? There is my hon. Friend the Member for Salisbury (Mr. Marsh), whose support upon the main question we were not fortunate enough to obtain; but, I admit that he is an ornament of this House as a Gentleman of colonial experience. He sits for the city of Salisbury, a town not included in the ordinary category of small boroughs, and not within the class of boroughs which anybody has ever proposed to touch. The other hon. Member for Salisbury (Mr. Hamilton), who has been more recently added to this House, acquired great distinction at his University, and is a gentleman well qualified to take a part with honour to himself in our proceedings; but he does not sit for one of the small boroughs to the defence of which the whole point of the right hon. Gentleman's argument was directed. My hon. Friend the Secretary of the Treasury (Mr. Childers) sits for the borough of Pontefract—again a constituency of moderate size, but not a small borough in the sense of this Bill, or of any Bill ever introduced into Parliament by a Government which undertook to deal with the subject of small boroughs for the purpose of restricting their representation. Lastly, my right hon. Friend the Member for Calne undoubtedly sits for a small borough at this moment, but he did not find his way into this House as a representative for a small borough, but addressed himself to an open constituency. He represented a town of considerable size, and succeeded in obtaining the confidence of that constituency, as a means of entrance to this House, where he distinguished himself in such a manner as opened to him the road to the representation of Calne. So much for Members connected with the colonies. But then the right hon. Gentleman likewise mentioned Members connected with India. And was it not most extrardinary that in order to buttress his argument and to find an instance connected with India, which was suitable to his point, he went back to the case of Sir James Hogg, who sat for Honiton several Sessions ago—not less, I think, than seven years ago? But, I ask, who are the men connected with India now sitting in this House, and what are the small boroughs that return them? We are dealing with a most important allegation, and while the right hon. Gentleman repudiates my superannuated defence for small boroughs, he sets up, forsooth, a bran new defence of his own. Who, then, are at this moment the chief among representatives of Indian affairs and Indian knowledge in this House? My noble and gallant Friend who sits for Taunton (Lord William Hay), which is not in the sense of this Bill a small borough: the Friend of the right hon. Gentleman who sits for Dumbartonshire (Mr. Smollett), which is a county constituency, and again, my hon. and gallant Friend who generally sits on the third Bench behind me (Colonel Sykes), is Member for the large city of Aberdeen. I take the instances that come first to my mind. But I ought not to leave off without referring to my hon. Friend the Member for the City of London (Mr. Crawford), who, representing the vast metropolitan constituency, completes the list of those who may be quoted as representing Indian interests. Now, Sir, it will not do for the right hon. Gentleman to say that Salisbury, Pontefract, and Kidderminster are towns of moderate size. No one attacks towns of moderate size. He objects to this Bill because it deals largely with small boroughs. He upholds small boroughs, and I must say that his defence, depending, as he himself made it depend, upon particular instances, has entirely and absolutely failed.

Now, as I understand the right hon. Gentleman, he has himself a plan of disfranchisement. He says that the grouping of represented boroughs is a scheme totally unknown to England, and that the grouping of unrepresented boroughs is unknown to Scotland. As regards the first of those propositions, it is nearly true, but even this is not true altogether; for there are two or three boroughs grouped in England—namely, the Cinque Ports, the Hythe boroughs, the Monmouth boroughs, and Penryn with Falmouth. With regard to Scotland, the Scotch boroughs were not, as was erroneously stated by the right hon. Gentleman, grouped together as unrepresented towns to receive for the first time the privilege of representation. They were grouped as representative boroughs at the period of the Union, and all the arguments derivable from precedent may be drawn from those Scotch boroughs. But while the right hon. Gentleman objects to the grouping of boroughs in our fashion, what does he put in its place? He gave us a rough outline of his own plan. As I understand him, he would proceed as follows:—He would take the smallest possible number of Members from the smallest boroughs, probably in the mode of his Bill of 1859—say some fifteen or twenty Members. Having so got his little store together, he would give them to new towns, and would form these new towns in such a way as, to judge by the instances he gave us, would pay off the population of this country at the rate of 70,000, 80,000, and 90,000 of population for each Member that he withdraws from the small boroughs. For he told us what sort of groups ought to be taken. He took five or six large towns—Ratley, Dewsbury, Mirfield, Cleckheaton—six, or I believe, seven in all, with a population of 91,000, while the other groups he gave us had a population of 65,000 and 72,000 respectively. If that is the idea of the right hon. Gentleman, I can well understand that by getting twelve or fifteen Members from the smallest boroughs, he would in that way dispose of 1,000,000 or 1,500,000 of the new rising towns that are scattered through the country. Next to that, he would have an extension of the boundaries. He says we ought to take out of the counties all those who do not follow the leading pursuit of the counties—that is the pursuit of agriculture. Of course, I do not mean that he would prescribe from the political area of the county pursuits merely subsidiary to agricultural pursuits, but where a manufacturing hamlet is formed, or where mineral enterprize is developed, or a port is constructed, all these places, according to his doctrine, ought to be weeded and purged out of the counties. Besides this, the boundaries of towns, he says, ought to be so extended as to combine all the inhabitants dwelling in their neighbourhood who follow their ordinary avocations in those towns. By the double operation of taking some fifteen or possibly even twenty Members from the small towns for new enfranchisement, and the enlargement of boundaries in this extended sense, he might effect his avowed object of withdrawing from the counties a population of something like 2,000,000 of people, and obtain the double end of leaving the small boroughs of the country in possession of nearly the whole of their present forces, subject only to that small reduction; while, at the same time, he would reduce the counties to a simple collection of landlords and tenants, with those inhabitants of purely rural villages and towns who are immediately dependent on them. If that be the plan of the right hon. Gentleman, or anything approaching to it, I can perfectly well understand his feeling of suspicion as to what might be the nature of our re-distribution scheme. Because our plan of re-distribution has been based upon the principle of simply restraining the representation of small boroughs and enfranchising large communities without any scheme thus to disturb and recast the distribution of population and of power.

The object of a re-distribution scheme ought to be, and the test of its excellence should be, the degree in which it leaves the extension of the franchise as nearly as possible unchecked to its full, legitimate, and natural operation. If it is asserted in opposition to our scheme that re-distribution of seats is not to be mixed up with a complicated scheme for drawing broad lines of separation between counties and boroughs that are totally unknown to the tenor of our history and totally opposed to the spirit of our Constitution ["No, no!"], then I must say that, not only am I here prepared to defend our scheme of re-distribution in comparison with that of the right hon. Member for Bucks, but to predict with confidence that no such scheme of re-distribution as his would ever receive the final sanction of this House.

I must here, Sir, point out to hon. Gentlemen opposite that which really seems to be unperceived by them. They treat the ancient parts of the Constitution as anomalies and solecisms whenever they come awkwardly across their own views. They say that the vote of the freeholder living within the limits of a borough for the county in which that borough is situate was an anomaly. It may be an anomaly according to their rather new-fangled views; but it is not an anomaly in itself. Is it not one of the most ancient parts of the Constitution? Was not the county representation the representation of property? And was not the borough representation the representation of the people? And is it not a fact that before the Reform Bill passed the freeholder's voting powers in these two capacities were so distinctly recognized that the same man actually had his vote for the borough by virtue of the very same freehold which qualified him as a county voter? Can there be a more distinct assertion of the intention and sense of the ancient Constitution, and of the line between the two descriptions of representation? The line was not by the Constitution drawn, as the right hon. Gentleman would draw it, between agricultural pursuits on the one side, and manufacturing and commercial pursuits on the other; but between the representation of the population through the towns and the representation of property through the knights of the shire, whether that property lay in the town or in the county. I will not detain the House upon the subject of the leaseholding clause, because, considering the statistics produced by my right hon. Friend the Member for North Staffordshire with reference to Birmingham, we have come to the conclusion that the leaseholding clause demand further consideration before the House of Commons is asked to make any provision with reference to that part of the subject. This, however I may say that the spirit of this clause, aiming at the extension of the proprietary part of the county constituencies, is, especially at a time when we are seeking to extend largely the occupation franchise, thoroughly legitimate and constitutional.

But I now come to consider the particular charges which have been made against our Bill; and I am here in a position of some difficulty, because the Amendment which has been moved and the debate upon that Amendment are to a certain extent in conflict. But, in the first place, I contend that the grounds of opposition to our Bill for the re-distribution of seats are not good; in the second place, that even if they were good grounds, they are totally insufficient to justify a vote against going into Committee upon the Bill. And thirdly, I must point out that the Motion as it has been made, and not as it stood in the first instance, but as it stands in the form in which it has been placed in your hands, Sir, is a Motion against the terms and form of which I think we have a right to protest. Save and except the wholesale denunciations of all Reform, like those of my right hon. Friend behind me (Mr. Lowe), there has been no sound objection taken to the rest of the Bill, either by the hon. Member for Wells, who so ably defended his constituency, or by any of those who succeeded him. But if you admit the question to be great, if you admit that it has been again and again recommended to you from the Throne, then, admitting all the objections raised, their scope is limited, and you are still bound to go into Committee on the Bill. It has been objected, for example, that 8,000 is not a right limit of population for partial disfranchisement; and we have been urged and recommended to go higher. It has been objected that our groupings have been ill-advised and unfair; and it has been pointed out in detail that some few of our arrangements in that respect may be improved upon. It has also been a source of objection that there has been no provision made in the Bill for the representation of minorities; and it was stated that the unicorn representation of counties ought not to be extended, but that it would be much better to divide the counties which have already two divisions into three divisions, giving two Members to each of them. It has further been made a subject of complaint that Members should be taken from England and given to Scotland. It has been objected in the very careful argument of the hon. and learned Member for Belfast (Sir Hugh Cairns) that the plan for the re-adjustment of boundaries is unsatisfactory. I freely admit that this is one of the most difficult parts of the whole subject, and I think the hon. and learned Gentleman will admit also that it is a difficult part of the subject, upon the settlement of which the most temperate as well as the most detailed argument in Committee would be required. It has been objected, again, that we do not enfranchise a sufficient number of new towns. As far as I can gather from the sense of my Colleagues—and certainly it is the impression on my mind—that is certainly one of the points of detail in the plan which is most open to criticism. Here are no less than seven or eight points, all of them of very considerable importance I admit, but every one of them questions fairly open to dispassionate discussion, without any prejudice to the general scope and purport of our measure. But these six or seven points might be multiplied to sixty or seventy; because, from the nature of the question of re-distribution of seats, the points it opens to discussion, and moreover to *bonâ fide* discussion, are almost infinite in number; and undoubtedly they will be questions which, when we go into Committee, it will be our duty to hold ourselves ready in an open and conciliatory spirit to discuss, and which we must endeavour to settle, not upon the basis of any foregone conclusions of our own, but with a view to general equity and general satisfaction.

I must now, Sir, say one word to show how little considered, as I think, have been the objections which have been taken to our grouping in general. The great complaint has been the complaint of distance. Another head of objection has been a want of identity of interest among the towns grouped together. Now it is admitted that the grouping system works well in Wales and in Scotland. But there is no identity of interest whatever among the boroughs grouped together either in Wales or in Scotland. Again, what identity of interest is there in an ordinary county? Did those who are now present in the House hear the speech of my hon. Friend who now sits for Newport, and who once represented West Kent? He described the various interests in the neighbourhood of London, of the seaport towns on the Thames, and of the hop district, and of the suburban villas which abound in that portion of Kent, together with the agricultural community, and I may well ask what identity of interest is there in these? Now with regard to objections as to distances. It has been stated that some of the boroughs proposed to be grouped are 30 miles apart. This is the case in perhaps one or two instances only. But what is the state of the case in Wales? In Wales there are some seven or eight cases of boroughs 30 and above 30 miles distant from one another. How is it in Scotland? I have before me four of the groups belonging to that country. The average distance of the Ayr boroughs from each other is 47½ miles, and the maximum is 74. The Dumfries boroughs average 25½ miles in distance, while the maximum is 38. The average distance of the Elgin boroughs is 31, the maximum being 58. In the Wick boroughs the average distance is 49, and the maximum is no less than 108 miles. Now, really it is somewhat fastidious to produce some particular instance where a couple of boroughs are 26 or even 30 miles apart, an instance of a kind but very rarely found, and to treat any such cases, not as matters for consideration, which they may justly be, with a view to more precise arrangements in detail if you can make them, but with those sweeping denunciations which, it was said, by some laudatory critic, had demolished, forsooth, the system of grouping proposed in the Bill.

The Chancellor of the Exchequer

There is one method proposed by the hon. and gallant Member for Wells, against the adoption of which, as a general rule, I must, on the part of the Government, state the strongest objections; that is, the plan of taking in, as a general rule, to make up and supplement the small boroughs the still smaller places in the neighbourhood. It is said you have got in the neighbourhood of some of these places certain towns of 4,000, or 5,000, or 6,000 inhabitants, and that if you will add these you will have a constituency of 17,000 or 20,000; and that the principle of our dealing with small boroughs ought to be first to take in the small boroughs which are in their immediate neighbourhood. Now, this appears to me to be an extravagant proposition. There is in this country an enormous regard for vested interests, but there is surely some limit even to that regard. You may fairly say, when we are dealing with those boroughs which have long enjoyed Parliamentary representation, "Deal tenderly with them if you think it fit to touch them, but do not extinguish them. Give them a modified share of that privilege which they have so long possessed, in cases where it has not been grossly abused." But it is really going a little too far to contend that these old privileges which are in the nature of a monopoly, and in tendency somewhat adverse to the community at large, shall be held to contain in them such an essence of diffusive virtue that it shall spread around them on all sides, and shall, as it were, consecrate the hamlets, the villages, or the little country towns that may be so fortunate as to be in the neighbourhood for the purpose of introducing them to the privilege of being represented in Parliament. At the close of the civil wars of Augustus, when he settled his soldiers on bits of land in the territory of Cremona—well-known as the unfortunate Cremona—it was not found sufficient for the purpose, and they had to take some portion of the territory of Mantua. The poet, speaking of the circumstance, says, in a line often quoted—

> "Mantua, væ miseræ nimiùm vicina Cremonæ!"

Now it is a perfectly ludicrous inversion of that sentiment to take some little place in the neighbourhood of Honiton or Wells, and to provide that that circumstance of neighbourhood shall be a reason for conferring on such a place a power of returning a Member of Parliament, which by the general rules of right and policy should be given to some large constituency. Whether there may not be instances in which, upon particular grounds, a departure from the general rule may be justified, I will pass no opinion. This is one of the points that can be best settled after a general and fair comparison of views mutually entertained in Committee; but, as a general rule, I am sure that it would be unwise and quite impossible to induce Parliament to accede to a system which should patch up or eke out a limit of population on behalf of these small towns by bringing in other small and insignificant places as their companions, for the purpose of fastening Parliamentary representation down to those precise spots on the surface of the country where it has been fixed by former legislation.

But perhaps the House will be surprised if I go on to say not merely that we are open to consider, and that it is our duty to consider, the propriety and sagacity with which each practical group is framed, but that no declaration has ever been made by Government to the effect that grouping is a vital principle of the Bill. ["Oh, oh!"] We have recommended it on grounds which we thought, and which we continue to think, amply sufficient. We think, as we thought, that it is adverse to bribery; we did not think it was likely to increase expenditure ["Oh!"]; and I think if hon. Gentlemen will investigate actual cases of expenditure in grouped boroughs at contested elections they will see some ground for that opinion. We thought likewise that it would favour the return of an eligible class of Members to this House; and that in another view it might perhaps have this immediate advantage—that if it should become absolutely necessary to require the present Parliament to continue to sit for a time, greater or less, after the Re-distribution of Seats Bill shall have been passed, there would undoubtedly be a more glaring inconsistency in retaining in this House the representatives of constituencies that were absolutely disfranchised, than those of constituencies about to be conjoined in groups. But, however that may be, not a word has been spoken to the effect that we regarded grouping as one of the vital or essential principles of the Bill.

Perhaps it may be well, Sir, that I should just remind the House what have been stated to be its leading principles. Here I am bound to say at once that there are some kinds of grouping to which we could not accede. We could not accede to the wholesale grouping of new places proposed by the right hon. Gentleman the Member for Bucks—nor yet to the grouping of small villages and towns with other small villages and towns that do not possess the franchise. We know that Shakespeare says—

> "The strawberry grows underneath the nettle
> And wholesome berries thrive and ripen bes;
> Neighbour'd by fruit of baser quality."

But we do not believe in such a virtue of neighbourhood as among constituencies of this description. The leading principles of the Bill in its two parts have, I think, been stated before with sufficient clearness to the House; but it will not take one minute to repeat them. The leading principles of the Franchise Bill are to complete, in the first place, the provisions of the law which enfranchises voters at £10 clear annual value and upwards; to extend the borough franchise downwards, and to extend the county franchise downwards. These are the principles of the Bill as far as regards the part relating to simple enfranchisement. As regards the re-distribution of seats, its principles are to curtail the small borough representation, not to extinguish it; indeed to leave, I think, a very large, at least a very fair proportion of it; to curtail the small borough representation by the removal, in whatever manner may be thought best, of some fifty Members, more or less — it is not necessary to adhere rigidly to any one particular figure — and to distribute the seats among the great and growing and new counties; and lastly, to secure to Scotland, from whatever source, that increase of her representation to which we contend that her wealth and her numbers justly entitle her. Now, these I believe to be the principles of the Bill, and that claim of Scotland is in my belief so strong and clear upon an investigation of the case as to convince me that, unless the matter becomes envenomed by party discussion through some error of ourselves or others, it is impossible not to admit it. Whence those seats for the benefit of Scotland are to be obtained is another matter; but in regard to the claim itself I cannot see any reason why Scotland, with one-sixth of the population of the United Kingdom, speaking in round numbers, should be contented, or should be expected to be contented, with little more than one-tenth of the representation.

Now, I think from the manifestations I have recently observed that some hon. Gentlemen on the opposite side appear to suppose that there is something questionable or inconsistent on the part of the Government in thus appearing to throw open to discussion a great number of points connected with the re-distribution of seats. I cannot, however, conceive what accusation can be brought against the Government on that score. It was one of the difficulties, and to my mind the greatest of all the difficulties and objections attending the combination of the two subjects, that in dealing with the question of re-distribution we could not but open so many views and touch such a multitude of local and class interests, each of which would according to our usage require that its particular claims should be fully and patiently considered. It was not, therefore, the principle of the re-distribution of seats that was attended with so much embarrassment; it was the mass of detail which attends any such measure of Reform, and this, I confess, has always appeared to me to be a strong practical argument in favour of the separation of the two subjects. However, I am not arguing now with a view to reopen a question which has been referred by us to the decision of this House. We have placed ourselves frankly in the hands of the House, and shall abide by its decision on this point, in our treatment of the subject. I am only desirous of showing that a very large part of the subject of re-distribution necessarily consists of matters which should be held open for discussion, and which ought not to be settled according to any foregone conclusion. To me it has, I confess, always appeared that the most important branch of the subject is the enfranchisement of our fellow-countrymen. That being so, I do not see how we have fairly laid ourselves open to the charge of inconsistency by our readiness to concede in the plan of re-distribution, for in the direction of the franchise it is that, as we feel, lies our most solemn and serious responsibility. Sir, these are the principles of the Bill which we submit, and what we ask from the House is its fair consideration.

I am bound to say that I do not think the Amendment now before us is compatible with the fair consideration of the Bill. The Amendment is perfectly definite so far as regards the object of my hon. and gallant Friend—that is, it condemns, in a form perfectly explicit, the system of grouping proposed by the Government. That is a perfectly fair issue to raise, and while it raises that issue, we say we might admit the proposition—though we do not in any degree admit it—and yet go into Committee on the Bill. But the Amendment goes on to state that "the scheme is not sufficiently matured to form the basis of a satisfactory measure." Now, it is, even grammatically, of the utmost possible difficulty to decide what may be the meaning of the word "scheme," the word "franchise," and all references to the subject of the franchise, having been by some careful expurgator, no doubt for good reasons, struck out of the Amendment. The Amendment is little better than unintelligible. It looks like an Amendment which has been framed with the view of at once getting rid of the Bill, and yet escaping the responsibility of having rejected the Bill or any of the provisions which it contains, or of being called to account by constituents. Notwithstanding the frequency of the "No, noes," which arise from time to time on the other side, I have none at this moment; but I am free to confess that I should be glad to hear even a very storm of those "No, noes," now when I say I am afraid that was the object of the party opposite in supporting this Amendment of my hon. Friend. The hon. and learned Member for Belfast (Sir Hugh Cairns) spoke in terms of high approbation of the Amendment; the hon. Mover avowed his concert with the party opposite; and if I understand rightly the statements which have appeared in the usual channels of Parliamentary information, all the strength of that party is to be used in support of it. But I protest in the name of the Government, I protest for the character of Parliament, I protest on the part of my countrymen at large, against dealing with measures of great importance in this House—especially measures of such capital importance as this—not in the good old English manner of "Ayes" and "Noes," but in language which nobody can construe, and which nobody can understand. Here is a declaration that the scheme of Her Majesty's Goverment "is not sufficiently matured to form the basis of a satisfactory measure." Why, Sir, do not hon. Gentlemen see that any man who wanted to resort to mere cavil and for the purpose of escaping from the real brunt of a controversy would adopt that very language? Is it not to those generalities that the lust of ambition resorts for the prosecution of its wicked purposes? Do not let any hon. Gentleman suppose I am speaking of the movements of political parties. I am speaking rather of those movements of which history, unfortunately, is too full—frightful and bloody collisions, produced between contending nations, by that lust of ambition which I am describing, and which makes use of these generalities, because their effect is to efface the distinctive lines between justice and injustice—between truth and falsehood —to prevent the merits of any question from being brought to a fair issue, and to provide a place of refuge on behalf of those who are afraid of the exposure they would suffer if the same were left to reason and to argument. Such modes of speech have been too often resorted to in theological controversies, when objections of a definite character which could be embodied in judicial forms have been avoided, and vague words about "dangerous doctrines," or "savouring of heresy," or something of that kind, have been invented, showing, in fact, nothing but the cruelty, the injustice, or the cowardice of those by whom they were invented. I was in hope, Sir, that when I ascribed this evasive character, this indirectness of aim, to the Amendment, I should be met by a tempest of disclaimers, and that there would be some sympathy with the view we take of the manner in which warfare such as this should be conducted. Well, I was in hopes; but my hopes may be disappointed. In the course of now a somewhat long public life, I have been disappointed in other things, and I probably may be again. But we had, as we think, a right to expect it, and indeed we had a special right to expect it. It was promised us; it was gratuitously promised us; it was even ostentatiously promised us. On the 6th of February, 1866, Lord Derby used these words:—"I promise the noble Earl another thing"—he had not been asked, but it was promised, and promised largely—

> "I promise the noble Earl another thing—that his Bill shall have fair play—that it shall not be thrust aside by any underhand method — that there shall be no factious movement or combinations against it on the part of those who can combine for nothing else, but that it shall be dealt with on its merits."—[3 *Hansard*, clxxxi. 101.]

Is it dealing with a measure on its merits to say that it is not sufficiently matured? When, in the long course of Parliamentary controversy, was that course adopted? What instance, what precedent, is there of a great party resorting to that mode of warfare? [*Cries of* "Fifty-nine!" *from the Opposition.*] In '59? Is '59 your instance? In 1859 the Bill was condemned upon grounds perfectly definite and clear; it was condemned because it did not reduce the borough franchise. Act as my noble Friend acted in 1859, and my complaint falls to the ground. Condemn the Bill, if you can muster courage for the purpose, because it does reduce the borough franchise. In your speeches you have said you objected to its reduction. My right hon. Friend the Member for Calne, my hon. Friend the Member for North Devon, and the right hon. Gentleman the Member for Buckinghamshire objected in their speeches to a reduction of the borough franchise. Let the right hon. Gentleman, let some one among you, embody that opinion in a Motion. Or, if he do not choose to embody his opinions in a Motion—and I admit that he is not bound to do that unless he pleases —let him take the usual, the known, and the established course of opposing our measure by a negative, and the country will then know what he means. It is useless to fall back upon these large, vague, unmeaning words. You cannot build upon such words the name and fame of a party. You may embarrass the Government; you may impede the course of a great measure; you may injure for a moment those who are politically opposed to you; but you cannot lay any solid foundation by such courses as these for the fortunes of yourselves and of your friends. Do not let us be drawn into these vague, broad, and almost wild denunciations about the Constitution. Every time my right hon. Friend (Mr. Lowe) addresses the House he makes a speech in the form of a prophecy about the Constitution. In his first speech—drawing upon the works and words of Canning, from what cause I know not, but I am quite sure it was not from the poverty of his own imagination—he prophesied the destruction of the Constitution; and every speech that has come from him since—though he has no longer foraged among the speeches of Mr. Canning—predicts in a new form, but with darker and yet darker features, the ruin and the downfall of the Constitution. "Do not," he says, "I pray you, discard rules and maxims that have never failed for doctrines and theories that have never succeeded." What is the rule and the maxim that has never failed? The £10 franchise. What is the doctrine and the theory that has never succeeded? The £7 franchise. The £7 franchise has not succeeded because it has not yet been tried. The £10 franchise before it was tried was a doctrine and a theory that had never succeeded, and it was met with the very same reproaches and loaded with the same denunciations, delivered with not less earnestness and ability than those delivered by my right hon. Friend. My noble Friend the Member for Leicestershire, in his speech delivered to-night, tempts me to ground upon which, if I had not heard the words of Tennyson from his mouth, I should not have ventured to tread. My noble Friend described England as—

> "A land of old and wide renown,
> Where Freedom broadens slowly down
> From precedent to precedent—"

lines taken from the noble dedication and noble address of the Poet Laureate to the Queen. My noble Friend stopped with those lines. It did not suit his purpose to go on; but Mr. Tennyson goes on, and, in his description, he adds these not less worthy lines—

> "And statesmen at her Council met
> Who knew the seasons, when to take
> Occasion by the hand, and make
> The bounds of Freedom wider yet,
>
> "By shaping some august decree,
> Which kept her Throne unshaken still,
> Broad-based upon her people's will,
> And compassed by the inviolate sea."

We claim to love the Constitution; we claim to value the Constitution; we claim to revere the Constitution as sincerely and as earnestly as any of those opposed to us. My right hon. Friend the Member for Calne looks back with something like contempt on those who opposed the Reform Bill of 1831. We have heard him denounce in terms of the extremest severity the Parliamentary system which prevailed before that great measure; but he thinks that along with that contempt for the course that was then pursued by men of the stamp of the Duke of Wellington and Sir Robert Peel he may join the kind of opposition which he offers to the smaller measure of Her Majesty's Government. Sir, I must say that the very converse of that view appears to me to be far more just. The opponents of the Reform Bill of 1832, although I can now see that they were wrong, yet had much to say for the course they pursued. They had to deal with a system the most complicated in the world, the springs and movements of which were hardly traceable to the common, or even to the philosophic eye, and which, like some wonderful creation that might have descended from above, was of such a delicacy of conformation, that they might well fear to touch any of its parts, lest by deranging some hidden spring they should mar its effect, and so long had this state of things prevailed that even the wise man, even the brave man shrunk back from the responsibility of attempting such a task. How different is our case. We have seen the risks of the experiment run, we have seen the dangers, if such there were, of enfranchisement defied, we have seen the frequent prophecy uttered in all solemnity collapse almost as soon as delivered; we have witnessed the happiness and the blessed fruits of that constitutional change, and we have found ourselves launched upon a career where everything before us is comparatively plain and open. We have now to deal, I will not say with an alteration so much as with a growth of circumstances, with a growth of numbers, with a growth of wealth, with a growth of intelligence, with a growth of loyalty, with a growth of confidence in Parliament, and with a growth of attachment and of love among all classes of the community; and our view is this, that under these circumstances we are entitled to say now again has the time arrived to apply, with circumspection and with caution, yet with firmness and decision, those principles from the operation of which we have reaped such blessed fruits? It is in the prosecution of that work that we are confronted with the hostility which has met us in the various stages of this Bill—hostility that may be formidable indeed—hostility which I will not even now presume to predict may not meet with a momentary success, but with regard to which I will say that any triumph which may be gained will recoil with tenfold force upon the heads of those who may achieve it. To be the chief sufferers in a cause such as that we have in hand is, indeed, to be preferred to success, attained in any ordinary cause. For we are well convinced that in the discharge of our own duty, in the redemption of our pledges, we are consulting at once the honour and the dignity of this House, the stability of the Throne from which Her Majesty receives the affectionate homage of her subjects, the contentment and happiness of the people, and the strength and endurance of our institutions.

Mr. DISRAELI: Mr. Speaker, I quite agree with one sentence of the right hon. Gentleman's speech that it is the duty of the two parties in this House to approach this subject in a spirit of conciliation and conscientiousness; and I was rather surprised, considering the general tone of the speech of the right hon. Gentleman and this voluntary expression of opinion on his part, we being prepared to meet him in that spirit, and prepared to meet him upon the merits of the case before us, that he should, according to his habit, assume that the peroration of a Parliamentary speech must necessarily consist in scolding one's opponents. Why, Sir, the facts of the case are all against the right hon. Gentleman. Of what does he complain? He read us an extract from a speech delivered by Lord Derby that was uttered at the commencement of the Session, and certainly, as I followed it, it appeared to me that we had exactly and severely, and rigidly fulfilled the undertaking then given. For what did Lord Derby say! That we would give the measure of the Government fair play. Well, have we not consented to the second reading of the Bill? Have we interposed any cunning Resolution, as in 1859, for the purpose of defeating the measure by a side-wind. I admit, indeed, that in the course of those proceedings there have been two Motions which have arrested the progress of the Government measure. One of them was offered by the noble Lord the Member for Chester, and he received from the right hon. Gentleman opposite, in due course, the same invective to which we have just been exposed. The House and the country, however, sanctioned the wisdom and acknowledged the propriety of the course recommended by the noble Lord, and the right hon. Gentleman in twenty-four hours adopted it. What is there, therefore, to complain of, that we should have voted for a measure the sagacity of which he and his Government have subsequently recognized? Well, then, again with regard to the other Amendment which is now before us. This also has been proposed by an habitual supporter of the Government, and it might, perhaps, have given rise to great controversy had not the right hon. Gentleman opposite risen and expressed the sentiments that we have heard from him. The Motion might have been described as an adroit, an insidious, a sinister, and vexatious Amendment, aiming at that which ought not by any means to be proposed, and, if carried, damaging with great effect the proposition of the Ministry. But what has the right hon. Gentleman done in the main portion of the speech which he has addressed to the House? Why, he has acknowledged the justice of the Amendment, has thrown over the whole system of grouping—[The CHANCELLOR of the EXCHEQUER signified dissent]—as a scheme the difficulty of which all acknowledged to be one that it was impossible to deal with in Committee, and the right hon. Gentleman has frankly informed the House that no doubt upon reflection Her Majesty's Government do not deem the geographical system of grouping to be either an indispensable portion of the measure, or, on the whole, to be the most convenient solution of the difficulty. Yet these are the two factious Amendments that have been brought forward, and which have been denounced by the right hon. Gentleman opposite, and which, with one exception, are the only Amendments that have been offered to the consideration of this House. There was one more, and that was the Instruction moved by my hon. Friend the Member for Northamptonshire (Sir Rainald Knightley). The right hon. Gentleman availed himself of his considerable command of epithets to attempt to describe the character of the Motion made by that hon. Gentleman; but not satisfied with that, the right hon. Gentleman resorted to the language of Lord Derby—it seemed the right hon. Gentlemen had his pockets full of extracts from that authority—he flaunted them before the House, and amid the enthusiastic and sympathetic cheers of the great Liberal party, seemed to make one of those palpable hits which are so popular in this House. Well, what did my hon. Friend the Member for Northamptonshire really do? He moved that clauses against bribery should be introduced into the new Reform Bill. Does the right hon. Gentleman, when he rises in the House and quotes the language of Lord Derby, and declares himself that there is no precedent for such a course—does he forget that the late Member for Norfolk made the very same proposal in the last Parliament; that the measure was accepted by Lord John Russell, then leader of the House, and the Instruction was inserted in his Reform Bill?

Now, Sir, so much for the Motions that have occurred in the House of Commons within the last three months in opposition to this Bill. Two of them have been virtually accepted by the Government, and the other, which was denounced as unprecedented, was accepted by Lord John Russell, on the occasion of the last Bill of the same character. Therefore, Sir, I think the right hon. Gentleman will probably, on reflection, feel that he pitched his note a little too high for the subject. He must have been thinking of the great days of 1832, of which he has certainly read, if he did not witness them. He must have thought it was an occasion to menace a party with impending revolution, and, what has always a considerable effect in rhetoric, —menacing the dangerous consequences of an indefinite policy, the effects of which at that moment cannot be ascertained. I think I have shown that far from there being any foundation for this charge of the right hon. Gentleman, the House of Commons throughout these three months have acted in a temperate and sagacious manner, and I think it would have been very well if other persons had imitated the House of Commons. Good sense and good temper have been shown in the wisdom of the course they have recommended, and which has been adopted by the Government.

And now, if the House will permit me, as the right hon. Gentleman adverted to some observations made by me in a former debate, I will say a few words, not to vindicate myself, which is of little moment, but because they lead me to a most important part of the question—the very pith of the question which has not yet been touched on, and respecting which the right hon. Gentleman showed, on the part of the Government, what I deem to be a misapprehension, that, if I am correct in my view, must be most injurious in its consequences if not remedied. And first, I will say one word about the small boroughs. I am not going at half past twelve o'clock to vindicate them, but I will say this about small boroughs—it is impossible to argue the case of the utility of small boroughs by referring on either side to individual instances. It is a controversy that may last for ever. We are in the habit of referring to the very eminent statesmen who have sat for small boroughs, and I mentioned several myself. I do not think my instances were bad instances; and, so far as regards the case of India, I beg to remind the House that two high authorities on India, Mr. Wilson and Mr. Massey, were returned for Westbury and Newport, two small boroughs, while I believe there is a distinguished Indian Judge in the House of Commons at this moment who is Member for Liskeard. The truth is, you cannot decide this question by instances drawn from an existing Parliament. You must take a wide range; and it is my opinion that, if you were to put an end to all these small boroughs, you will find landowners, merchants, and manufacturers coming in too great numbers into this House. I think there is a popular principle at the bottom of this system of small boroughs. There is even a democratic principle. I do not mean that it has anything to do with demagogues. They easily get into this House, but if only demagogues they seldom stay here. I do not mean these; but men who have carved out their own fortunes, who have shown that they are men of mark, do find their way into the House of Commons chiefly through these small boroughs. Then, says the right hon. Gentleman, "The small borough you instance is not in our list, and is not, therefore, a small borough." Well, perhaps it may have a population of 9,000; but what security have we that it will not be in the right hon. Gentleman's next list? Sir, there is a most important point connected with our borough system (I am not now speaking merely of the smaller boroughs) which ought not to be disturbed or changed before the House has given it their fullest consideration. The House knows well the statistical fact that 11,500,000 of the population of this country are represented here by 162 county Members. They know that 9,500,000 people living in boroughs are represented in this House by 334 Members —borough Members. Well, now, upon the first blush one would naturally say, "How is it possible that such a system could have existed so long and worked so well, founded upon such monstrous anomaly, on such injustice as that 11,500,000 of a free people should be only represented by 162 men, while 9,500,000 people, because they live in boroughs, are represented by 334 Members?" That is a great problem to solve. Now, we have always had a general understanding in the House that there was some indirect mode by which a just or, at least, an endurable arrangement in this House was brought about; that there was some counteracting influence by which the system of a majority of the population, represented by the minority of the Members, found some approximation to a fair adjustment. It has been acknowledged by Gentlemen on this side, it has been greatly exaggerated because it was unknown by Gentlemen on the other; but when the House of Commons is called on to disturb and to destroy a great portion of the borough representation, they are bound to consider what effect it will have upon the representation of those 11,500,000 people who live in the counties. Now, I admit that it is not a very easy task to ascertain with precision what is the number of the supplementary votes that constitute the fair representation that has made our system work, on the whole, so advantageously. You cannot take a pen and sheet of paper and ticket off the boroughs, and say, "these represent the landed interest, and these the urban," and so on. The considerations are complicated. It does not follow, for example, that because there is a small rural borough it is under landlord influence, or at all represents the landed interest. There are very small boroughs in the agricultural districts of a very independent character. There are some in which Dissenting interests predominate; and, next to the landowners, the result of my researches is, that Dissenters and religious interests are predominant in the small boroughs. Again, you may take a borough with a large constituency, and superficially of an urban character, and yet upon fair analysis you may find that one of its Members is returned by territorial influence. Again, you may find a country gentleman, a large-acred man, who sits for a borough, but does not represent in his votes and sentiments the interests of what is called the land. Therefore, it requires considerable analysis to arrive at a precise result. I have endeavoured to perform this analysis, not as a partizan, or even as a politician, but as if I was preparing a paper for the Social Congress. I will now state to the House—I may be mistaken in what I say, but, at all events, I have gone through the necessary research and trouble—the number of supplementary votes which the landed interest—that is to say, these 11,500,000 people who are not represented except by the 162 county Members—receive. It is eighty-four. Now, if you deduct eighty-four from 334, the number of borough Members, you will find 250 as the result. If you add these eighty-four to the 162 county Members, you will find the result to be 246, as against 250; and there you see the counteracting machinery by which our system has been permitted to work so advantageously. It is not a complete and perfect adjustment of the claims of the landed interest; but you cannot, in the arrangement of a large and ancient Constitution, expect too great a nicety, but only a fair approximation to what may be called electoral justice. Well, observe what will be found in the provisions and clauses of the present Bill. Of these eighty-four borough Members that are supplementary to the fair representation of the counties and the county population, forty-two are disfranchised by the proposition of Her Majesty's Ministers. Well, that becomes a very serious consideration, and of course involves a very imperfect county representation. It is very true you give twenty-six new county Members, but you institute at the same time at least fourteen new borough seats, and therefore where the adjustment was by no means perfect before there is now a diminution to the number of at least thirty Members proposed by the Bill. Well, this is a very serious matter, because you must feel convinced that unless you establish something like approximation to justice in the representation of this House, according to the claims of the population and property of the country, the system cannot work. It has worked before by these supplementary means; but if you greatly impair or destroy these supplementary means, it is quite impossible you can go on very long with a representation so one-sided and imperfect. But then the Chancellor of the Exchequer, when I talk of the landed interest, and when I suggest to the House the means by which a fairer representation of the landed interest may take place—necessary before, but doubly necessary since the introduction of this Bill—denounced my plan as one by which the counties would be weeded and purged, and that I wished to reduce the counties to a mere assemblage of landlords and tenants. That has been said by Her Majesty's Government throughout these debates. It is not a new opinion on the part of the Ministry. The Secretary of State said the other day that the right hon. Member for Buckinghamshire, by enfranchising unrepresented towns, would eliminate every element of intelligence in the country. The Solicitor General said that by so doing the Member for Bucks wants county Members only to represent farmers and farm labourers. The Lord Advocate said that the Member for Bucks wants to eliminate the urban element out of the counties, so as to leave them purely agricultural constituencies. The Attorney General and the Chancellor of the Duchy of Lancaster said the right hon. Member for Bucks—unfortunate Member for Bucks! — wants, contrary to the Constitution, to limit the county constituency to one class, and to eliminate the intelligence and independence of the counties. It is very important that we should have a distinct idea of the views of Her Majesty's Government. and the right hon. Gentleman entered into such details that there can be no doubt upon the subject. The Chancellor of the Exchequer observed that I wanted to enfranchise all unrepresented boroughs having a population above 5,000, and to eliminate thereby from the counties their intelligence and independence. Now, let me state, in the first place, that there never was a man so silly, not even one of those Members whom the hon. Member for Westminster says are celebrated for their peculiar mental conformation, who would wish to give Members to all unrepresented towns, from Burnley with its 30,000 inhabitants to little Ware with its 5,000. No one can for a moment believe I proposed it. Still, for the sake of argument, I will assume that that was my policy, and that I am going to solve the difficulty as to the representation of the landed interest by this great scheme of enfranchising all unrepresented towns above 5,000 in population. We have a Return on the table giving the names and population of the unrepresented towns in England with a population above 5,000, and it will be found that their population amounts to a little more than 1,000,000; so that if you deduct that number from the 11,500,000 of the county population you will still leave for the county population half the English people. But I want to know what becomes of the surplus over the farmers and farm labourers. We have Returns on the table of the number of farmers and farm labourers and members of their families, and of all the persons otherwise connected with the cultivation of the soil, arable, pasture, and woodland, and even of all those engaged in horticulture, the total amounting to 2,000,000, which if you deduct from 10,500,000 will leave 8,500,000 still unaccounted for. Now, what I complain of is that those Gentlemen who charge me with eliminating the people of England from the counties have, it appears, based their calculations so that they do not account for 8,500,000, and thus eliminate 8,500,000 from the counties. Besides the unrepresented towns from Burnley to Ware, with a population above 5,000, there are 500 towns in England with a population under 5,000. There is a scattered, or technically speaking, a village population in the counties of upwards of 9,000,000, as numerous as the whole population of the represented towns, while there are as many trades and manufactures in the counties as in the towns. There may not be for special industries those great aggregates of wealth and skill which you may find at Manchester and Leeds, but you may see even in the rural districts similar establishments not less important and powerful than any in those great cities. You have besides a great many manufactures which are almost peculiar to the country districts. The silk manufacture prevails there almost to a greater extent than in the towns. Paper is manufactured in the country. Leather is chiefly manufactured there. There is great mineral development in rural districts; all quarrying is carried on in the country. You have fifty branches of active industry peculiar to the country. You have a greater number of the professional classes residing in the country than in the towns. The counties contain more lawyers, more Dissenting ministers, and as for the clergy, who, irrespective of their special calling, constitute as territorial proprietors one of the most powerful classes in the kingdom, it is in the counties they are most numerous, and it is only by the county Members that they are represented in this House ; yet we have notwithstanding all this a Government which comes forward and contends that my plan is to represent the unrepresented towns by a process in accordance with which all the population will be eliminated from the counties except the farmers and farm labourers, who amount to 2,000,000 out of 10,500,000. How, I would ask, can men with such views and convictions as I have described settle with any propriety and success the county franchise ?

But then the Chancellor of the Exchequer replies, "It is all very well ; you go off on your unrepresented towns, which may amount only to 1,000,000 ; but you forget the boundaries." Well, all I have heard in this debate convinces me that so far from being a waste of time, it has been extremely profitable, not merely to ordinary Members, but even to Ministers of State. All that I have heard on this question of boundaries has only confirmed me in my original impression, that it is a part of the subject with which we ought to deal vigorously and efficiently, and that it is perfectly monstrous that one-half of the town population of Halifax should be included in the county constituency. I do not believe there is any difference of opinion with the Government or the country generally on this point, and I think that it is only the difficulty of the subject which prevents us from proceeding with it. But its very difficulty makes it only the more necessary that statesmen should deal with the subject efficiently. But suppose you were to deal with it efficiently, and that you were to represent those of the unrepresented towns which ought to be represented, you might reduce the population of the counties about 1,500,000. The Chancellor of the Exchequer, who was putting the case as much as he could against my view, and indulging in all the exaggeration of a rhetorical estimate, did not place it at more than 2,000,000. And what is the result? You still leave in the county population nearly 10,000,000 — that is one-half of the English people. Adjust your boundaries, enfranchise your more important unrepresented towns, and you will still leave in the counties a population of 10,000,000 represented by only 162 Members. Is that a state of affairs which can last? I say the moral is that you must not meddle with your borough system unless you are prepared to take into view these important considerations. The landed interest, which hon. Gentlemen opposite persist in calling the agricultural interest—a phrase which I never used in the whole course of my life—the landed interest in the proper sense of the term—that is, the land with all its various products, all its accumulated capital, and all its classes—that interest with 10,000,000 of population, even after all these changes, will be represented by only 162 Members, plus the number which you are going to add by your Bill. That, I repeat, is a system which it is impossible can last. As far as the power of the landed interest is concerned, it would, no doubt, profit by direct representation. Every interest profits by direct representation, which gives it more vigour and, in every sense, more power. But there are other considerations which must influence us besides that of absolutely conferring on the landed interest the amount and character of representation which they require, and among those considerations are the wish to avoid unnecessary change, and the great advantage of adhering to a system which is hallowed by tradition and prescription. All these we acknowledge; but if you choose to destroy that system — if you choose to tamper with it, it is absolutely essential that you should offer some substitute and devise some means by which the landed interest should be adequately represented. And you cannot get off by these views expressed night after night, and week after week, by the Government describing the population of counties — after justice has been done by arranging boundaries and enfranchising some unrepresented towns—by describing one-half of the English nation as a mere collection of farmers and farm labourers. Your own statistics—your own authentic records on the table confute the superficiality and error of such views and such statements. And it must be met. And when the Chancellor of the Exchequer comes down and rises in his place and warns us that unless we adopt the measures of the Government we must take the consequences and may rue the consequences of our conduct, it is our duty to come forward and moderate his anger, and put our case before him and ask him to deal with these facts and statements, the accuracy of which no one can dispute. And instead of hurrying on a piece of legislation which every one must feel, after such a statement as I have just made, is entirely immature, wanting in every respect in prescience and preparation, I think, instead of doing that, he ought to have availed himself of the friendly counsel of the noble Earl the Member for Chester, and have taken the earliest opportunity to reconsider and reconstruct his measure. I see myself no objection whatever to the Amendment which has been moved by the hon. and gallant Member for Wells, and so far as I could follow the speech of the Chancellor of the Exchequer the Amendment is conceded. I understand that the Chancellor of the Exchequer does not for a moment insist upon the system of grouping which the universal opinion of the House and the general sentiment of the country has criticized and condemned. The noble Earl the Member for Chester has thought proper to express an opinion on the Bill of the Government. I am far from differing from him in that opinion. I, perhaps, should not have ventured to express it in so uncompromising a manner. An expression of that kind coming from me might be misinterpreted, but coming from the noble Lord it will, I should hope, break with the force of truth upon the conviction of the House and the conscience of the country. But what surprised me most was the reason which the noble Lord the Member for Chester urged for not at once terminating the course of a measure so pernicious, according to his account, as that proposed by the Government for the representation of the people. The noble Lord says it is the critical state of foreign affairs that influences him, and that he cannot take upon himself the responsibility of dislodging Lord Clarendon from the Foreign Office. Now, I very much regret that the name of Lord Clarendon has been introduced into this debate. Certainly, I should not have introduced it myself, and I should have been willing to limit my observations to the subject of our borough representation and its influence upon our county representation, which is much more congenial to my mind at the present moment. But I cannot allow such an observation as he has made upon a public man of the importance of Lord Clarendon to pass unchallenged. The character of Lord Clarendon is brought forward by the noble Lord the Member for Chester as a reason why he should not oppose on every occasion, or on subsequent occasions, a Bill which he believes so improper, nay, so pernicious, as the measure introduced by Her Majesty's Government. Any man who occupies the position of Lord Clarendon, a Secretary of State invested with the management of our Foreign Affairs, no doubt often finds himself in very difficult positions. The difficulties of such a Minister may be dealt with in his Cabinet, or he may experience them in Congresses and Conferences. The Minister of State who has to manage the Foreign Affairs of a country may find himself in the painful and difficult position of having, if possible, to prevent war. That is a great occasion, demanding a man's utmost energies and resources. Well, if he is the Minister of a country which is not prepared to go to war, I do not think he can be blamed if he fails to prevent war from taking place; but if he be the Minister of a first-rate country, of a country like England, who wishes to prevent war, and is prepared to act to prevent it, and fails in that object, then I say he has shown a great want of resource and of those qualities which a man in his position ought to possess. ["Oh, oh!"] That, certainly, was the position of Lord Clarendon during the Crimean War. He had the power of England at his back, yet he failed to prevent war. I think he might have succeeded in preventing it; his whole course until war broke out was a scene of disaster. Let us now look to the time Lord Clarendon was in Conference and Congress. [*Cries of* "Question!" *and* "Order!"] I say let us look at Lord Clarendon in Conference, because we have been told by one of the principal Members of this House, or at least one who has taken a leading part in the matter now before it, that his conduct is entirely influenced by his conviction that it is his duty to help to retain Lord Clarendon in power as the administrator of our foreign affairs. I say again, if in a Congress he is Minister of a country which is not prepared to enforce its decrees, it would be ungenerous to blame him if he fails in the object of his negotiations. But Lord Clarendon was the Minister of a triumphant and victorious country at a Congress, and what did he do there? Why he favoured an arrangement with regard to the boundaries of the Turkish Empire so ignominious after our triumphant struggle, that it required all the energy and exertions of Lord Palmerston himself to prevent its being carried into execution. Lord Clarendon, the Minister of a triumphant country at a Congress, forfeited all the maritime rights of England. He consented at a Congress to enter into a conspiracy to put down the free press of Europe. ["Oh, oh!"] At a Congress he deserted Circassia, which had every claim upon us. Circassia's case was introduced to the notice of this House by my noble Friend near me; she has ceased to exist as a nation in consequence of the conduct of Lord Clarendon at that Conference. Therefore, when the name of Lord Clarendon is brought forward as a reason why the noble Lord the Member for Chester is prepared to give his vote in favour of a measure which he denounces as pernicious, I am apt to doubt the discretion of the noble Lord in that respect. The right hon. Gentleman opposite ended his speech with a solemn protest against our conduct. It seemed to me that, as he went on, he could scarcely make good his ground, while he enforced with the fire of his eloquence charges against us which had no foundation. The right hon. Gentleman must feel that the reason that this measure has not advanced as he expected, and as he fondly hoped it would, originates in the essential character of the measure which he has introduced to Parliament. It was illadvised, and it was ill-prepared, and when it was first introduced no one was more of that opinion, I believe, than the right hon. Gentleman himself. He spoke then with bated breath, he had a downcast glance, and he has subsequently taken up the case and done justice to it. Gerard Hamilton—"single speech Hamilton"—once a Member of this House, speaking of Mr. Burke, who was then his private secretary, said—

> "Whenever he took up an opinion, whatever might be the circumstances or the cause that he adopted it, he had so ductile an imagination that before he had talked long about it he fervently believed it."

Well, the right hon. Gentlemen will not be offended with me if I compare him, at least in that respect, with Mr. Burke. The right hon. Gentleman, however, has also sometimes the advantage of a facility of forgetfulness. I do hope that the good sense of the House of Commons will allow this question to be adjourned till next Session ["Oh, oh!"], in order that Her Majesty's Government may make themselves masters of the question before it comes forward again; that they will not believe that the landed interest, when the unrepresented towns are enfranchised, and the boundaries are arranged, consist only of farmers and farm-labourers; and that they will recollect that they will have to deal even then with half the people of England, so that they will be prepared to come forward on a subsequent occasion with a measure which will be more adequate to the occasion, and more calculated to give content and satisfaction to the people of this country.

CAPTAIN HAYTER said, he rose to ask a Question of Her Majesty's Government after the direct appeal made to him by the noble Lord the Member for Chester. That appeal was the more deserving of attention from him inasmuch as it was contained in a speech which, as far as he could understand it, was much more condemnatory of the Government scheme than was the Amendment. As matters now stood his Amendment had been robbed of much of its significance by the concession of the whole point by the Chancellor of the Exchequer. ["No! no!" *and* "Divide, divide!"] Much more than this, whether there were any grounds for them or not, there were rumours beyond the walls of this House, and in the press, and even within the House itself, that would very materially alter the result of a division. He did not say that Her Majesty's Government had given the slightest reason for it. He appealed most to the speech of the noble Lord the Member for Chester in confirmation of that fact, and he appealed to the speech of the Chancellor of the Exchequer as to the real intentions of Her Majesty's Government. ["Divide!"] He felt certain that the measure would not be proceeded with in its present form in the present Session, and, therefore, he had the less reluctance in withdrawing the Amendment of which he had given notice. ["Oh!" *and* "Divide, divide!"]

LORD ELCHO: Sir, I shall not trespass long upon your patience; but, as one of the aboriginal Adullamites, I claim the indulgence of the House for a very few moments. [*Cries of* "No!" "Bar, bar!" "Chair!"] I claim this indulgence, and I hope hon. Gentlemen below the gangway—for the interruptions came, I think, exclusively from that part of the House—will, when I appeal to their sense of fairness, allow me to say a few words. I ask that indulgence because our position as aboriginal Adullamites is somewhat peculiar. Our David has left our Cave and made friends with Saul, for this night at any rate. Now, any one who listened, as I did, with very great pleasure, to the speech of my noble Friend—a most able speech, most effectively delivered—must have preserved this idea—that if we go to a division the body of my noble Friend will go into the lobby with the Government, but his heart still remains with the opponents of the measure. ["Oh!"] For he denounced the policy of the Government in every possible way; he objected to the provisions of the Bill, and he even went the length of prophesying not only what his own course would be with regard to it, but what the eventual fate of the Bill must be. He said this is a Bill so ill-constructed and so ill-matured that it will not, and cannot pass, and he stated further that in Committee he would oppose it "tooth and nail." That was my noble Friend's expression. The only reason my noble Friend gave for voting with the Government was that he did not wish to bring about a change of Government at this particular time, and that reason actuated him—not that he had any confidence in the Government with reference to their conduct on the question of Reform, for upon that point he said he had no confidence—but his reasons arose, as was said by the right hon. Gentleman opposite, from his confidence in Lord Clarendon. As one of the aboriginal Adullamites, I desire to express my opinion that the division under these circumstances will be a division taken upon a false issue, that it will be no test as to the real feelings of the House upon the question as to whether the Bills of the Government are matured or well-considered, and whether their proceedings, taken as a whole with reference to the question of Reform, are such as to merit the confidence of the House. The division will not give the country a fair test of what our feelings are, and I for one rejoice that my hon. and gallant Friend the Member for Wells proposes to withdraw his Amendment. I rejoice at this, because I for one have no desire to embarrass Her Majesty's Government. ["Oh, oh!"] I am not aware that I have differed so much as hon. Gentlemen appear to think from the course pursued by my noble Friend the Member for Chester. Had there been a division I was prepared to have voted against the Government; but why? As a protest against the hasty, inconsiderate way in which they proposed to legislate on this question. It is not because I am hostile to the Government that I have adopted this course. It is because I am opposed to legislating upon this vital question upon incomplete information and untrustworthy data, and because I am opposed to legislating upon this subject in haste. I think that the recommendation of my noble Friend is a wise one, and I trust that the Government will withdraw their Bill for the present Session—["Oh, oh!"]—and not sacrifice their friends by persevering with what I regard as an impossible measure.

MR. SPEAKER: Is it the pleasure of the House that this Motion be withdrawn?

Many hon. Members crying "No,"

MR. SPEAKER: The original Question was, "That I do now leave the Chair;" since which an Amendment has been moved to leave out all the words after the word "That," in order to add the words—

> "This House, although desirous that the subjects of the franchise and of the re-distribution of seats should be considered together, is of opinion that the system of grouping proposed in the present Bill for the Re-distribution of Seats is neither convenient nor equitable, and that the scheme of Her Majesty's Government is not sufficiently matured to form the basis of a satisfactory measure."

The Question that I have to put is, "That the words proposed to be left out stand part of the Question."

And many hon. Members crying "Aye!" and some "No!" Mr. SPEAKER said, that in his opinion the Ayes have it.

Whereon some hon. Members crying, "The Noes have it!" Mr. SPEAKER again put the Question; and many hon. Members crying "Aye!" and some "No!" Mr. SPEAKER again declared that in his opinion the Ayes have it.

Motion *agreed to.*

Main Question put, and *agreed to.*

Bills *considered* in Committee.

(In the Committee.)

Motion made, and Question put, "That the Chairman do report progress, and ask leave to sit again."—(*Mr. Chancellor of the Exchequer.*)

Some hon. Members crying "No!" Mr. SPEAKER put the Question again; and some hon. Members again crying "No!" and others for a division; The Committee *divided*:—Ayes 403; Noes 2: Majority 401.

House *resumed.*

Committee report Progress; to sit again upon *Thursday.*

MR. LOWE: Mr. Speaker, I wish to call attention to a point of order. I wish, if I may be allowed, to call attention to the scene that has just taken place—a scene regrettable at any time, but more especially considering the importance of the measure before us. I can state very little of it, for very little did I see of it; but what I wish to state is that, in common with a great many other Members, I left the House, being unwilling to force a division on a Motion which an hon. Member was anxious to withdraw. Having left the House, many of us, when the Motion had been disposed of, endeavoured to return, but we found it physically impossible to enter the House. What passed inside the House I cannot say, but when, with the greatest exertion, I and other Gentlemen forced our way in we found we had no opportunity of discussing this important measure, which we had wished to do on the question of your leaving the Chair. We found the House in Committee, and that a Motion for reporting Progress had been proposed. I wish, Sir, to have your opinion whether it is right, and whether it is a precedent that ought to be tolerated in this Assembly, that hon. Members should be debarred, without any fault of their own, and by actual physical violence ["Oh, oh!"] from discharging their duties as Members of this House. I have stated my own experience, perhaps other Members will state theirs, and I think it is very hard that any Member, by no fault of his own, should be debarred by obstacles absolutely insuperable from re-entering the House to discharge his duty.

MR. BERESFORD HOPE stated, in corroboration of what had fallen from the right hon. Gentleman the Member for Calne, that when he and many other Members came back they were met by a rush like that at a minor theatre—a rush that would have been disgraceful even at such a place. It was with great difficulty that he and others forced their way in, and they then found the House in Committee.

MR. HADFIELD said, that if hon. Members had left the House it was their own fault. There was a chance of a division, and they ran away.

MR. ONSLOW said, that before the division, in going out of the House, he found himself absolutely carried back by the rush in the contrary direction.

MR. MONK apologized for having put the House to the trouble of a division, but he was supported by a great number of voices on that (the Ministerial) side, and he was totally unaware at the time that the Motion was made by the Chancellor of the Exchequer.

SIR JAMES FERGUSSON asked whether it was consistent with the practice of the House for the decision of the Speaker on the question of the Amendment being withdrawn to be challenged by hon. Members, whom he could name, who were supporters of the Government, and had hitherto been supporters of the Bill. A large portion of the House left in order to avoid being forced into a division on a false issue, and it was entirely in consequence of the extraordinary course taken by Members whom he could name. [*Cries of* "Name!"] He could give the names if the House wished. ["No, no!"]

MR. DARBY GRIFFITH bore testimony to the extreme inconvenience which had occurred on this occasion. He had had an important Amendment on the paper from the earliest moment, which would occupy as much time as any of the discussion that had already taken place. He was now deprived of that opportunity. He could name, but he would refrain from doing so, those hon. Members who had falsely given their voices in order to force a division. ["No, no!" *and* "Name!"] He should decline doing so. ["Oh, oh!"]

THE CHANCELLOR OF THE EXCHEQUER said, the hon. Gentleman who had just sat down had not lost the opportunity of bringing forward his Amendment, because, by the rules of the House, he would have been precluded from doing so after the Motion for going into Committee was agreed to. He might, however, have raised the question on the Motion for Adjournment. The complaint made by his right hon. Friend (Mr. Lowe) of the scene outside the House raised the presumption that there was some organized plan on the part of some hon. Members to offer obstruction to those attempting to re-enter the House. [Mr. LOWE: No, no!] He was very glad to hear a disclaimer of any intention to impute such conduct as this, and he thought that very few Gentlemen in the House had not often experienced the same difficulty, especially when, as in this instance, the House was exceedingly full, and large numbers of persons had occasion to quit it in a way not often seen. The greatest care was taken that the question, instead of being taken as a mere adjunct to the Motion, should be read with great deliberation by the Speaker, and he noticed that there remained in the House a considerable number of hon. Gentlemen on the other side, including the right hon. Gentleman (Mr. Walpole), whom he thought might have been fairly trusted to take objection to the Main Question of the Speaker leaving the Chair.

SIR MATTHEW RIDLEY said, he was among those who went out of the House, and he was not even aware that any division had been called, or any Motion made, inasmuch as the entrance to the House was entirely obstructed.

MR. SCLATER-BOOTH said, it was true that many hon. Gentlemen had remained on the Opposition Benches, but in the confusion and the hurry and the surprise of the moment they did not remember that the hon. Member (Mr. Darby Griffith) had a Motion.

MR. SPEAKER: I will first answer the question put by the hon. Member for Devizes on a point of order. If there had been no disturbance, and everybody had remained in their places, it would not have been competent to the hon. Member to have moved his Amendment. The only opportunity that the hon. Member had of moving it would have been in the first instance on the proposal of the right hon. Gentleman the Member for Kilmarnock (Mr. Bouverie) that the two Bills should be referred to the same Committee, to which proposal any hon. Member might have objected. If any Member objected to that proposal, the second Bill—that for the Re-distribution of Seats—

must have been postponed, and that would have offered an opportunity to the hon. Gentleman of moving his Amendment. I mentioned this to hon. Gentlemen who spoke to me on the subject, that there was a Standing Order to the effect in the case of two Bills being referred to the same Committee if any Gentleman had an Amendment to move on one of them, fearing he should be precluded in moving it, he would have the power of objecting to it; but after the House had agreed to refer the two Bills to the same Committee, and an Instruction had been carried, then no Amendment could be moved but one. That was the Amendment of the hon. and gallant Member for Wells, and the House having decided that I should leave the Chair, the opportunity for moving any other Amendment had gone by. As to the second objection of the right hon. Gentleman the Member for Calne, it appears to have referred to what occurred before I left the House, while I was present in the Chair, and therefore I am able to speak to it. It is true some Gentleman said the "Noes" have it, and the House will remember that I put the Question several times in order that every Gentleman might have time to deliberate, and ultimately no objection having been made, and the House agreed unanimously, I said "The Ayes have it." Therefore no inconvenience did result from those who intended to vote with the "Ayes" crying out that the "Noes" have it. But as this is the first occasion of such an occurrence to the present House, and as this is a new House, I may inform hon. Members that any Gentleman who has first given his voice with the "Ayes," and then said that the "Noes" had it, in order to force a division, does an irregular and un-Parliamentary thing. And anybody who has given his voice with the "Ayes" when the Speaker, in conformity with that, has declared "The Ayes have it," challenges that decision of the Speaker, and says "the Noes have it," would have to vote with the "Noes." Subsequently, there was some confusion from the large numbers leaving the House. I gave all the time that was possible before putting the Question. The Question was then put, and on the second occasion it was accepted unanimously that the "Ayes" had it. There was no precipitation at all when putting the Question that I now leave the Chair. Many Members remained in the Opposition seats. It was perfectly competent for any Gentleman to have challenged

the decision, and to have produced an adjournment of the debate. I wished to give every one time and opportunity for so doing, but the decision was not challenged. With regard to the difficulty experienced by Members desiring to return to the House, no doubt, with such considerable numbers in a single doorway, there must have been difficulty, but as regards the proceedings in this House nothing could be more regular and in order.

LANDED ESTATES COURT, &c., (IRELAND) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to reduce the number of Judges in the Landed Estates Court in Ireland, and to reduce the Duties payable under the Record of Title and Land Debentures Acts, *ordered* to be brought in by Mr. ATTORNEY GENERAL for IRELAND, Mr. SOLICITOR GENERAL for IRELAND, and Mr. CHICHESTER FORTESCUE.

Bill *presented,* and read the first time. [Bill 174.]

OYSTER BED LICENCES (IRELAND) BILL.

On Motion of Mr. ATTORNEY GENERAL for IRELAND, Bill to validate certain Licences granted in Ireland for the establishment of Oyster Beds, *ordered* to be brought in by Mr. ATTORNEY GENERAL for IRELAND, Mr. SOLICITOR GENERAL for IRELAND, and Mr. CHICHESTER FORTESCUE.

Bill *presented,* and read the first time. [Bill 175.]

ROCHDALE VICARAGE BILL.

Select Committee on the Rochdale Vicarage Bill to consist of eleven Members:—Mr. WALPOLE, Mr. BRIGHT, Mr. ALEXANDER B. HOPE, Mr. POTTER, Mr. POWELL, and Lord CHARLES BRUCE, and Five Members to be nominated by the Committee of Selection:—Power to send for persons, papers, and records; Five to be the quorum.

STRAITS SETTLEMENTS BILL.

On Motion of Mr. STANSFELD, Bill to provide for the Government of the Straits Settlements, *ordered* to be brought in by Mr. STANSFELD, and Mr. WILLIAM EDWARD FORSTER.

Bill *presented,* and read the first time. [Bill 176.]

COMMONS (METROPOLIS) BILL.

Select Committee on the Commons (Metropolis) Bill *nominated:*—Mr. WILLIAM COWPER, Sir WILLIAM JOLLIFFE, Mr. AYRTON, Mr. SANDFORD, Mr. LOCKE, Mr. SHAW LEFEVRE, Mr. POWELL, Mr. RUSSELL GURNEY, Mr. LEEMAN, Mr. BUXTON, Mr. ACLAND, Mr. ADDERLEY, Mr. DOULTON, Mr. KNIGHT, and Mr. LAWRENCE:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Tuesday, June 5, 1866.

MINUTES.]—*Took the Oath*—The Lord Conyers.
PUBLIC BILLS—*First Reading*—Indian Prize Money * (140); Marriages (Sydmonton) * (141); Rights of dramatizing Works of Fiction * (142).
Second Reading—Burials in Burghs (Scotland) * (112).
Committee—Public Schools (110); Pensions (47).
Report—Hop Trade * (135).
Third Reading—Ecclesiastical Leases (Isle of Man) * [134], and *passed.*

THE CONGRESS OF PARIS—PERSONAL EXPLANATION.

THE EARL OF CLARENDON: My Lords, I have to ask a few minutes' indulgence at the hands of your Lordships, while I refer to a matter personal to myself. I know it is very irregular to make any allusion to what has occurred in "another place," and as a rule such allusions ought not to be permitted; but your Lordships will probably have seen in the newspapers this morning, that several charges were made against me last evening, in a spirit and in a tone which I cannot help thinking were entirely uncalled for, and which I hope your Lordships will condemn. The incorrectness of the statements made on that occasion must, I think, be manifest to all acquainted with the subject to which they relate, and if I had followed my own inclination I should have passed them by altogether without notice; but there is one charge to which I desire to refer, inasmuch as my personal character is involved in a direct and unqualified manner. I read in the newspapers of this morning that at the Congress of 1856, I entered into a conspiracy to put down the free Press of Europe. Now, if I know anything of myself, I may affirm that I am not likely to enter into any conspiracy at all; still less should I feel disposed to enter into any conspiracy against the Press, of the substantial benefits and absolute necessity of which I defy any man to have a stronger opinion. I should hope, therefore, that my simple but unqualified denial would be sufficient to satisfy your Lordships of the groundlessness of the charge. But I have other evidence upon which to rest the question. My Lords, the subject of the press was mentioned once, and once only, at the Congress of Paris. On that single occasion it was referred to by Count Walewski, the President of the Congress, under the following circumstances:—One day, after all the duties of the Congress were over, he stated that the manner in which a certain portion of the Press in Belgium was conducted created some danger to the friendly relations that then existed between France and that country. It was not of that portion of the Press edited and established by Belgian subjects, and circulating among the Belgian people, that he complained, but it was of certain newspapers published in Belgium by French exiles with the intention of their being smuggled over the frontier and disseminated among the lower classes and the army of France, and preaching not only revolutionary doctrines, but the assassination of the Emperor. Count Walewski thought—I can scarcely say upon what grounds—that some expression of opinion on the part of the Plenipotentiaries there assembled would strengthen the hands of the Belgian Government, and would enable them to put an end to a state of things which endangered the friendly relations between the two countries. My reply to that proposition of the President of the Congress was reported in the Protocol of that day, and, with the permission of your Lordships, I will read it. It is as follows:—

> "As regards the observations offered by Count Walewski on the excesses of the Belgian Press and the dangers which result therefrom for the adjoining countries, the Plenipotentiaries of England admit their importance; but, as the representatives of a country in which a free and independent Press is, so to say, one of the fundamental institutions, they cannot associate themselves to measures of coercion against the Press of another State."

That, my Lords, is the only part I have taken in this general conspiracy against the freedom of the Press in Europe. The Protocol goes on to state—

> "The first Plenipotentiary of Great Britain, while deploring the violence in which certain organs of the Belgian Press indulge, does not hesitate to declare that the authors of the execrable doctrines to which Count Walewski alludes, the men who preach assassination as the means of attaining a political object, are undeserving of the protection which guarantees to the Press its liberty and its independence."

My Lords, if the right hon. Gentleman who made the charge against me had been present upon that occasion, I do not think he would have held different language—at least I am sure that there is not one of your Lordships present who would not have expressed in the strongest manner his disapproval of the doctrines of assassination preached in the journals to which I have alluded. The right hon. Gentleman either knew or did not know of the Protocol from which I have quoted, when he made the charge against me. If he did know of it, then I should be prepared to characterize the charge he brought against me as it deserves; but, if he did not know of what I said or did upon that occasion, I scarcely think that your Lordships will believe the declaration I have made to be altogether unnecessary.

PUBLIC SCHOOLS BILL—(No. 110.)

(*The Earl of Clarendon.*)

COMMITTEE.

Order of the Day for the House to be put into a Committee read.

Lord HOUGHTON gave notice that at the proper time he should move that the name of some gentleman eminent for scientific attainments should be added to the Commission appointed to inquire into this subject. He had not inserted any name in his Notice of Motion, as he desired to leave Her Majesty's Government free to select the gentleman whom they might think most fit to give advice to the Commission upon the subject into which they had to inquire; and it was only in the event of Her Majesty's Government declining to interfere in the matter that he should submit for their Lordships' approval the name of a gentleman distinguished for scientific attainments to be added to the Commission.

The Earl of ELLENBOROUGH desired to know, whether the noble Lord had any objection to state the name of the gentleman whom he was desirous of adding to the Commission?

Lord HOUGHTON said, that the nobleman he had in his mind was Lord Wrottesley.

The Earl of ELLENBOROUGH: It seemed to him that if no other subjects than those already named should be required, the boys would have quite enough to learn. It was supposed by many that a boy's education ended when he left school; but in reality it was only beginning; and he thought scientific studies might be postponed till he had left school. It would be hard upon the boys to make them describe all the different grasses in their cricket field before they were permitted to play upon it.

The Earl of Clarendon

House in Committee.

Clauses 1 to 3 *agreed to.*

Clause 4 (Definition of "Boys on the Foundation").

The Earl of DERBY proposed an Amendment for the purpose of preserving the rights of the inhabitants of Pinner, which was formerly included in the ecclesiastical parish of Harrow, but which now constituted a separate parish.

The Earl of CLARENDON said, he did not think the alteration necessary for the object in view, but would make inquiries on the subject.

Clause *agreed to.*

Clause 5 (Governing Body to make Statutes, under Restrictions).

The Earl of ELLENBOROUGH rose to move the addition of the following Proviso:—

> "Provided always that no such Statutes shall take away or impair the Rights of Boys entitled to be admitted on the Foundation of the several Schools."

The noble Earl said, it was no doubt true that no provision of the Bill directly impaired those rights, but there was no doubt that they were greatly menaced, and it was probable that, under the Bill as it stood, a competitive examination would be substituted for the free admission now enjoyed by boys resident in the different localities. These rights were of great value:—for instance, in Rugby the value of the education given to a boy who went early to the School, and remained there the usual period, was not much less than £600. He knew a gentleman living in that town who had several sons, all of whom enjoyed the advantage of being educated on the foundation, and the cost of each boy during the six years was not much more than £100. If testators bequeathed their property to their own families or any other persons, their descendants, however they might misconduct themselves, retained undisturbed enjoyment of it; and he would appeal to their Lordships whether there was anything in the circumstance of a man having adopted the people of Rugby and the vicinity as his family, and having devoted the whole of his property to educational purposes, for the advantage of Rugby and its neighbourhood, to justify Parliament in disposing of that property, not for the benefit of the residents in Rugby and the neighbourhood, but for that of the country at large. Such a step was not indeed actually proposed by the terms of the Bill, but it was certainly empowered to be taken; and he thought that whenever Parliament delegated authority to any persons, it was their duty to take full security that no measure should be adopted by those persons which Parliament would not itself adopt. Now, he was sure that if it was distinctly proposed to destroy or materially impair the rights of the residents in Rugby and these other parishes—rights which had been in existence for several centuries—their Lordships would unhesitatingly reject such a proposition. No doubt there might in some cases be a larger number of boys entitled to admission on the foundation than there were vacancies to be filled up, and there must then, of course, be some mode of selection. The best mode, however, as he believed, was to place the power in the hands of the Governing Body; and he much preferred this to a competitive examination, which gave a very unfair advantage to the sons of rich tradesmen. The rich tradesman might employ his money in over-educating his boy, and might then send him to a "crammer," and with the advantage of that crammer might send him to compete with the son of the widow of a half-pay officer, who was utterly unable to obtain such facilities. How was the widow to give her son the advantages the son of the rich tradesman thus obtains? The unfortunate widows of officers who had served their country had not the means of giving a superior education to their sons, so as to enable them to make a creditable appearance at a competitive examination; but if such boys were freely admitted they became subject to all the rules of the school, they could only gain prizes by competition, which was the universal practice, and their success or failure depended entirely on themselves. If the admission of the boys to the foundation was to be decided by competitive examination, the examiners, however enlightened they might be, could only decide upon what was before them—namely, the actual attainments of the boys, and could not take into account what was of much more importance, the home education the different candidates had received. Now, what was the education of a boy who had the misfortune to be the orphan of a British officer? He was taught from his earliest years to respect the truth, and to regard honour and usefulness to society as the only object of his life. What, on the other hand, was the instruction received by the son of a rich tradesman? That the great object of life was to make money. That was the lesson by which he was always profiting, and the difference between the two lads was infinite. Which, he would ask, would make the best public servant? He cared nothing for mere proficiency in learning; but he wished to see these schools produce good public servants—men who would serve their country not only in the army and navy, but in the Church and in public life; and he was convinced that the Governors, if they made the selection, would choose boys more likely to be eminent in the public service, better than a competitive examination would do. He felt anxious, he confessed, upon this subject, for he could not but recollect the circumstances of his own family. His grandfather, though he afterwards became a bishop, was a poor clergyman with a very large family, and he obtained free admission to the Charterhouse for several of his sons. Had there been a competitive examination he did not believe any one of these boys would have passed; indeed, he did not believe that we had had a Minister for the last hundred years who could have passed the examinations now so much in vogue, and the consequence was that appointments fell into the hands of professors and scholars rather than into those of public servants. His grandfather, however, being able to obtain this gratuitous education for his sons, at the Charterhouse, three out of the six ultimately raised themselves to seats in their Lordships' House. He felt grateful to a system which had conferred such advantages, and he felt that it was, at least, his duty, if not that of others, to endeavour to preserve intact privileges which enabled the sons of poor gentlemen to qualify themselves for the service of their country.

An Amendment *moved*, After ("Matters") to insert ("Provided always, that no such Statutes shall take away or impair the Rights of Boys entitled to be admitted on the Foundation of the several Schools."—(*The Earl of Ellenborough.*)

THE EARL OF CLARENDON said, he did not feel it necessary to reply to the criticisms of the noble Earl on competitive examinations, which were now, he thought, regarded as one of the settled institutions of the country. He could not agree with the noble Earl that it was only the sons of officers who were educated in the principles of truth and honour, and that the sons of the middle classes were trained merely for the purpose of getting money. The distinction that had been drawn between the children of military parents and those of the middle classes seemed to him an extremely invidious one, and he thought their Lordships would be of the same opinion. He could not accept the Amendment of the noble Earl. The state of things had entirely changed since the time of the Founder, who had certain objects in view to which he devoted his property. A great number of people migrated to the neighbourhood for the purpose of getting the benefit of the foundation. It was quite beside the question to say that what the noble Earl proposed would be following out the intention of the Founder. It would be no such thing. He believed it would very greatly prejudice the School. He should be extremely glad that the sons of officers and those to whom the noble Earl had referred should have the benefit of a cheap and good education; but that was not the question. The question was how the funds left to the School should be employed in the best way without departing from the wishes and objects of the Founder. The noble Earl appeared to think that, if left to the discretion of the Governing Body, they would be sure to select the best boys. It would be very invidious, or he could state cases in which the power of selection was jobbed; the favoured individual was chosen without any reference whatever either to his present fitness or future career. The Amendment of the noble Earl, if adopted, would do away with the whole spirit and object of the Bill; he hoped, therefore, their Lordships would not agree to it.

On Question? their Lordships *divided:* —Contents 38; Not-Contents 58: Majority 20.

CONTENTS.

Marlborough, D.

Abercorn, M.
Bath, M.

Amherst, E.
Cadogan, E.
Derby, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*) [*Teller.*]
Ellenborough, E. [*Teller.*]
Erne, E.
Graham, E. (*D. Montrose.*)
Grey, E.
Huntingdon, E.
Lonsdale, E.
Powis, E.
Romney, E.
Verulam, E.
Wilton, E.

Clancarty, V. (*E. Clancarty.*)
Hardinge, V.
Hawarden, V.
Lifford, V.
Stratford de Redcliffe, V.

Gloucester and Bristol, Bp.

Berners, L.
Chelmsford, L.
Colville of Culross, L.
Feversham, L.
Grinstead, L. (*E. Enniskillen.*)
Kilmaine, L.
Overstone, L.
Redesdale, L.
Sheffield, L. (*E. Sheffield.*)
Silchester, L. (*E. Longford.*)
Southampton, L.
Stewart of Garlies, L. (*E. Galloway.*)
Teynham, L.
Walsingham, L.
Wynford, L.

NOT-CONTENTS.

Canterbury, Archp.

Cranworth, L. (*L. Chancellor.*)

York, Archp.

Cleveland, D.
Devonshire, D.
Somerset, D.

Bristol, M.
Normanby, M.

Airlie, E.
Belmore, E.
Camperdown, E.
Cathcart, E.
Chichester, E.
Clarendon, E.
De Grey, E.
Devon, E.
Effingham, E.
Granville, E.
Lucan, E.
Morley, E.
Russell, E.
Stanhope, E.
Zetland, E.

Eversley, V.
Halifax, V.
Powerscourt, V.
Sydney, V.

Cashel, &c., Bp.
Lichfield, Bp.
London, Bp.
Peterborough, Bp.
Ripon, Bp.

Abercromby, L.
Belper, L.
Bolton, L.
Camoys, L.
Castlemaine, L.
Chaworth, L. (*E. Meath.*)
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Dartrey, L. (*L. Cremorne.*)
Foley, L. [*Teller.*]
Harris, L.
Houghton, L.
Lyttelton, L.
Lyveden, L.
Minster, L. (*M. Conyngham.*)
Mostyn, L.
Northbrook, L.
Northwick, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Romilly, L.
Saye and Sele, L.
Stanley of Alderley, L.
Stratheden, L.
Sundridge, L. (*D. Argyll.*)
Talbot de Malahide, L.
Taunton, L.
Wrottesley, L.

On Motion of The Earl of DEVON, words inserted giving the Governing Body to regulate by Statute the number of the Masters.

On Question that the Clause, as amended, stand Part of the Bill,

THE EARL OF POWIS suggested, that as several of the Public Schools possessed a number of small livings, it might be desirable that the Governing Body should have power, if they thought it desirable, to part with some of them, the proceeds to be applied either in improving their other livings, increasing their exhibitions, or extending their means of teaching.

THE EARL OF CLARENDON thought the proposal of the noble Earl might possibly be advantageous. Some of these livings were very small, and yet they might have their value in the market. The precedent of disposing of some of the livings in the gift of the Lord Chancellor was in point; and if the noble Earl would at a later stage of the Bill put his suggestion in the shape of a clause or proviso, he should be glad to give it his favourable consideration.

Clause, as amended, ordered to stand Part of the Bill.

Clause 14 (Candidates for College at Eton), and Clause 15 (Election of King's College at Eton) *struck out.*

Clause 16 (Scheme for Harrow and Rugby).

THE EARL OF ELLENBOROUGH said, that he presented a petition yesterday from persons interested in the foundation of Rugby, representing that it would be a great grievance to them to be compelled to go to the Privy Council, which they knew would be an expensive operation, in order to state their objections to any scheme prepared by the Governing Body, and they asked that for two months before the scheme was submitted by the Governing Body to the Special Commissioners named in the Bill it should be deposited in some public place where it could be seen and considered by persons interested, so that they might be able to communicate with the Governing Body on the subject. He moved an Amendment to this effect, having reference both to Harrow and Rugby.

THE EARL OF CLARENDON said, that there was no disposition to adhere invariably to the *ipsissima verba* of the Bill, and he deemed the proposed Amendment reasonable. He would suggest that the noble Earl should defer it until the next stage of the Bill.

Amendment *withdrawn.*

Clause *agreed to.*

Clause 17 (Appointment of Commissioners).

LORD HOUGHTON *moved* that Lord Wrottesley be added to the Special Commissioners named in the Bill. He considered it highly desirable that there should be some gentleman of scientific attainments on the Commission.

Moved, to insert ("The Right Honourable John Baron Wrottesley.")—(*The Lord Houghton.*)

VISCOUNT STRATFORD DE REDCLIFFE said, that the prosecution of the study of Natural Science must be regarded as somewhat of an innovation in the course of instruction given at our Public Schools. He thought it inexpedient that that particular branch of study should be too zealously pressed upon them for their adoption. It would be better that there should be as little deviation from the wills of Founders as the change of times permitted.

THE EARL OF CLARENDON replied that the great bulk of the evidence which had been taken before the Commission tended to demonstrate the advisability that some provision for scientific instruction in our Public Schools should be made.

EARL STANHOPE said, that while he held the attainments of Lord Wrottesley in the highest respect, he did not think he was taking a course inconsistent with that respect in objecting to the addition of his name to the list of Commissioners. It would not, in his opinion, be attended with advantage that a particular study should be forced upon our Public Schools by one who might deem it to be part of his duty to advocate its adoption at all times and seasons. What was required rather was the advice of men of good sense and general accomplishments not wedded to any special course of instruction. He hoped the House would be content with the high character possessed by the Commissioners as now named.

THE DUKE OF MONTROSE said, that one of the most important points connected with the instruction given in our Public Schools was the teaching of the English language. At Eton and other Schools, in which great attention was paid to classical attainments, the English language was comparatively neglected, many of the boys not being able to spell correctly a letter written in English. It would, in his opnion, be well if their Lordships, while advocating the claims of science, would take into consideration the propriety of appointing a teacher of spelling.

EARL RUSSELL said, that his noble Friend (Viscount Stratford de Redcliffe) thought that the study of Natural Science would be an innovation in our Public Schools. It would, however, not be an innovation in all Schools, for at present at Harrow instruction was given in Natural Science and prizes were awarded as he knew; for his own son had recently been awarded a prize of that kind. He would add that he regretted that more attention was not paid to the study of English in Public Schools.

LORD LYTTELTON said, he did not attach much importance to the proposed Amendment, although he should be sorry to be obliged to vote against it. For his part he thought that seven Commissioners was the number which would be found most convenient. He believed that there was a general agreement that Science should to a certain degree be admitted into Public Schools.

LORD HOUGHTON said, that he could not be suspected of undervaluing the advantages of classical culture; but he thought that the Bill would hardly be regarded as satisfactory in respect of the completeness of its educational system, unless some man of scientific attainments were placed on the Commission.

On Question ? their Lordships *divided:* —Contents 39; Non-Contents 44: Majority 5.

CONTENTS.

Cranworth, L. (*L. Chancellor.*)

Devonshire, D.
Somerset, D.

Normanby, M.

Airlie, E.
Chichester, E.
Clarendon, E.
De Grey, E.
Devon, E.
Granville, E.
Russell, E.

Clancarty, V. (*E. Clancarty.*)
Halifax, V.
Hardinge, V.
Powerscourt, V.
Sydney, V.

Aveland, L.
Belper, L.
Camoys, L.
Chaworth, L. (*E. Meath*)
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Dartrey, L. (*L. Cremorne.*)
Ebury, L.
Foley, L. [*Teller.*]
Grinstead, L. (*E. Enniskillen.*)
Harris, L.
Houghton, L. [*Teller.*]
Lyttelton, L.
Minster, L. (*M. Conyngham.*)
Mostyn, L.
Northbrook, L.
Ponsonby, L. (*E. Bessborough.*)
Romilly, L.
Saye and Sele, L.
Stanley of Alderley, L.
Stratheden, L.
Sundridge, L. (*D. Argyll.*)
Taunton, L.
Wentworth, L.

NOT-CONTENTS.

Cleveland, D.

Abercorn, M.
Bath, M. [*Teller.*]
Bristol, M.

Amherst, E.
Bandon, E.
Bantry, E.
Belmore, E.
Cadogan, E.
Denbigh, E.
Derby, E.
Doncaster, E. (*D. Buccleuch and Queensberry.*) [*Teller.*]
Effingham, E.
Graham, E. (*D. Montrose.*)
Lucan, E.
Manvers, E.
Powis, E.

Romney, E.
Stanhope, E.
Verulam, E.
Wilton, E.

De Vesci, V.
Eversley, V.
Hawarden, V.
Stratford de Redcliffe, V.

Gloucester and Bristol Bp.
Oxford, Bp.

Abinger, L.
Bolton, L.
Castlemaine, L.
Chelmsford, L.
Colville of Culross, L.
Denman, L.
Feversham, L.
Kilmaine, L.
Northwick, L.
Overstone, L.
Panmure, L. (*E. Dalhousie.*)
Sheffield, L. (*E. Sheffield.*)
Silchester, L. (*E. Longford.*)
Southampton, L.
Stewart of Garlies, L. (*E. Galloway.*)
Walsingham, L.
Wynford, L.

THE EARL OF CLARENDON then *moved* the insertion of the name of Thomas Dyke Acland, esquire, as one of the Commissioners.

Motion *agreed to.*

Clause, as amended, ordered to stand Part of the Bill.

Clauses 18, 19, and 20 *agreed to.*

Clause 21 (Powers of Special Commissioners).

THE EARL OF DERBY said, there was one point connected with this clause to which he wished to call his noble Friend's attention. He had not given notice of any Amendment with reference to it, but the point was one that deserved consideration. It was proposed to give the Governing Bodies of these Schools the power of altering their own constitution; but if these Bodies did not choose or deem it necessary to alter their own constitution, the Bill empowered the Special Commissioners, of their own authority, entirely to remodel the constitution of any Governing Body in any manner which they thought fit. He would much prefer that the power of altering the constitution of the Governing Bodies of these Schools should be vested in Parliament. If it were left absolutely in the hands of the Commissioners there would be no means of having the case heard or argued, or of opposing any arbitrary exercise of authority on the part of the Commissioners. He desired that the Commissioners should have extensive powers, but there ought to be some limit placed upon them. He would suggest that in line 37, after the words giving the Commissioners power to make regulations and to propose any scheme relating to any school to which the Bill applied, there should be inserted the words, "save and except the power of passing a statute for the alteration of the constitution of the Governing Bodies."

LORD LYTTELTON said, that all statutes altering the constitution of the Governing Bodies were referred to be laid before Parliament.

THE EARL OF DERBY said, the noble Lord rather mistook his point. The Governing Bodies had the power of altering their own constitution, subject to the approval of Her Majesty in Council. But if they did not choose to do so the Commissioners could step in and alter their constitution for them without the Governing Bodies having any voice in the matter.

THE EARL OF CLARENDON said, he was sorry his noble Friend had raised that objection. He did not see why the Commissioners should not possess the power in question as well as the other powers to be vested in them, nor did he think there was any danger of its abuse. It was not to be supposed that the Governing Bodies would ever propose to reform themselves very much.

THE EARL OF DERBY then gave notice that on the Report he would move the insertion of words to carry out his suggestion.

Clause *agreed to.*

Remaining clauses *agreed to.*

Further Amendments made: The Report of the Amendments to be received on *Monday* next; and Bill to be *printed* as amended. (No. 143.)

MARRIAGE OF THE PRINCESS MARY OF CAMBRIDGE—MESSAGE FROM THE QUEEN.

Message from THE QUEEN—*Delivered* by The Earl Russell; and read by The Lord Chancellor as follows:—

"VICTORIA R.

"Her Majesty having agreed to a Marriage proposed between Her Royal Highness the Princess Mary Adelaide Wilhelmina Elizabeth, youngest Daughter of His late Royal Highness The Duke of Cambridge, and His Serene Highness Francis Paul Charles Louis Alexander Prince of Teck, has thought fit to communicate it to the House of Lords. The many Proofs which the House of Lords has afforded of their affectionate Attachment to Her Majesty's Person and Family leave Her Majesty no Doubt of their Readiness to concur in enabling Her Majesty to make a further Provision for Her Royal Highness."

Ordered, That the said Message be taken into Consideration on *Thursday* next; and the LORDS SUMMONED.

PENSIONS BILL—(No. 47.)

(*The Lord Chancellor.*)

COMMITTEE.

Order of the Day for the House to be put into a Committee read.

Moved, That the House do now resolve itself into Committee.

LORD ROMILLY said, he was desirous of making a few observations upon the subject of the retiring pensions in the Court of Chancery, which by a clause in this Bill were to be granted upon the system adopted with the ordinary Civil servants. He had presented a petition against the clause from the Incorporated Society of Solicitors in London, and he was also authorized to state that the three learned Vice Chancellors fully concurred in the opinion expressed in the petition that the plan would act prejudicially to the interest of the public. This was also the opinion of a late Lord Chancellor (Lord St. Leonards). As the Bill now stood, a man taking office at forty or fifty would be placed in the same position as the man who took office at the age of twenty. The distinction between those classes of persons who would not take office until about the ages of forty or fifty, and those who usually entered upon the performance of their duties at twenty, had been clearly pointed out in the Report of the Commission appointed in 1857. Upon that Commission Sir James Graham and Mr. Henley were selected to serve at the instance of Sir John Stuart, and the result proved that if they were desirous of making a reform in the law, nothing was more expedient than to seek the aid of great good sense and intellectual capacity, even unaccompanied by technical knowledge. The result of the Commission was to give the Judges of original jurisdiction the aid of two Chief Clerks in the room of the Masters, who were required to be solicitors of ten years' standing in actual business. This proved a very beneficial change. Their Lordships would probably remember that the Court of Chancery had been completely altered within the last few years, and that changes of a most beneficial character had been introduced. It was true that the present system had not been much praised, but it should be remembered that people were slow to praise, though they were easily induced to impute blame. The litigious business had somewhat diminished, while the administrative business had increased to an enormous extent, and the result of the working of the present system could only have been attained by the most zealous and painstaking performance of duty on the part of the officials. The salary of the Chief Clerks was originally fixed at £1,200, with yearly increase up to £1,500; but, finding this too small, Parliament subsequently fixed the income in the first instance at £1,500. In case of permanent disability the Lord Chancellor was empowered to grant these officers retiring pensions equal to two-thirds of their salaries, and after serving fifteen or twenty years they were entitled to retire on pensions of a similar amount. But by the effect of the present Bill it would be almost impossible for these officers to obtain such a retiring pension before the age of eighty. It was true the Lord Chancellor, with the consent of the Treasury, was enabled to add a certain number of years to the period served by those gentlemen, the number of years was not determined, but it was not to exceed ten. But by allowing ten years to a gentleman entering upon the performance of his duties at fifty he would at the age of seventy be entitled to a retiring pension equal only to one-third of his salary. It was true the Bill would not apply to those who at present held office; but the hope of making a suitable provision for their families and their old age was the chief inducement to gentlemen to fill these offices. Considerable difficulty, indeed, was experienced in obtaining candidates. Of the three gentlemen who assisted him (Lord Romilly) not one had been a candidate for the office; the offices had been offered to them on their being pointed out as men who would be likely to accept them if offered, and to perform their duties efficiently and satisfactorily. If this measure passed into law, when vacancies occurred and new appointments were to be made it would be extremely difficult to get as good men as they had now, and if the work was not equally well done the system must come to a close. He trusted that the Chief Clerks, the Taxing Masters, and the Examiners—though, perhaps, in the case of the latter the subject was not so important—the present scale of retiring allowances would be retained. He should not divide the House upon the question, but should rest contented with entering his protest and the protest of his learned colleagues against the proposed alteration.

Lord CHELMSFORD said, he entirely concurred in the remarks which had fallen from his noble and learned Friend. He thought that the alteration proposed by the Bill would be extremely prejudicial, because, as his noble and learned Friend had pointed out, it was very difficult to obtain good and suitable men to fill these offices. Taxing masters, examiners, masters in lunacy, and other officers to whom this Bill would apply, they were generally in receipt of good professional incomes before being selected to fill such offices. It would be unreasonable, therefore, to expect to obtain the services of suitable gentlemen unless proper remuneration were offered and prospects of good retiring allowances were held out. At the time these offices were created, all the circumstances to which he had referred were taken into consideration, and it was provided that in cases where the officers were disabled, the Lord Chancellor should have the power to grant them retiring allowances not exceeding two-thirds of their salaries. Of course, as the noble and learned Lord did not intend to divide the House upon the question, it was hopeless to endeavour to carry the matter further; but he could not sit down without expressing his deep regret that the Bill should propose to take away the discretion of the Lord Chancellor with regard to granting of these pensions. By the terms of the Bill that discretion was to be transferred to the Lords of the Treasury, who would send a certificate to the Lord Chancellor stating that a satisfactory claim for a pension had been made out, and directing him to pay such sum as they might think fit out of the fund under his control.

The LORD CHANCELLOR said, he felt compelled to take a totally different view of the provisions of the Bill from both of his noble and learned Friends. If he thought the Bill really would interfere with the efficiency of those most valuable public servants to whom allusion had been made —namely, the Chief Clerks, he should have been the last to introduce it. It was impossible to over-estimate the merits of those officers, or the benefits they had conferred upon the public. Notwithstanding their designation these gentlemen really performed the duties of the old masters in Chancery; and if it were made out that the salaries were insufficient to secure the best men for these clerkships, he should not be slack in urging upon the Treasury that their salaries should be raised. But he objected to the principle of remunerating officers by a sort of prospective assurance that when their health failed they would have a certain retiring pension. The correct principle was to remunerate persons adequately during their period of active service, so that they might to a certain extent provide for the future out of their salaries; but it was quite right with regard to all officers in the public service that provision should be made for superannuation allowances when they had served a length of time or had become in other ways incapacitated for the discharge of their duties. It was always difficult to determine upon what principle superannuation allowances should be calculated; but that difficulty had been met by the elaborate Report of the Committee appointed when Lord Derby was at the head of the Government, which now governed the pensions of all Civil servants. The Committee assumed that a person entering the public service at the age of twenty might go on serving in the ordinary course of life till sixty, and their proposition was that an officer with a salary of £600 a year should have the right of retiring after ten years' service with a pension of £100 a year or at the rate of one-sixth of the salary for every ten years; so if the public servant held his office for twenty years, he would have a pension of £200; if thirty years a pension of £300; and if he went on to sixty years of age, he would be entitled to £400 a year, which was two-thirds of his salary. Nothing could be fairer than this system. There was, however, the difficulty that there were certain public servants, and those to whom his noble and learned Friends had alluded came within the category, who could not commence their period of service at anything like so early an age as twenty; and to meet their case it was provided that in calculating the retiring pension an addition not exceeding twenty years might be made to the term of service. Thus a man who entered the service at forty might be calculated, when he arrived at fifty, not as having served ten years only, but thirty; if he served until he was sixty, his term of service might be computed at forty years. That was the principle of this Bill, and its object was prospectively to put all the officers in the Courts of Law upon the same footing as officers in other branches of the public service. This provision would not apply to the Judges because they had a statutory right to their pensions. But the Bill had another object. Nothing could have been more inexpedient than the system which prevailed in the Court of Chancery, by which, with regard to a great number of officers, it rested with the Lord Chancellor to say whether they should retire, and to a great extent to determine what the amount of their pensions should be. It was an unfit thing that the right of discharging an officer or authorizing him to retire, and fixing his pension, should rest entirely with the same individual. It was fitting that the Lord Chancellor should see whether the person was entitled to a pension; but there ought to be some extraneous jurisdiction to look into the question and see whether he had complied with the requirements of the law. The second object of the Bill, therefore, was to take away from the Lord Chancellor the absolute right which at present rested with him, and to give to the Treasury the power of determining upon the report of the Lord Chancellor the amount of pension to which the person retiring was entitled under the Act of Parliament. A more just and reasonable arrangement could not, in his opinion, be suggested, and he trusted their Lordships would have no difficulty in passing the Bill.

Motion *agreed to*: House in Committee accordingly; Amendments made; the Report thereof to be received on *Thursday* next; and Bill to be *printed* as amended. (No. 144.)

RIGHTS OF DRAMATIZING WORKS OF FICTION BILL [H.L.]

A Bill for amending the Law relating to Copyright in Works of Fiction, and for securing the full Benefit of such Works to the Authors—Was *presented* by The Lord Lyttelton; read 1^a. (No. 142.)

House adjourned at half past Seven o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, June 5, 1866.

MINUTES.]—New Member Sworn—John Bonham-Carter, esquire, *for* Winchester.

Public Bills—*Ordered*—County Assessments *; Hundred Bridges *; Dogs *; Public Health.*

Report—National Gallery Enlargement * [124].

MANCHESTER, SHEFFIELD, AND LINCOLNSHIRE RAILWAY (CENTRAL STATION AND LINES) BILL—(*by Order.*)

CONSIDERATION.

Bill, as amended, *considered.*

Mr. HADFIELD moved the insertion of a clause giving compensation to persons whose property was injuriously affected, but not taken.

Mr. HARVEY LEWIS seconded the Motion.

Clause (Compensation to owners of lands not taken, but injuriously affected,)—(*Mr. Hadfield,*)—*brought up*, and read the first time.

Motion made, and Question proposed, "That the said Clause be now read a second time."

Sir BROOK BRIDGES said, as Chairman of the Committee on the Bill, he must say that the cases brought before the Committee were not of any special character, and did not justify them in inserting the clause, for which there was not any precedent.

Captain GRIDLEY said, as a Member of the Committee, he entirely concurred with the hon. Baronet who had last spoken.

Mr. WATKIN wished to know who were the clients of the hon. Member for Sheffield; they certainly were not the corporation.

Mr. GOLDNEY said, he regarded this as a most extraordinary clause, and one that would do the greatest possible mischief in encouraging litigation, for it would give to every old posting-house that was affected by a railway power to make a claim.

Mr. DODSON said, he was of opinion that it would be unwise to make special provisions in a Private Bill for the purpose of meeting cases which could be met satisfactorily by a general measure only. He trusted, therefore, that the hon. Member for Sheffield would rest content with having called the attention of the House to the matter, and would withdraw the proposition he had made.

Motion and Clause, by leave, *withdrawn.*

Bill to be read the third time.

FORGED LETTERS.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Under Secretary of State for Foreign Affairs, Whether he has obtained any clue to the person who lately forged a communication from himself to *The Morning Post;* and whether the person who some time back forged a letter from the private Secretary of Lord Clarendon to *The Times* has been discovered and punished?

Mr. LAYARD, in reply, said, there was reason to believe that the foolish and mischievous forgeries spoken of by the hon. Gentleman had been committed by the same person. The author of them had not yet been discovered, but inquiries were now being made into the matter, and he trusted they would be successful.

ARMED SHIPS ON THE EASTERN COAST OF NORTH AMERICA.—QUESTION.

Mr. LAIRD said, he wished to ask the Secretary to the Admiralty, Why the alterations of Her Majesty's ship *Scorpion* (referred to in the Report of Admiral Seymour on Her Majesty's ships *Scorpion* and *Wyvern,* dated 8th November, 1865, as judicious and likely to improve the efficiency of the ships as cruisers) have been suspended, after having been commenced at Her Majesty's Dockyard, Portsmouth; and whether it is intended to proceed with such alterations; and, if so, how soon it is expected they will be completed, and the *Scorpion* ready for sea; also, whether Her Majesty's Government are aware that there are several iron-clads belonging to foreign Governments on the Pacific and North American Stations, carrying guns of the heaviest weight and calibre yet used on board ship; and whether Her Majesty's Government have sent, or are about to send, any iron-clads to those stations; and, if so, whether any of them are armed with 12-ton guns?

Mr. BARING: Sir, with respect to the alterations in the *Scorpion,* I have only to say that they are been carried on precisely in the same manner as all other dockyard work is carried on when not urgently required, only being interrupted in consequence of the pressing demand for ships for foreign service. I am afraid they are not likely to be completed for some considerable time. In answer to the other question of the hon. Gentleman, I may say that the Government are aware that there are several iron-clads belonging to other Governments on the North American Station, and some of them carrying cast-iron guns which will throw very heavy shot. With respect to the future movements of Her Majesty's armour-plated ships, I hope the hon. Gentleman will permit me to say, without any discourtesy to him, that it is a matter that must be left to the discretion of the Government from time to time. The *Favorite* has been sent on an experimental cruise on the North American station. The 12-ton gun has not yet been supplied to any armour-plated ships. That gun has been found to be a good broad-side gun. It has been adopted in the service, and will be applied to some of the armour-plated ships as soon as the carriages are ready.

ABOLITION OF COMPULSORY CHURCH RATES.—QUESTION.

VISCOUNT GALWAY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he will not postpone from the 13th instant the Order for the second reading of the Government Bill for the Abolition of Compulsory Church Rates, as the Oxford Commemoration is to be held on that day?

THE CHANCELLOR OF THE EXCHEQUER said, he was exceedingly sorry when he felt obliged to decline compliance with such a request as the noble Viscount had made; but he did not think that any considerable number of Members would be likely to attend the Commemoration, and as the Government were very desirous of taking the opinion of the House on the principle of the Bill, he could not, having regard to the period of the Session and the state of the public business, consent to postpone the Order.

REPRESENTATION OF THE PEOPLE BILL AND RE-DISTRIBUTION OF SEATS BILL.—RESOLUTION.

SIR STAFFORD NORTHCOTE: I wish to put a question to the Chancellor of the Exchequer with regard to the Order of Business on Thursday. I had understood that on that evening the Terminable Annuities Bill would be put down as the first Order of the Day; but yesterday the Reform Bills were fixed for Thursday. I think it will be a convenience to the House to know both what is to be the course of business on Thursday, and on what day it is probable the Terminable Annuities Bill can be taken?

THE CHANCELLOR OF THE EXCHEQUER: I am very sorry that an impression has prevailed that the Terminable Annuities will be discussed on Thursday next. I do not think it could have been owing to anything said by me. In an ordinary state of business we should have pushed that Bill forward; but in point of time it is not urgent in the sense financial Bills generally are; because no operations could take place under it probably for some three or four months. The Government, therefore, will not proceed with that Bill till they have disposed of other and more urgent subjects before the House; but, before it shall be proceeded with, I will take care that due notice shall be given to hon. Members. I cannot at present name a day, because there are several other Bills before the House besides the Reform Bill, which will take precedence of it. With respect to the course of business on Thursday, we desire to proceed in Committee with the Bills for Parliamentary Reform. That, therefore, will be the business of the evening. At the same time, there will probably be at the commencement of the business on Thursday a matter for consideration, which is not likely to occupy any great length of time, relating to a member of the Royal family, which will be a subject of communication in due form to the House. As my hon. Friend has opened the question of procedure in regard to the Reform Bills, I may just as well make an explanation to the House, which I think will be for its convenience. Hon. Members will find on the Votes to-morrow morning printed, according to what I believe is the regular practice of the House, in my name, a series of Amendments in the Representation of the People Bill, and in the Re-distribution of Seats Bill, those Amendments being the Amendments which are necessary in order to carry into effect the Instruction given to the Committee to fuse the two Bills into one Bill. The list of Amendments may look formidable, but the purpose and the effect of them is simply that which I now describe. I think I am correct in saying that they will make no substantial change whatever in the intention of the Bills, except this one. The Re-distribution of Seats Bill, as it was originally drawn, was to take effect immediately on its passing; whereas the Franchise Bill, inasmuch as it had reference to the operation of registration, necessarily fixed a day on which its operation was to begin, so that if the Bill should pass during the present Session, it would not take effect at once, but its operation would commence with the change in the registration next year. The effect of the Amendments will be to fix one and the same time for the commencement of the operation of the two Bills. Although the formal and regular proceeding is that the Amendments should be printed in the manner I have described, we have felt that that would not altogether meet the convenience of the House, and that hon. Members would wish to have in their hands the document in the form which it would assume, supposing these formal Amendments to be carried. Such a document would be a great advantage in Committee, and would assist hon. Members in forming their judgments as to any Amendments they might wish to propose. Learning, Sir, according to your authority that there is no objection to the printing of a draught Bill in the shape in which the two Reform Bills would stand when united, I beg to move—

"That Copies of the Parliamentary Representation Bill and the Re-distribution of Seats Bill, showing the Amendments to be proposed in Committee by the Chancellor of the Exchequer, be printed."

That being done, they will appear as a draught Bill, and I think that course would attain a practical purpose, which will be a great convenience to Members of the House.

Motion made, and Question proposed,

"That Copies of the Representation of the People Bill, and the Re-distribution of Seats Bill, showing the Amendments to be proposed in Committee by Mr. Chancellor of the Exchequer, be printed."—(*Mr. Chancellor of the Exchequer.*)

Mr. HUNT asked whether the ordinary course before reprinting the Bill would not be that the House should resolve itself into Committee *pro formâ*, and afterwards that the Bills should be re-committed. Since he had had the honour of a seat in that House, he had never known such a course adopted as that proposed, and he desired to be informed what precedent there was for such a course?

Mr. SPEAKER: The ordinary course with regard to the reprinting of Bills is that indicated by the hon. Member for Northamptonshire, but as the course proposed by the right hon. Gentleman, now that the Committee has been directed to fuse the two Bills into one, is for the convenience of Members, I do not see that there is any objection to its being adopted on this occasion by the House.

Mr. HENLEY: It would, no doubt, be very inconvenient not to have before us the draught of the alterations necessary to be made in consequence of bringing the two Bills together, especially since we are told by the Chancellor of the Exchequer that those alterations are to be very extensive. But one would have thought the more convenient course would have been to commit the Bill *pro forma* and to reprint it.

Sir GEORGE GREY: The draught proposed will show not merely every alteration, but also the parts of the Bills that have been struck out; and, therefore, it will be essentially different from a reprinted Bill which has passed through Committee.

Lord JOHN MANNERS: I wish to know whether these formal Amendments are to be proceeded with before entering upon the substantial Amendments to the Bill. If that be the intention, I can conceive that the time of the House may be saved by such an arrangement. But if the Amendments are to be taken in the ordinary course, I apprehend that the course proposed will create a great deal of confusion.

The CHANCELLOR of the EXCHEQUER: I apprehend that the proposal we make to the House is in direct furtherance of the Instruction enabling the Committee to unite these two Bills into one. The Committee commenced their proceedings last night by postponing the preamble, and after that Motion was carried a Motion to report Progress was adopted. Therefore, I cannot doubt that the course we propose to take is the one that ought to be pursued. It is true that, in the case of ordinary Bills, where Amendments on a large scale and of a character not easily discussed by the House are introduced, Bills are sometimes committed *pro forma*, and reprinted. But that, I think, is very different from passing through Committee *pro forma* a measure formed by the union of two Bills such as these, and such a course of proceeding is one that, to my mind, would be very objectionable.

MR. WALPOLE: The reason just put forward by my right hon. Friend seems to me to afford a very strong argument for not deviating from the usual course. If the alterations are so extensive as my right hon. Friend has intimated, a Motion of this kind ought not to have been made without notice. It is in the power of the Government to attain their object by having the Bill printed and laid on the table; but what I object to is, that this should be done by the order of the House. ["No, no!"] Why, the Motion was put into the hands of the Speaker.

THE CHANCELLOR OF THE EXCHEQUER: It can be postponed till to-morrow.

MR. WALPOLE: It will be better to postpone it till to-morrow, as this is entirely a new proceeding.

MR. BOUVERIE: I apprehend that the two Bills having been committed to the same Committee, its functions will be to go through first one, and then the other, making those formal Amendments inseparable from their both being branches of the same subject. The proposal of the Government with a view to the convenience of the House is simply to have an amended Bill, showing the changes necessary in putting the two Bills together, and upon this we can discuss such further changes as we think necessary. The Bills before the Committee are the old Bills; but if we have in our hands the Amendments to be proposed by the Government we shall be enabled to read the Bill so as to make sense of it. There will be no alteration whatever in the formal procedure of the House upon this subject; it is merely the excessive caution of the Chancellor of the Exchequer which induces him to give notice of Amendments in such a shape as to render them intelligible.

VISCOUNT CRANBOURNE: It is quite clear that the Chancellor of the Exchequer is deviating from the usual course; for his form of proceeding is one for which no precedent has been cited. The right hon. Gentleman has too acute a mind to make such a Motion without a motive, and I want twenty-four hours' delay in order to find out what that motive is, and when hon. Members have discovered and maturely considered it we shall be in a position to say whether it is a good one or not.

MR. AYRTON: When we proceed formally upon a Bill, and have made a certain progress, I do not understand that it is competent to us to pass the Bill through Committee *pro forma* in the manner suggested from the other side of the House. It therefore seems to me that the Chancellor of the Exchequer is following the proper course. At the same time, I do not see the necessity for the Motion which the right hon. Gentleman has made, because it appears to me that the Chancellor of the Exchequer can print anything he pleases and cause it to be circulated.

MR. CARDWELL: The ordinary practice of the House has been conformed to, and notice given in the usual way; but it occurred to my right hon. Friend that it would not be convenient for Members to have a multitude of small notices upon the papers without having in addition a Return or draught Bill exhibiting the shape in which the Bill would appear if all the Amendments of the Government were adopted. The delay the noble Lord asks for has been conceded. It therefore appears that the regular course of proceeding has been duly complied with, and that it is only an additional facility which is sought to be given by the present proposal of my right hon. Friend.

LORD ROBERT MONTAGU: To-morrow will be an Order day. I wish to know, whether this Motion will be brought on to-morrow or upon Thursday?

SIR JOHN PAKINGTON: Will the proposed Bill show both the present terms of the measure as well as the intended alterations?

THE CHANCELLOR OF THE EXCHEQUER was understood to reply in the affirmative.

Motion, by leave, *withdrawn*.

STANDING ORDER 19TH JULY, 1854.

COMMITTEE—AMENDMENTS ON MOTION,

"That Mr. Speaker, &c." — QUESTION.

MR. DARBY GRIFFITH said, he had paid great attention to the point of order decided by the Speaker at an early hour that morning, but had not been fortunate enough to discover the particular Standing Order relating to so very unusual an occurrence as the dropping of the other Amendments when the first Amendment to the Motion for going into Committee was withdrawn. He had looked with great attention to the Standing Order of the 19th of July, 1854, which was that to which the Speaker had referred; but, as far as he understood it, it put no restriction on moving subsequent Amendments after the first Amendment had been withdrawn.

Mr. SPEAKER: In answer to the hon. Member, I think there is only one misapprehension which prevents him from seeing the application of the rule which I yesterday described, and that misapprehension I can at once remove. He says that when an Amendment is withdrawn subsequent Amendments may be moved; but yesterday, although it was proposed that the Amendment should be withdrawn, the House did not consent to that withdrawal, and the Amendment accordingly was negatived. The hon. Member does not appear to be aware of the fact, but such is the state of the case; and the Standing Order itself, coupled with this piece of information, will, I am sure, make the subject quite clear to him.

ABANDONMENT OF THE CONGRESS.

QUESTION.

General PEEL: I beg to ask the right hon. Gentleman the Chancellor of the Exchequer, or the Under Secretary for Foreign Affairs, a question of which I have not given notice, but which is of great importance, and is one to which I am sure the House will be happy to obtain an answer. That question is, Whether it is true that the proposed Congress has been given up?

The CHANCELLOR of the EXCHEQUER: I am sorry to state that it has become necessary to give an answer substantially in the affirmative to the question of the right hon. and gallant Member. The first communication made to the British Government to this effect was by a telegraphic message received last night from France, stating that, in the opinion of the French Government, the Conference was at an end, in consequence of an answer from Austria proposing to impose conditions that were regarded as impracticable. We are now in possession of the Austrian despatch on the subject, and the substance of it is this—

> "We shall require beforehand an assurance that all the powers which are to take part in the projected Conference shall be ready to renounce the pursuit of any special or particular interest, to the detriment of the general tranquillity."

It goes on further to explain that sentiment by stating that, as a condition to be complied with by the Cabinets desirous of peace, it appeared to Austria indispensable that they should be agreed beforehand to exclude from the deliberations of the Conference anything that would tend to give to any of the States invited and attending at that meeting any territorial augmentation or increase of power. To require such an engagement beforehand was regarded by the Government of France as being equivalent to a refusal of the Conference, or as making it impossible. The Government of England are agreed in that view of the case with the Government of France. All prospect, therefore, of the meeting of the Conference must, I fear, be regarded as at an end.

MEDICAL OFFICERS (IRELAND).

RESOLUTION.

Mr. MACEVOY, on rising to move a Resolution on the subject of grants to Medical Officers of unions in Ireland, said, that, when carrying the Bill for the Repeal of the Corn Laws, Sir Robert Peel made certain promises to this country and Ireland of relief in aid of local rates. Those promises had been fulfilled in England, but they had not been fulfilled in Ireland. In 1858, a Committee of that House reported in favour of a grant from the Consolidated Fund to defray one-half the cost of Medical Officers of Irish unions, and the Committee of last year on Irish taxation endorsed that recommendation, and suggested that there should also be grants for schoolmasters in Irish workhouses.

Mr. PEEL DAWSON, in seconding the Motion, said, he had always been one of those who declined to present the claims of Ireland *in formâ pauperis*, because it derogated from the national dignity which her representatives should assume in that House. He had always been the warmest advocate of whatever might more closely identify the two countries, because Ireland must benefit by the strengthening of that intimate connection. He did not despair of seeing the day when, from the subsidence of all disquieting influences, English capital would flow into Ireland, and develop her resources, in which event an equivalent return for investments might be confidently looked for. He trusted that the House would see the justice of placing all parts of the United Kingdom upon an equality, both as regarded taxation and representation; and when Ireland possessed a just influence in that House, he would be the first to advocate a complete equalization of all national taxation. In the meantime, he hoped it would not be argued that Ireland, with her 105 representatives, ought to bear an equal proportion of the burden of taxation. He thought the question now before the House had already been sufficiently considered by Committees of the House. In 1860, when he brought the matter forward, the answer he received was, that the cost of the Irish constabulary was borne out of the Consolidated Fund. Now, he did not consider such an answer either conclusive or satisfactory. The services of the constabulary were national as well as local, and during the last six months they had been engaged more in the maintenance of Imperial than of local interests, and, in fact, they were equivalent to 12,000 soldiers. The cost of the establishment, therefore, was properly defrayed out of the Imperial Exchequer. The constabulary also were employed for the protection of the revenue, and the suppression of illicit distillation. With reference to the question immediately before the House, they relied upon the direct promise of Sir Robert Peel, and the recommendations of two Select Committees. In another form the sum of £10,000 was annually given to Scotland to assist charitable provisions for medical relief in certain large town in that part of the Kingdom; and why should Ireland be excepted from similar advantages? No species of relief could be of more general application, for it would penetrate to every Poor Law union. He hoped, therefore, the claim would be fairly considered by the Chancellor of the Exchequer, and that the aid now asked for would be afforded.

Motion made, and Question proposed,

"That, in the opinion of this House, Her Majesty's Government should now adopt the recommendations of the Select Committee of 1858, which recommended 'Her Majesty's Government to take into consideration the Claims of Ireland to a grant of the half-cost of Medical Officers of Unions, with the view of providing for the same in future, as is now the practice in England and Scotland,' fortified, as such recommendation is, by the Report of the Select Committee on Taxation of Ireland in June 1865, who reported that with regard to the grants for Poor Law Medical Officers and Workhouse Schoolmasters, 'it would be reasonable that the same aid should be extended to Ireland as is already extended to England.'"—(*Mr. MacEvoy.*)

THE CHANCELLOR OF THE EXCHEQUER said, it would not be necessary for him to trouble the House at any length, as the statement made by the hon. Gentleman who had moved the Resolution (Mr. MacEvoy) seemed to be a very fair one, so far as he could gather its purport. On a former occasion he had resisted a Motion on this subject on two grounds. The first of these was that the matter was at the time under reference to a Committee on Irish taxation, and he did not consider that any great authority attached to the recommendations of the Committee of 1858, because those recommendations were made after the Committee had concluded its proper duties, and when Members had absented themselves believing that their labours had closed. The more important recommendation was that of the Committee of 1865, and which was still under consideration. The second ground of his former opposition was that it was impossible to isolate a question of this kind from others relating to the distribution of charges among the three countries, and because he was of opinion that in this respect Ireland was in a favourable position as compared with England or Scotland. He did not wish to meet the hon. Member in a captious spirit, and he did not seek to escape from the effects of the recommendations of the Committee of 1865, but he hoped that the hon. Member would not think it necessary to press his Motion, to which Government were prepared to accede, without, however, renouncing the opinion that other portions of the subject of Imperial charge for local purposes required examination, with a view to the establishment of that kind and degree of State control which were absolutely requisite in cases where public money was to be given. It would with this view be necessary to examine the system in force with regard to schoolmasters and to medical officers of unions in Ireland, and that would be entered upon without any unreasonable delay, and after that was done the necessary provision would be made for the payment out of the Consolidated Fund. In reference to what had been said about the constabulary establishment in Ireland, and that the charges in Ireland and this country were not upon a footing of equality, he might observe that it would be the duty of the Government, in the course of the present Session, as soon as some necessary information was received, to submit to Parliament an additional estimate for further expenditure connected with that force. He did not question or undervalue the services of the constabulary, but the present charge for it and the proposed and necessary increase would render it the duty of the Government to investigate the matter carefully. When the Government, on the repeal of the Corn Laws, undertook the whole charge for the constabulary, subject to certain contingent exceptions, the population of Ireland was 8,200,000, and the amount charged for this purpose £486,000. Now the population was estimated at 5,600,000, and the charge was £770,000. In 1846 the constabulary cost 1*s.* 2*d.* or 1*s.* 3*d.* per head of the population, and now the charge amounted to 2*s.* 9*d.* per head. Irrespective of nationality, he thought that hon. Members would admit that this vast augmentation of charge demanded inquiry. This and the subject-matter of the Motion were connected as charges borne by the State, as to which the hon. Member would understand that the pledge now given by the Government was to examine into all the details of necessity connected with the question, and upon that examination, which would require some time, to make an arrangement, by a charge on the Estimates, for fulfilling the engagement to Ireland—whether positive or contingent he would not ask — that had been contracted for, assuming the charge recommended by the Committee on Irish taxation.

Sir FREDERICK HEYGATE said, that having been a Member of the Committee of 1865, he thought the Resolution of the hon. Member (Mr. MacEvoy) was perfectly reasonable and just. He would remind the Chancellor of the Exchequer that not only had the cost of the constabulary been increased in Ireland, but taxation in that country had also been increased. He, like his hon. Colleague (Mr. Peel Dawson), never desired to come to that House *in formâ pauperis,* but at the same time he thought that Ireland should be put upon a footing of equality with this country. The constabulary of Ireland was an Imperial force, and in no way under the control of the local magistracy; and he must express to the House his regret that circumstances had postponed the hoped-for modification of the military character of the force. The real cure for the evils of Ireland was to be found in honest attention to the recommendations of Committees that had made inquiries with a view to doing justice to Ireland, rather than in such Bills as that relating to the tenure of land, which he hoped would soon disappear from the Order Book of the House. With reference to the present Motion, he must express his thanks to the Government for the course which they proposed to take.

Mr. M. MORRIS felt sure that the Irish Members had heard with great satisfaction the statement of the Chancellor of the Exchequer, but, after all, the Government proposed to do what would be only a tardy act of justice to Ireland. He could not, however, understand what connection the Irish constabulary had with Poor Law medical officers and workhouse schoolmasters. If they went into a discussion upon the constabulary he should enter his protest against the notion which had been suggested by the Commission which had sat in Ireland during the last few months —that it should be considered a local force. The constabulary in Ireland were armed with Minie rifles, and they discharged the duty of an army. In the province with which he was connected there had not been a single soldier for fifteen years, and he believed that west of the Shannon there had not been one stationed for many years. The question how this force should be armed was lately inquired into by a Commission; and the hon. Member for Sandwich (Mr. Knatchbull-Hugessen) had stated in the report that it was seldom one of the constabulary had to act as skirmisher or to fire at an enemy from a long distance. Could any one have been humbugging the hon. Member, or was he indulging in a joke when he said this? Sir Duncan M'Gregor, naturally favouring authority, thought that the question of how the police were to be armed should be left to the Inspector General; while Sir Richard Mayne appeared to wish that in the most peaceable parts of Ireland truncheons should be adopted and Minie rifles laid aside. But, however the constabulary might be armed, he protested against any insidious attempt to fix any portion of the expenses of this army —for it was nothing else—upon the local resources of Ireland. It was a military force, and in many parts of the country the only military force; it was used to prevent illicit distillation, to collect census papers, and to obtain agricultural statistics. With reference to the last-named subject, he would remark to the House that if statistics could render any country prosperous, Ireland ought to be the most prosperous country in the world, for he verily believed that if the collected statistics of the last ten or twelve years were studied, you might arrive at a conclusion as to every hen and duck—it might be invidious to allude to the other bird—in the entire island. In hearing the eloquent peroration of the Chancellor of the Exchequer last night on the English Reform Bill, he could not but be struck with the difference between the two countries. England, said the right hon. Gentleman, was remarkable for the growth of numbers, of wealth, of loyalty to the Throne, of confidence in Parliament, and of attachment and love among all classes of people. It was to be feared that this could not be said in bringing forward the Reform Bill for Ireland, and it would be rather a strange mode of dealing with these difficulties to say that the expense of a force over which the local authorities there had no control should be thrown upon the locality.

SIR HENRY WINSTON BARRON confirmed the statement of the hon. Member who had just sat down, and begged the Chancellor of the Exchequer to contrast the number of military quartered in Ireland some thirty years ago with the number now there. During this period he believed there had been a diminution of 12,000 military in Ireland, principally owing to the efficiency and good conduct of the Irish constabulary. The constabulary was in every sense a national force, and it was under the control of the Executive, instead of being, as here, under the control of the local magistracy. Sir Robert Peel had given a positive pledge in this House that the Irish constabulary should be paid out of national, and not out of local resources, as some equivalent—and a very small one—for the abolition of the Corn Laws. All that the Irish Members asked for was that Ireland should be put on an equality with England as regarded the payment of the schoolmasters and the medical officers in the union workhouses, and that was a proposition so just in principle that he was sure it would not be opposed by any Gentleman in or out of the House. He begged to thank the right hon. Gentleman for the straightforward manner in which he had dealt with the Motion.

GENERAL DUNNE said, he thought they were rather wandering from the subject immediately under their consideration; but the allusion made by the Chancellor of the Exchequer to the case of the police appeared to be the cause of the extension given to the discussion. He regarded that as a small act of justice to Ireland; but he should add that he did not believe the owners and occupiers of land were better treated in that country than in England. He would ask the House to consider the contrast presented between England and Ireland since the Union. Between that time and the year 1862 England had risen 120 per cent in wealth, and that increase had now probably reached 130 per cent, and she had increased at the same time only 30 per cent in taxation. In Ireland there had been no increase in wealth, and the taxation had increased 100 per cent. In England the population had increased from 11,000,000 to 23,500,000; while in Ireland there had been scarcely any increase in population. In Ireland they paid 6*s.* 3½*d.* for every pound of wealth they possessed, while in England the proportion was 4*s.* 3¾*d.* Such comparisons as these were totally at variance with the deductions of the right hon. Gentleman.

MR. POLLARD-URQUHART protested against the notion that the owners of property had any special interest in shifting the burden off their shoulders to the Consolidated Fund. He did not agree with the hon. and gallant General that there had been no increase of wealth in Ireland; on the contrary, there could be no doubt that the rental of Ireland had decidedly increased, owing very much to the establishment of railways and the facility which they afforded for the profitable disposal of the produce of the land. He regretted, however, that while taxation in England had been greatly diminished the taxation upon the one special branch of Irish manufacture had been so largely increased; and he considered it would be wiser policy to apply any surplus that could be spared in continuing to relieve commerce from the burdens that still bore upon it.

MR. CHICHESTER FORTESCUE hoped that hon. Members would not be disposed to continue a discussion for which, after the reply of the Chancellor of the Exchequer, there could no longer be any motive. He was himself anxious on that occasion, as an independent Member, to thank his right hon. Friend for the liberal manner in which he had met this claim. His own personal opinion on the matter had long been known, for he sat on a Committee of Inquiry in 1858 and voted in favour of this grant, thinking it very undesirable that there should be a case absolutely identical, the treatment of which in the two countries was so very different. His opinion remained unaltered last summer when he received a deputation representing all the unions throughout Ireland on the subject.

Mr. BRADY said, he did not rise to prolong the discussion, but to thank the Chancellor of the Exchequer most sincerely for this concession, which would tend greatly to conciliate the people of Ireland.

Mr. MACEVOY, in asking leave to withdraw his Motion, remarked that there were arrears of twenty-two years' standing due to Ireland, to which he should be glad if the Secretary to the Treasury would call the attention of the Chancellor of the Exchequer.

Mr. CHILDERS observed, that if the arrears on both sides were taken into account, he was afraid the debt would be very much against Ireland.

Motion, by leave, *withdrawn.*

METROPOLITAN BOARD OF WORKS.

MOTION FOR A ROYAL COMMISSION.

Mr. BAILLIE COCHRANE, in rising to move that an humble Address be presented to Her Majesty, praying for a Royal Commission to make inquiries with a view to secure the better and more economical government of the Metropolis, said, he did not think that any person who considered the question could dispute the justice of the proposition contained in that Motion. The inconvenience and expense of the present system and the present state of the metropolis were felt and complained of by everybody. There was a universal feeling of disgust, at least of disapprobation, of the way in which the public works of the metropolis were conducted. But, while he complained that metropolitan government was at present conducted in a most expensive and unsatisfactory manner, he desired to bear testimony to the zeal and ability displayed by his right hon. Friend the First Commissioner of Works, whose good taste in connection with the management of the parks he highly appreciated. Still, it was, in his opinion, quite impossible for the right hon. Gentleman to perform the very multifarious duties his office imposed upon him. They were so many that he doubted whether the right hon. Gentleman himself was aware of their number and description. He found from a pamphlet which gave a detailed account of them that he had to maintain and repair all the Royal palaces and public buildings, and to take charge of all the parks in the metropolis and the parks at Greenwich, Richmond and Bushy, and even the Phœnix and Holyrood Parks; he had also to see to the public gardens, such as Kensington, Kew, and Hampton Court; and was an Inclosure Commissioner for England and Wales, a Commissioner of Greenwich Hospital, a Commissioner for the Erection of New Churches, and the President of the Board of Health. Still, as the hon. Member for Stoke had said, the First Commissioner of Works was but "a semi-Minister." All the clerks and officers connected with his Department were appointed by the Treasury, and not by him; and he was without such powers as should be conferred upon a Minister for the government of the metropolis. When, however, it was remembered what large sums were annually voted for public works in London, and the enormous sums of money which were continually being raised by rates in the metropolis, and how many complaints were continually arising on all sides with respect to their management, it was clearly incumbent upon Parliament to see whether something could not be done to remedy the evil. The question had been brought forward twice during the present Session. On the Motion of one hon. Member a Committee had been appointed to inquire into the subject, and the Report of that Committee, as he understood it, recommended that some comprehensive scheme should be devised to secure the proper government of the metropolis. Then Sir William Frazer, not now a Member of the House, had spoken upon the subject. He had since published a pamphlet in which he described the minor miseries which landowners were subjected to, and which were not unlike those described in one of the satires of Juvenal, as existing in ancient Rome. In 1851 the separation of the Public Works Department and the Department of Woods and Forests took place, and in 1855 the state of things was so bad that Lord Llanover introduced a Bill which resulted in the establishment of the Metropolitan Board of Works, and as far as that Board had power, it had discharged its duties in an admirable manner, so that they owed much to Sir John Thwaites, as well as to the right hon. Gentleman the First Commissioner of Works. But neither of these gentlemen had sufficient authority in his hands to control the vestries and to secure the good government of the metropolis. From the evidence given before the Committee of which he had spoken, he found that the Metropolitan Board of Works was continually in conflict with the Crown. It was partly in consequence of the bad way in which the present system worked that a saving of something like £700,000 had not been made by building the new Courts of Justice upon a portion of the ground secured by the Thames Embankment scheme, and Sir John Thwaites lamented that this was not done. Had a proper understanding existed between the Government and the Board of Works some arrangement would have been come to with reference to the proposal to make a road through Northumberland House before it was introduced to the notice of Parliament. Lack of unity of purpose on the part of the Board of Works and the Government caused the failure of many a good scheme. To what expense was the public put from the want of a general and well-digested plan for the purchase of those houses in Parliament Street which at present blocked the way to the new Government offices! It was absolutely necessary that those houses should be purchased before very long, and, notwithstanding procrastinations engendered expense the matter was put off from time to time, or only proceeded with piecemeal. It was the almost universal opinion that something should be done, and although it might be thought presumptuous in him, he would suggest that a remedy was to be found in the creation of a new Department of State for public works, which should be perfectly independent of the Treasury. The Minister representing that Department of State should move his Estimates in Parliament every year in the same comprehensive way as the Army and Navy Estimates were moved. He would not discuss the detail as to whether the Minister whose appointment he suggested should go out of office when any change in Government occurred or be independent, but he would offer one reflection to the House upon that subject, and that was that the House of Commons would, as a matter of course, more highly esteem a Minister whose position was affected by a Parliamentary vote. He would also suggest that the Minister should have two Under Secretaries attached to his office, one of whom should be permanently appointed, and that every proposed metropolitan railway should have the approval of the suggested Department of State before it was brought under the notice of Parliament. The Minister would see all the schemes and would judge which was likely to be most beneficial to the metropolis. He would, however, in no way deprive the Metropolitan Board of Works of any control over the vestries; indeed, he would increase its power in that respect. He did not see that if the two offices were amalgamated they would clash one with another. The head of one department might consult the head of the other department with advantage to the public, for in that way improvements might be carried out in a larger and more comprehensive manner, and with greater economy. He would for a moment direct the attention of the House to the way in which things were conducted in Paris. France was a despotic country, and he admitted that a despotism had an advantage over other Governments in making public improvements. The House, however, was under a mistake if it believed that the improvements in Paris were carried out by a despotic Government. On the contrary, the Prefect of the Seine consulted the authorities of all the districts when any improvement was proposed, and then the plan was submitted to the Emperor; afterwards an appeal was made to the different interests affected by the proposed improvements, whilst the plan must lie in a public office for so many days for the inspection of the public, after which the scheme was drawn up again and once more submitted to the Emperor. One thing was undeniable; there was a great contrast between London and Paris, and the latter city possessed an advantage not only in the magnificent appearance of its streets, and in all matters affecting the taste of a great people, but in the more practical items of convenience, comfort, and health. The right hon. Gentleman was perfectly aware of this, and had borne strong testimony to the costliness and the extravagance of the system adopted in this country, stating that "nothing short of a revolutionary reform would ever bring it to an end." He therefore hoped that he should receive the support of the right hon. Gentleman in the Motion he was about to make. Mr. Baring, in his evidence before the Committee, stated that the number of persons run over and killed in the streets of London in one year was 142, and that the number of persons maimed or otherwise injured was 1,707. Now, he contended that improvements might be made which would diminish the risk of pedestrians in the metropolis. It was not therefore from *dilettante* feelings on matters of taste and refinement that he introduced this subject to the House. It was because of the enormous expenses at present incurred, with very inadequate results, and because he believed the present state of things was injurious to the comfort, health, safety, and even morals of the people, that he asked the House to support him in moving for this Royal Commission.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, that she will be graciously pleased to issue a Royal Commission to inquire into the constitution of the Metropolitan Board of Works, the Office of Public Works, and the Office of Woods and Forests, with the object of seeing whether some means may not be devised by which the improvements of the Metropolis may be carried out in a more comprehensive and economical manner, and with greater unity of purpose."—(*Mr. Baillie Cochrane.*)

MR. AYRTON said, he was unwilling to introduce any obstacle to the fulfilment of the wishes of his hon. Friend opposite. But, however anxious he might be to improve the condition of the metropolis, the course he proposed was by no means one that was likely to accomplish the object he had in view. So far from his making progress by the suggestions he had made, he was rather moving backwards. The hon. Member had proposed to amalgamate three distinct Departments. Now, formerly those Departments were practically united to the extent his hon. Friend proposed, and a Committee was appointed to consider the expediency of there being one Department to administer the estates of the Crown and to conduct the works which were now placed in charge of the office of the Chief Commissioner of Works. The result of the inquiry was a recommendation that the Crown estates should be placed in the hands of one officer, and that the public works in connection with the metropolis and the public buildings which were used for the administration of the affairs of the country should be placed in charge of another officer of the Crown. Since then a Committee had been appointed for the purpose of reconsidering the question, and, after a great deal of evidence had been taken, it was determined to adhere to the course the House previously sanctioned. Consequently the two Departments had continued separate. If the hon. Member had sufficiently reflected upon the subject, he would have seen that there was nothing in common between the office of the Commissioner of Crown Estates and the office of the First Commissioner of Works, and that each was fully employed. The Crown estate was scattered all over the kingdom, and the Commissioner stood in fact in the place of the Sovereign in the general administration of the territorial property of the Crown. What had this to do with the construction and supervision of all the public buildings required for carrying on the affairs of the nation? Again, what had those Departments to do with the Metropolitan Board of Works? That Board attended to the wants of the metropolis, imposed local taxation for local purposes, and must, therefore, be under the control of the representatives of the metropolis. There was no difference in principle between the municipality of the metropolis and that of Manchester or Liverpool as far as the levying and expenditure of money for local objects was concerned. How could a scheme be carried out by which a Minister of the Crown was to tax the inhabitants of the metropolis, and to make an expenditure on their account? If the view of the hon. Member (Mr. B. Cochrane) prevailed, it would be necessary that the expenditure should be levied on the whole nation, and subjected to the control of the House in the ordinary manner. And was the House prepared to revert to that old and confused system of expenditure from the national Exchequer for the convenience of the metropolis, which they were supposed to have been emancipated from by the establishment of the Metropolitan Board of Works? If, on the other hand, no interference with the Metropolitan Board of Works was contemplated, what was the object of this Commission; for what purpose had his hon. Friend developed his scheme of a First Commissioner with two Under Secretaries? The House had already appointed a Committee to consider the propriety of maintaining the Metropolitan Board of Works and to investigate the mode in which that Board discharged its duties. The first Report of the Committee, he was happy to say, had proved satisfactory to his hon. Friend. That Committee, he trusted, would prosecute its inquiries and be enabled to arrive at results which would put an end to the grumbling—for after all, it was nothing more than grumbling respecting the conduct of the Metropolitan Board of Works. He was bound, however, to say that there had been a great deal of exaggeration as to the mismanagement and shortcomings of both the Metropolitan and Local Boards. His hon. Friend appeared to lay at their doors the slaying of thousands of persons annually, and his suggestion was that the appointment of Secretaries of State would prevent these people being killed. He remembered once reading the travels of a Frenchman, who, having visited most of the capitals of Europe, came eventually to London, and thanked God that he had at last entered a city where there was a way for those that walked on foot and another for those that rolled in their carriages. And the force of that observation must occur to any one who, having been abroad and turned out of a leading street—perhaps one of half-a-dozen in the whole city — found himself in danger of being run over by any conveyance that happened to be driving along the road, foot passengers being put upon an equality with horses and condemned to go along the common street. In London, indeed, the effect of our admirable footways had been to make passengers somewhat incautious, and now there was an outcry for subways or flying bridges along which they might stroll in the same listless, careless fashion, that now exposed them to danger on the carriage ways. The existing difficulties arose to a great extent from the enormous increase of conveyances in the metropolis, and also from the influx of visitors from country districts, accustomed, perhaps, to see a carriage once an hour. How a Secretary of State and two Under Secretaries were to diminish the danger caused by the throng of omnibuses, vehicles, and Hansom cabs, compelled for the gratification of Members of Parliament and others to drive at a rapid rate, his hon. Friend had entirely omitted to explain. The question —the traffic—was being investigated by the Committee, and it was intended as far as possible to diminish the present risk. He did not know that it was possible to prevent accidents of this description. He had suggested some years ago the construction of a subway at Westminster, for the convenience of Members of Parliament, in order that they might reach the House with less difficulty or danger than at present; and he was glad to know that there was at length a possibility of the suggestion being carried out. Similar subways might be constructed at some of the other principal centres of traffic; but further than that it was not easy to suggest any means by which accidents in the streets could be prevented. His hon. Friend complained that particular localities were in a state dangerous to the health and prejudicial to the morals of the community. A Minister of the Crown, intrusted with arbitrary power to carry out his decrees, might possibly be able to bring about a state of things that would satisfy the most refined observer or the most scientific medical practitioner. But in this country, after having passed a law, there was a point beyond which the feelings of the people would not tolerate interference in compelling compliance with its provisions. The Local Boards were most anxious to grapple with existing evils, but their efforts were defeated when they had to deal with a population deficient in a sense of decency and propriety. There were undoubtedly some points on which the present law had proved to be defective, and if in these particulars improvements could be devised, they would be recommended to the favourable consideration of the House. But his hon. Friend was very much mistaken in supposing that he would advance this question by withdrawing it from the House and placing it under the administration which he proposed to create. On the contrary, the hon. Gentleman would interpose very considerable difficulties, and much retard the consummation which he desired to bring about. He could see no necessity whatever for a Royal Commission. The House had already intrusted the prosecution of the inquiry to a Select Committee, and it would be inconsistent with the usages of the House, as well a slur on the Committee itself, to interfere by a new arrangement with the investigation they had entered upon. The analogy his hon. Friend had attempted to set up between London and Paris entirely failed him, because the system of finance which prevailed in France was totally different from that of this country. In Paris they adopted the plan called the *octroi*, by which a large taxation was raised on the necessaries and luxuries of Parisian life, and as foreigners from all parts of the world visited Paris to spend money and dissipate their resources, there was a great deal of contribution extraneous to that taxation. Gentlemen on seeing the magnificence of Paris, with its houses of splendid exterior, jumped to the conclusion that London ought to be the same; but if they entered those imposing looking mansions they would find that they were inhabited in a manner which was not favourable to morality or to anything which was desirable in social relations. A much better condition of things was to be seen in the small houses of London. In these every family was to be found under its own roof. He thought his hon. Friend had entirely failed to make out a case for special interference, and he therefore hoped that he (Mr. B. Cochrane) would be satisfied with the exposition of his views that he had offered to the House, and at all events he trusted that the Government would not consent to carry them into effect.

SIR WILLIAM JOLLIFFE said, he felt greatly obliged to his hon. Friend for having brought under the notice of the House the condition of our public works and public buildings, which appeared to be failures from beginning to end. He did not concur in the views of the hon. and learned Member for the Tower Hamlets as to the system of taxation in Paris being so different from that of London. There was an *octroi* here also in the shape of the coal tax, by means of which much more might be done than was now effected in the way of metropolitan improvements. A more efficient system of central control was required in London. Our public buildings and other public works were anything but satisfactory; and the conduct of the street traffic was very defective. It might not be easy to make London as handsome as Paris, but at all events we had a right to demand that some attention should be paid to convenience. He did not suppose that the Home Secretary had yet had time to read the evidence taken by the Traffic Committee. [SIR GEORGE GREY: Oh, yes.] But if the recommendations of that Committee were carried out, and if the different Police Commissioners agreed on general regulations for the traffic, a great improvement might be brought about. Everybody knew that what were called "refuges" were every day being increased in number; but owing to vehicles not being compelled to pass those "refuges" on the proper side many of the latter were little better than traps.

MR. COWPER said, that although the hon. Gentleman who had introduced the Motion had dealt with an important subject in an interesting manner, it was open to the double objection that it was inopportune in point of time, and that the changes which he had suggested were impracticable. A Committee of that House was already inquiring into the local government of the metropolis, and it would be neither conformable to the usage of Parliament, nor respectful to that Committee, to appoint a Commission to investigate the same subject before they had made their final Report. He concurred with all that had been said as to the defects and deficiencies of the metropolis, and it was only astonishing that the imperfect organization of the metropolis had been endured for so long a time. Though Englishmen were famous for comfort, London was the most uncomfortable of capitals. The pavements of one side of a street often differed from the other, because the jurisdiction of parishes ended in the middle. The crushing of the macadam was left to the carriages, instead of being done by rollers; the gas was dim and sulphurous; the water supplied to one of the public baths had recently been so yellow that working men would not bathe in it; and even now, when so much attention was given to sanitary matters, the vestries hardly ever enforced the recommendations of their medical officers, and declined to spend money for what was necessary for the preservation of the public health. The administration of the Poor Law was seriously open to criticism. What was the reason of all this? The ancient municipality had not been extended as London grew, and the rest of the metropolis had no better form of government than villages or country towns. The first step taken with a view of changing that state of things was the appointment of the Committee of which Mr. Labouchere and the late Sir George Lewis were members. One part of their recommendation was adopted, but the public was hardly prepared for the adoption of measures that might have been fully satisfactory. The time was approaching when attention might well be directed to the making of such improvements in the local government of the metropolis as might result in its being possible to traverse the streets with rapidity and safety. He did not admit that it was only country people who were exposed to danger, and were run over by carriages, or that nothing could be done to prevent such accidents. He thought that much might be effected by having proper traffic regulations, by providing refuges at proper places, and by widening the great thoroughfares, so that they might accommodate the enormous traffic which passed through them. This was not to be done by any revolutionary or despotic change, such as making the First Commissioner of Works a despotic ruler over the Metropolitan Board of Works. At present he introduced into Parliament the Estimates required to be voted by Parliament, but it was not to be apprehended that he could have any control over local taxation, and without such control, he could hardly control the representatives of the people who constituted the Board. Practically, a good deal of control was exercised over the Board of Works in regard to all public improvements of a larger character which required the assent of Parliament. He could not admit the justice of the complaint that land reclaimed by the embankment of the Thames had not been appropriated for public buildings, because, as was well known, it was not additional buildings, but open spaces that were wanted in the centre of London. How, practically, the House controlled the Board of Works was shown by the history of the Thames Embankment. When it was proposed to make the low-level sewer, the Chairman of the Board communicated with him, and a Committee of the House was appointed and recommended the extension of the coal dues for the purposes of the Embankment. Next year a Commission was appointed to examine plans and select one from them; in the following year a Bill was introduced by himself, and subsequently he framed two other Bills, one for the streets and the other for the Southern Embankment, opposite to the Houses of Parliament. Although the Commission had recommended that a special body should be appointed to execute that Embankment, yet he felt that, as the funds were to be found by London, its representative body ought to be vested with the execution of the work. In this way more efficient control had been exercised over the Board of Works than could have been exercised in the way his hon. Friend suggested. Whenever the Board of Works required legislative powers for the compulsory purchase of land, they were obliged to submit their scheme to Parliament. He concurred in the admiration which had been expressed for the results of the organization of the French, and he thought that we should do well to inquire how they contrived to make their administration so perfect. They certainly did not manage it according to the plan recommended by his hon. Friend who had moved this Resolution. The Imperial Ministers had no more control over the municipal affairs of Paris than Her Majesty's Ministers had over those of London. The person who directed improvements in Paris, the Préfêt of the Seine, was a municipal officer and head of the Municipal Council. He disposed of money which was raised by the people of Paris, and he must not be confounded with the Minister of the Interior. The admirable organization existing in Paris seemed to indicate the direction which our reforms ought to take. We wanted in London a municipal officer who should possess many of the functions discharged by the Préfêt of Paris. One of the causes of the want of efficiency in the Board of Works was to be found in the fact that it was a deliberative body, consisting of forty-six persons, who were expected to attend to administrative work in detail. The House of Commons was the best deliberative assembly in the world; but it would find itself incapable of exercising Executive functions. As the Board had no paid Executive no one was responsible for what was done, and the responsibility seemed to be equally divided among all the members. True, they had at their head an efficient chairman, who received a salary; but his time was chiefly occupied in presiding over the deliberations of the general body and of the Committees. They might, perhaps, look for improvement to the action of a paid and responsible executive, but the problem was not likely to be solved in the manner which had been suggested. The Minister who had charge of the property of the Crown and of the State, and was not concerned with local taxation, local expenditure, or local rates, would be in a false position if he should have to interfere with those who represented the ratepayers. He did not think that the suggestions of the hon. Gentleman were likely to facilitate the solution of the problem which he had put before the House, and therefore he hoped that he would not press his Motion to a division.

COLONEL HOGG wished to notice one statement of the right hon. Gentleman, as it might create some alarm if not contradicted. The right hon. Gentleman said that the vestries of London were not in the habit of attending to the recommendations of their medical officers. He himself had been a member of the Vestry of St. Margaret's, Westminster, and he never knew it disregard the recommendation of a medical officer. He was now a member of the St. George's Vestry, and the very day after the possible approach of cholera had been mentioned in the House of Commons, he called attention to the subject in the vestry, and orders were immediately given to the Sanitary Commissioners to continue and extend in every possible way their inquiries into the state of the parish, with the view to the adoption of any measures that might be necessary to prevent or to mitigate the disease.

Mr. TITE said, he did not believe that the Board of Works was defective in its administration; that its work was not well done, or that the ratepayers of London would tolerate a paid Executive. If its administration were defective the compliments that had been paid to it in that House were untrue. In vindication of the Board he pointed to the works it had executed, such as the great drainage works and the street improvements in Southwark, and in regard to the Thames Embankment, he asked if the scheme was not well worked out, if the contracts were not sufficiently cared for, and if, on the whole, sufficient control had not been exercised? He was quite at a loss to conceive how the Board could be improved as an Executive body; but he thought it possible that the number of its Members might be advantageously increased. The Board was constituted only seven or eight years ago; it immediately made a complete series of plans of London and of improvements that it desired to see carried out. The estimated cost of these improvements was £23,000,000; £10,000,000 or £11,000,000 had been already expended; improvements were still being gradually effected, and those who exercised a little patience would still see London considerably changed. It must be remembered that while the *octroi* of Paris produced £3,500,000 a year, the coal dues of London did not produce £300,000. Formerly there was a Minister of the Crown in this country—Lord Lonsdale—who carried out various public improvements in the metropolis, and amongst them the construction of Regent Street; but those improvements were charged to the Consolidated Fund. But the House of Commons had now very properly determined that the metropolis should pay for its own improvements, as it was only fair that those who raised the money should control the spending of it. He hoped his hon. Friend would not press his Motion for a Committee, more especially as the Committee now sitting was very hard at work inquiring into the working of the present system. As to the vestries, he believed that in the main they worked extremely well; but they were very new to their duties. As far as he could judge, it was entirely untrue that the vestries expected the medical men to make things pleasant. The Chelsea Vestry, for one, would be ashamed if these gentlemen, who were well paid, did not give their honest opinion, whatever it might be, upon matters which came before them. The improvements in Paris had been referred to, but he had been astonished to find on inquiry that in that city a very wide discretion was in each particular case left to the architect, that in fact there was very little difference in that respect between the mode of carrying out improvements in Paris and in London. The beauty of the new buildings in Paris was, he believed, attributable in a great extent to the beauty of the material of which they were composed. If the House and the people of London would have but a little patience, most of the objections which were now advanced with regard to metropolitan improvements would be removed. Meanwhile, he hoped that the Motion would not be pressed.

Sir GEORGE GREY said, in reply to a question put to him by the hon. Baronet (Sir William Jolliffe), that he had read the Report of the Committee upon the London City Traffic Bill, as well as the evidence, which was exceedingly interesting and instructive. Legislation upon this subject was certainly necessary, and a Bill would be prepared founded upon the principle suggested—namely, to lay down certain regulations which would not be universally applicable throughout the whole of the metropolitan police district, because circumstances varied, but which would be made as far as possible applicable to different times and different places. The Police Commissioners would be empowered to make subsidiary regulations, subject to the approval of the Secretary of State. The Bill would also provide additional police for the metropolis and the City; and would be brought forward, he hoped within a few days, by his hon. Friend the Under Secretary, who had paid great attention to this subject.

Motion, by leave, *withdrawn.*

PRINCESS MARY OF CAMBRIDGE.

MESSAGE FROM HER MAJESTY.

Message from Her Majesty *brought up*, and read by Mr. Speaker (all the Members being uncovered), as follows:—

"Victoria R.

"Her Majesty having agreed to a Marriage proposed between Her Royal Highness the Princess Mary Adelaide Wilhelmina Elizabeth, youngest daughter of his late Royal Highness the Duke of Cambridge, and His Serene Highness Francis Paul Charles Louis Alexander Prince of Teck, has thought fit to communicate it to the House of Commons.

"The many proofs which the House of Commons has afforded of their affectionate attachment to Her Majesty's Person and Family, leave Her Majesty no doubt of their readiness to enable Her Majesty to make a further provision for Her Royal Highness. *V. R."*

Committee thereupon on *Thursday*.

COUNTY ASSESSMENTS BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to amend the Law relating to County Assessments, *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN and Sir GEORGE GREY.

HUNDRED BRIDGES BILL.

On Motion of Mr. KNATCHBULL-HUGESSEN, Bill to amend the Law relating to the repair of Hundred Bridges, *ordered* to be brought in by Mr. KNATCHBULL-HUGESSEN and Sir GEORGE GREY.

DOGS BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to render owners of Dogs liable for injuries done by their Dogs, *ordered* to be brought in by Sir COLMAN O'LOGHLEN, Mr. LUSK, and Mr. STACPOOLE.

PUBLIC HEALTH BILL.

On Motion of Mr. BRUCE, Bill to amend the Law relating to the Public Health, *ordered* to be brought in by Mr. BRUCE, Mr. CHICHESTER FORTESCUE, and Sir GEORGE GREY.

FENIAN CONSPIRACY (ARMY &c.)

MOTION FOR A RETURN.

MR. WHALLEY said, he rose to move for Return of the names, rank, and length of service of such soldiers in the Army and Militia as have been charged with complicity with the Fenian conspiracy; distinguishing the Regiments to which they respectively belonged; also distinguishing those who have been tried by Court Martial or otherwise, and, if convicted, what sentences have been awarded respectively to each; also specifying, so far as the same apply, the like particulars as to any soldiers who have been discharged from the service on the ground of suspicion of complicity with the said conspiracy.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present—

House adjourned at a quarter
before Eight o'clock

HOUSE OF COMMONS,

Wednesday, June 6, 1866.

MINUTES.]—PUBLIC BILLS—*First Reading*—Hundred Bridges* [178]; County Assessments* [179]; Public Health* [180]; Dogs* [181].
Second Reading—Real Estate Intestacy [69], *negatived.*
Referred to Select Committee—Local Government Supplemental (No. 2) (*re-comm.*)* [150].
Third Reading—Fellows of Colleges Declaration [26], debate *adjourned.*

HOLDERNESS EMBANKMENT AND RECLAMATION BILL—[*Lords*]—(*by Order.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

MR. NORWOOD, in moving that the Bill be read a second time this day six months, said, that its promoters sought powers to enclose some 4,000 acres of the foreshore of the River Humber, by means of a large stone wall. An immense quantity of tidal water amounting to 56,000,000 of cubic yards would thus be excluded, and the effect of this would be so to narrow the channel of the river, that fresh sandbanks would accumulate at its mouth and that the sandbanks now in existence would be enlarged. The measure was opposed solely on public grounds by the Humber Conservancy Commissioners, a body created in 1852 by Act of Parliament for the purpose of preserving and conserving the navigation of the river. At high water the foreshore it was proposed to enclose formed a safe fishing ground for small craft; moreover, it was very certain that the wall would form an obstruction to ships making for the port. The promoters declared that the wall would strengthen Spurn Point. This, however, their opponents denied, and, in his opinion, private persons should not be permitted, simply for their own profit, to endanger the navigation of the river. The Board of Trade had reported against the Bill, and he trusted it would not be sanctioned by the House.

MR. CLAY seconded the Motion.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Norwood.*)

MR. WATKIN said, the hon. Member for Hull had forgotten the important fact that the authorities of the port of Grimsby, who were interested in the preservation of the navigation of the Humber, had petitioned the House that the Bill might be sent to a Select Committee. While Hull said the work would be a great obstruction to the river, Grimsby said it would be a great advantage. In his opinion the promoters of the Bill should be supported on the ground that their scheme would gain good land for the country, and would make a deeper channel in the river, because it would make a narrower one, and thus increase the scour. It was not therefore in his opinion desirable that the House of Commons should refuse to appoint a Committee to consider the Bill. The question in controversy was one for inquiry before a Select Committee, and their decision would be based upon the scientific evidence to be produced before them. The Bill had already passed the House of Lords, and the Committee of the Lords had the Report of the Board of Trade before them.

SIR JOHN TROLLOPE said, from long experience he had found that for the purposes of drainage or navigation all improvements should commence at the mouth of the river. The works proposed under the present Bill were at the estuary of the river, where an angular bay was to be filled up. The result of that step would be to deepen the channel and improve the navigation; while, at the same time, it would add 4,000 acres of valuable land to the district. He thought the Motion premature. It would be quite time to throw out the Bill on the third reading, when it had been before a Committee of the House, if that course after inquiry were thought desirable.

VISCOUNT GALWAY supported the Motion for the second reading on the ground that the scheme had been approved by the House of Lords, and that it was only continuing a scheme of reclamation that had been going on for many years.

MR. HADFIELD said, he thought the opinion of Grimsby was not to be set up against the opinion of Hull, and that after the investigation and report made by the Board of Trade, the proper course was to reject the Bill.

MR. CLAY remarked that every one who knew anything of the district knew that whenever Hull said "No," it was almost certain Grimsby would say "Yes." But there was but one opinion on the subject of the Bill amongst all the public bodies who were interested in the navigation of the Humber, and that was that the effect of the embankment would be to damage the river. He contended that many precedents existed for throwing out a Bill under the circumstances, and he protested against private persons asking Parliament for its sanction to schemes adverse to public interest and public safety.

MR. LEEMAN would remind the House that the Committee of the House of Lords in giving their sanction to the scheme had had an opportunity of examining witnesses and investigating the recommendations of the Board of Trade. He hoped that the House would not arrive at the conclusion that it was to be bound by a Report of the Board of Trade. Knowing the locality, he was surprised that the Board should have arrrived at the conclusion stated in the Report. The scheme of the Bill had, in fact, emanated substantially from the Admiralty. Captain Veitch, of the Board of Admiralty, in company of Admiral Perry, examined the locality and reported in favour of the scheme; and the late Mr. James Walker, the eminent engineer, who had the care of the works at Spurn Point, was of the same opinion. He believed that no one who looked at the Bill impartially, would doubt that the works proposed would have the effect of improving the navigation of the Humber.

COLONEL WILSON PATTEN observed, that the Report which had been presented by the Board of Trade on the subject was very adverse to the Bill; but, at the same time, the House ought to have some deference to the judgment of the House of Lords which had passed this measure, and he would therefore suggest that the Bill should be referred to a Committee for further consideration.

MR. MILNER GIBSON said, that as the Board of Trade had presented a Report in reference to the Bill before the House he desired to make a few observations upon it. An Act of Parliament had devolved upon the Board of Trade the duty of ascertaining the effect of any proposed works upon the interests of the navigation of the kingdom. The present Bill made a proposal to appropriate eight square miles of the estuary of the Humber for private use, the land, at times being covered by nine feet of water, and forming a place of refuge eminently useful to the shipping of the country, especially small coasters, in bad weather. It was well-known that nothing was so valuable to small vessels without anchors or cables in dark nights as a place where they could beach, and thus save life and property. Well, this place, which was so valuable to the merchant shipping of the country, was proposed to be appropriated to the purposes of private gain. No doubt the land would be cultivated, and therefore, to a certain extent, the public would reap some benefit by the reclamation. And he did not say that private gain was any reason why the Bill should be rejected; but the Board of Trade had to look to the effect the proposed works would have upon the interests of navigation. The most competent authorities had been consulted, including the Trinity Corporation and Commander Carver, who had been recently employed in making a survey of the estuary, as well as the professional advisers of the Board, and all were of opinion that the proposal was attended with considerable danger to navigation. Accordingly, the Board of Trade reported in accordance with the opinions of those who had a right to public confidence. He was quite ready to admit that engineers were very often wrong in their estimates of what would be the consequence of works in tidal rivers. In the present case, however, it must be admitted that there was great probability of injury to the navigation being the result of the proposed works, and the House was now asked to enable certain persons to appropriate a portion of the estuary of the Humber for their own private purposes, at the risk of greatly endangering the interests of an important harbour of refuge. Since Captain Veitch made the report which had been referred to, Spurn Point had been rendered secure by works undertaken by the direction of the Government and at the public expense, and therefore there was no necessity for constructing any embankment for its protection. If the hon. Members for Hull chose to divide the House, he should feel it his duty to vote with them.

COLONEL SYKES said, this seemed to be a question between private parties and a body especially intrusted with the protection of the navigation of rivers; the deliberate opinion of the Board of Trade being that the scheme put forward by the promoters of this Bill involved danger to the navigation of the Humber. There seemed to be no doubt that the land proposed to be enclosed was of the greatest possible use to the coastal shipping, and was most valuable in saving life and property, and he should therefore have no hesitation in voting for the Amendment.

COLONEL EDWARDS said, that as a Member for Beverley — the interests of which were identical with those of the neighbouring city of Hull—he fully concurred in all that had been said by the President of the Board of Trade as to the importance and the necessity of maintaining the harbour of refuge at Hull. On that coast harbours of refuge were imperatively required, and the House during the last few years had taken great interest in that question. It was now, however, proposed to reclaim a piece of land upwards of six miles square for a private object, that land being frequently covered by a depth of nine feet of water, and used as a harbour of refuge. Surely it would be madness to sanction such a scheme. If the provisions of the Bill were to be carried out, the coast would be rendered exceedingly dangerous to fishing smacks, which were in the habit of taking refuge on the part proposed to be enclosed; and he would, therefore, give his vote against the measure.

MR. J. G. KING protested against the second reading of the Bill, which sought to damage the only harbour of refuge on the Yorkshire coast. The House had heard much of proposals to construct artificial harbours of refuge, but here it was intended to destroy a natural one.

MR. BAGNALL thought that if the provisions of the Bill were to be carried out the harbour of refuge on the Humber would be seriously damaged, and he would therefore vote against the second reading.

Mr. CANDLISH said, that as the representative of a large constituency on the east coast, he would ask the House to reject the Bill, which if carried out would seriously damage the Humber as a harbour of refuge.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 94; Noes 86: Majority 8.

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

REAL ESTATE INTESTACY BILL.

(*Mr. Locke King, Mr. Bouverie, Mr. Coleridge.*)

[BILL 69.] SECOND READING.

Order for Second Reading read.

Mr. LOCKE KING, in moving the second reading of this Bill, said, that some time had now elapsed since he last brought this question under the consideration of the House. He frankly owned that he did not like the complexion of the last Parliament, and thinking it was not at all likely to entertain a question of this kind, he had not ventured to bring the subject before it. The present Parliament had been elected under very different circumstances, and would doubtless give the matter a favourable consideration. He was sorry that the hon. Gentleman opposite (Mr. Beresford Hope) had hurried forward and given notice of an Amendment upon the second reading of the Bill, but he hoped to satisfy him that there was no reason for the opposition which he threatened. In asking the House to assimilate the law relating to real property to that which now prevailed with regard to personal property, he was only asking for what was perfectly just. He contended that justice and common sense required an alteration of the law, and that a difference should no longer be allowed to exist between real and personal estate. The great question for the House to consider was what kind of will the State ought to make for a person who died without having made a will for himself. With regard to personal property the law was clear and satisfactory, and the majority of the people of the country concurred in its justice. It was simply this: If under ordinary circumstances a man died possessed of movables, money in the Funds, or personal property, one-third of the actual property went to the widow, and the other two-thirds to the children; or, in the event of there being no children, the widow took one-half of the property, and the next of kin the other half. Nothing could be fairer or more just than this arrangement. The present Bill did not propose to interfere with settlements of any kind. If the law was so just as it was believed to be with regard to personal property, what could be said of the law with regard to real property? If it was just in the one case, he made bold to say that it was thoroughly unjust in the other. In the case of a man dying without having made a will and without a settlement, the whole of his property went to the heir-at-law, while the widow and younger children were wholly unprovided for. He knew that in answer to that, it was said that the widow was entitled to her thirds, but in practice that was not the fact, and he could explain how it happened. The dower in almost every instance was barred. Then in the case of small properties, and when the dower was not barred, what did the widow get? And it was to small properties that this Bill would chiefly apply, because in the case of large estates there was almost always a settlement. It was not a third of the actual property, as it was with personal property, but only a third of the income from that property. What did this amount to? Take a cottage and land, the total value of which was £300, of what benefit was a third of the income from that property to the widow? and what benefit would the younger children derive from it? The cases of hardship which occurred among small owners of property from their entire ignorance of the law were very numerous. Every time that the question was brought under the consideration of the House he had received innumerable letters telling him how grateful the writers were to him for calling attention to it; they had not been aware of the state of the law, but the knowledge which they had gained of it since the discussion of the subject in Parliament, had forced them to make wills to dispose of their property very much in the same way as the law dealt with personal property. He would now give one case of hardship to the House. A man married a woman who had some money of her own. The House would recollect that among the humbler classes scarcely any settlements were made, and no settlement was made in this case: The man was in trade; but not liking to employ his wife's fortune in his business it remained untouched for some years. At length the house in which they resided was advertised for sale, and the man at once said to his wife, "This is a fair and legitimate investment for your money," and he bought the house with that money. Some time afterwards the man died, and, not being acquainted with the law, he died intestate. He was extremely fond of his wife, and had no children. What was the result? A nephew of his, the heir-at-law, claimed the property, and the unfortunate widow was obliged to find employment as a menial servant. He had before quoted this instance in the House, because it forcibly illustrated his case, though he could adduce many similar cases. He would give another illustration to show the extreme injustice of the law in another way:—He took the case of a man who had drawn up a will for the disposal of his property in a particular way among his children. The property was personal, consisting of money in the Funds. Subsequently to the making of this will, however, he entered into a contract for the purchase of an estate, determining to invest the whole of his money in land. But before the contract was completed the man died; and what was the result? The executors were bound to complete the purchase of the land, and the whole of the property which was intended for the children went to the heir-at-law. These cases fully showed that Parliament ought to assimilate the present unjust law of succession to real property to that which regulated the disposition of personal property. It was proper to ask whence this custom arose, and what was the history of it. It was not in existence among the Saxons, for they divided property equally among the male children. It was introduced at the time of the Conquest, in order that the Normans might make themselves entirely masters of the country. The object of the feudal system undoubtedly was to make the people poor in order that the conquerors might the more easily rule over them. But now the general desire was to make the people rich, and to give them a share in the responsibility of the Government, that they might, as it were, all govern together. It was almost, if not quite, impossible to alienate land in the feudal time. His hon. Friend the Member for the city of Oxford (Mr. Neate) had gone most fully into this question, and shown that the Barons were soon compelled to give way to what might be called the public opinion of those times, and to allow their tenants to alienate their fiefs, and in place of rendering persona service to pay a pecuniary fine. In the reign of Edward III. the Crown was compelled to give a similar liberty to its tenants. It was in the reign of Henry VIII. that the power of willing land away was granted to the people. A favourite argument with opponents of this Bill was that it would abolish the law of primogeniture. But since the latter portion of the feudal times, when land could be alienated from the children, and especially since the laws passed in the reign of Henry VIII., he held that the law of primogeniture had practically been abolished, and that since that time there had been no law of primogeniture whatever in this country. Another argument against the Bill was that it was an attempt to introduce the French law into this country. Under the French law, however, the power of giving away property either during life or after death, and whether as to property movable or immovable, existed only to a very limited degree; whereas the present Bill allowed the power of devising to the fullest extent, and it also allowed settlements and entails to remain as they were. In fact, it only proposed to substitute the very just law with regard to personal property in place of the unjust law which existed with regard to real property. As to the supposition that the change proposed would endanger the aristocracy, he hoped that notion would not be put forward. All the great estates were settled and entailed, and it was idle to suppose that the owners of such vast properties would fail to take the precautions which they considered necessary. Then there was the thin end of the wedge argument. Now, he had been fortunate enough to pass many Bills through Parliament, and that argument had always been resorted to. When he proposed to make mortgaged estates bear their own burden that argument was used. However, the Bill was passed into law, and he had never heard of any injustice having arisen from its operation. It would be wise in the aristocracy to give up some of their prejudices with regard to a measure of this kind which the great mass of the people wished to pass. The House of Lords consisted of landowners, and the House of Commons to a large extent also. Clearly, therefore, landed property was always certain of protection, and it was only a matter of fairness to let the small holders of property in this country have a more just and a more equal law to apply to their property. We lived in a democratic age in an aristocratic country, and it was not even for the advantage of those who might benefit by them to some extent to uphold unjust or unequal laws. It might be said that no great stir was made on this question throughout the country. But it was from persons having grievances that petitions usually came, and in this case persons who were sufferers by the law felt it useless to petition, as the House would not sanction *ex post facto* legislation, while those who might hereafter be injured were not likely to petition either, younger members of a family being generally in ignorance of the disposition of property made by their seniors. If those who felt anxious that large estates should be kept together desired to perpetuate the present system on that ground, he hoped at least they would offer no objection to the application of the principle for which he contended to small properties, and with this object he would suggest that clauses might be inserted in Committee confining the operation of the Bill to property of some small amount, to be specified—say of the total value of £1,000 or £2,000. Hoping that in this enlightened age reason, and not prejudice, would govern the decisions of hon. Members, he begged to move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Locke King.*)

Mr. BERESFORD HOPE, in rising to move that the Bill be read that day six months, said, that the hon. Member in the interesting and clear narrative which he had given to the House of his measure had dwelt too briefly on the historical passage descriptive of what had occurred just seven years ago in a moribund Parliament, then, as now, engaged in the discussion of a Reform Bill, and then, as now, called on by him to consider this proposed change in the law. There was, however, the difference between the two occasions that at that time the Conservatives were the Reformers, and were sitting upon the Treasury Bench, while the hon. Gentleman and his friends were in Opposition. Accordingly, as might have been expected under such circumstances, there were a great many appeals made—not exactly to "flesh and blood," for that phrase had not yet been invented—but to popular feeling, in the way in which such appeals were dexterously manipulated on the other side of the House; and, therefore, if there had been any measure upon which a democratic field-day could have been advantageously organized it was upon the Bill of the hon. Member. The hon. Member spoke his best then, as he did now; he gave the one same clear exposition of the law with which he has just been enlightening the House, and he brought forward his one pet case of the same unhappy widow, harshly treated by the cruel nephew, which sounded like the *Babes in the Wood* reversed. A division took place upon the Bill, and what were the numbers? For the Motion of the hon. Gentleman 76; against, 271. With Reform as the stalking-horse a general election followed shortly afterwards. Such an instance of aristocratic oppression would not, of course, have been kept from the people at the hustings, if it could have been turned to the least use; but in the newly returned Parliament, elected on a Reform cry, and which had since maintained a Liberal Government in power for seven years, the hon. Gentleman had ever kept a sacred silence. At length, seven years later, a younger generation that knew not Joseph having arisen, in this uneventful and lazy Session, the hon. Member has thought proper to revive this little bye-question, and to invite a decision upon the principles of his well-matured grievance. Two great men took part in the debate on the occasion when it was last brought forward, and so signally defeated. Of these one was a statesman whose memory in and out of the House is preserved in honour as that of a wise and kind man, of infinite prudence tempered by infinite acuteness, whose natural—he would not say scepticism—but naturally logical mind always led him rather to understate than to overstate his own case, who made every allowance for those opposed to him, and who proceeded to the discussion of every question with the mind of a Judge rather than of a Member of Parliament. This man, the late Sir George Lewis, having before him the identical Bill which was revived to-day, said—

> "It had been argued on both sides of the question as if this were a narrow and limited Bill—as if it did not affect the whole mass of real property, but would in its operations be only confined to a small portion of that class of proprietors. As he understood the Bill, its effect would be to assimilate the law of descent of real property to that of personal property. The effect would be to extinguish that class of persons who were denominated as heirs. There would be no such thing as inheritance. No person hereafter would be heir to landed property. That, he apprehended, would clearly be the effect of the Bill. The mea-

sure, too, would extend to all classes alike."—[3 *Hansard*, clii. 1125.]

Sir George Lewis confessed that to him—

> "The sentimental argument with respect to the case of the widow seemed to be wholly inapplicable. If this Bill became law, the natural feeling would be entirely inverted. A person who made a marriage settlement according to the present system of marriage settlements would be robbing the younger children of the rights which the common law would give them. The House had to consider what would be not only the economical but the political effects in this country of distributing real property equally among all the children."—[3 *Hansard*, clii. 1126.]

Bearing in mind that Sir George Lewis was at that time in Opposition, was there ever so trenchant a speech delivered against a measure identical in its clauses with that which the House was now invited to adopt? But Sir George Lewis was not the only person on that occasion who spoke against the Bill from the front Opposition Bench. Lord Palmerston "objected to the Bill on every possible ground," declaring it to be "at variance with the habits, customs, and feelings of the people of this country, and incompatible with the maintenance of a constitutional monarchy;" and this at the moment when he was opposing a Conservative Reform Bill, and prepared to go to the country on a Reform cry. The hon. Gentleman was not justified in representing this Bill as a small remedy for a narrow grievance. Whether he were or were not now displaying only the narrow point, upon the testimony of these two statesmen there was a whole wedge behind it, and with it he was poking up one of the cardinal institutions of the country. For this grave estimate of the mischievous import of the proposal they had, on the one hand, the eminently practical good sense of Lord Palmerston, and on the other the cool, judicial, philosophical mind of Sir George Lewis, both opposed to the Bill. He called upon the House for once to be candid and earnest, to grasp the case as it really presented itself, and to accept the issue of a great battle upon just principles.

The question at issue under this Bill was either the maintenance of the tenure and descent of property undivided—unless specially willed—according to ancient usage in this country, or, again, its compulsory division in the mode which foreign nations, since the great European Revolution of 1789, had incorporated into their system. It led up directly to that greatest of all negations of personal liberty, the denial of the right of a man to dispose of his own inheritance and of his own earnings, which had in the name of the principles of 1789 been made good by the levelling greed of false Liberalism, in so many foreign countries. The hon. Member had brought forward some curious archæological points in support of his argument. Saxon ancestors had appeared in their picturesque wildness, and Roman lawyers had walked before the House in long procession. But though archæological meetings during the recess were always curious and often entertaining, he would rather take his place in the House itself as a man of the time. He would discuss the question without so much as quoting the words "feudal" or "allodial," and he promised that he would not refer directly or indirectly to any book or speech of the hon. Member for Westminster. He dealt with the question exclusively in its modern and actual aspects according as it was an integral portion of the system which had existed in the days of their fathers and of their grandfathers, and was now thoroughly established in this country by a prescriptive right of several generations. The hon. Member for East Surrey had taxed his opponents with ignorance for talking of primogeniture, and had said there was no law of primogeniture now in England. Of course, it was open to every hon. Gentleman to make his own dictionary, and when he had done so it was easy enough for him to parse his words according to that dictionary. No one would assert that the same law of primogeniture prevailed now which existed 500 years ago in this country, or which might exist now in Japan; but the succession to property was, nevertheless, well regulated and understood, and, if there was a law by which the land of the intestate went to his eldest son, that descent was, *pro tanto*, a law of primogeniture. This was the moderate and reasonable law of primogeniture, which they were met that day to discuss and to defend. The hon. Member, of course, had threatened the Conservative party, if they opposed his Bill, with all those mysterious pains and penalties which had been held over their heads so often by the other side of the House, and particularly during the present Session, that at last they were beginning to grow hardened to such threats. Granting all the commonplaces of Liberalism and Democracy, he maintained that the present system of the descent of land in this country was an eminently practical, liberal, and commercial system. It was one of the apprehensions haunting the minds of philosophers that in a country like England, of limited extent, land would rapidly become absorbed in a few hands, and that that accumulation might be productive of dangerous results. But when they looked at the condition of the country with an impartial eye, they would find that the contrary was the case. They would find that though there might be to some extent an absorption of small estates, there was in every county a considerable creation of minute properties by the operation of those freehold land societies which both parties, for political objects, had competitively created with so much energy. There were, no doubt, parts of the country, generally inhabited by respectable old-fashioned families, where the visitor would be told, in tones in which horror of the invasion was tempered by admiration of the physical greatness of the invader, of some Manchester man who had come down like the dragon of Wantley to gobble up gentle and simple, church and land, so as to create one gigantic estate ; but in such a case a measure like the present would be simply inoperative, for a man who thus laid himself out to become a territorial lord would have sense enough to closet himself with his attorney and make a will or a settlement giving stability to the family which he had so carefully founded. The very desire, however, and zeal to accumulate land had, by raising its price, rendered the process of accumulation more difficult ; and so a counteracting influence had begun to make itself felt, to which he begged to direct the particular attention of the House, as it had a special bearing on the present case. The anxiety which so strongly prevailed in this country to obtain a residential position was itself a natural corrective of the tendency to a too great accumulation of land in the hands of individuals. There had grown up a class of opulent proprietors, increasing in number as the facilities for locomotion increased and the distribution of wealth had become more general, who did not look upon land merely as a source of income, but as a place of residential interest with responsibilities attached to it. These were men of business, who in the last generation would have lived in the town where their occupation was carried on, or at most in its outskirts, with only perhaps an occasional trip to the sea. But for people of this generation it was impossible to live within a circle of 100 miles from London as he himself did, or of Manchester or Leeds, and not take cognizance of the fact of the multiplication of country places belonging to persons of the stamp which he had indicated, which were the true, natural, and healthy corrective to the excessive accumulation of property in the hands of single lords, on which the democratic cry for equal distribution was apt to base itself. In due time the same phenomenon would, he had not the least doubt, extend itself to more remote counties, until, as of old in Holland, its residential advantages would be a main element in the value of all land in England. This was not a naked theory —he could himself quote within his own knowledge farm after farm which had gone through the transmutation from mere profit to amenity and residential obligation, as the growth of railroads opened up desirable districts. For his own part, he regarded this multiplication of moderately sized "country places" with unmixed gratification, as vitally tending to the moral and material well-being of the realm. He felt that the present law of inheritance fostered their creation, and he was therefore unwilling to see that law altered. Residential occupancy contributed greatly to the creation of that state of things which was known as "doing good" in one's neighbourhood. Those who founded such places were men who made their garden, and their keeper's yard, and their model farms, and who built or restored and endowed their church and founded their village school. It was accordingly the pleasure and the interest of such men to surround themselves with agricultural and rural retainers, who were better paid, better looked after, of higher and more intelligent class, and with children better schooled than could be the case where the agricultural labourer upon the fiftieth or sixtieth farm on a large estate never saw, or, perhaps, never expected to see, the face of the freeholder, and had only to do with the tenant farmer or the steward. But was it to be supposed that having erected homes like these the intelligent, wealthy, middle class would relinquish with the term of their own natural lives the stake in the country they had won, and the local position they had attained, and would not seek to hand them over to their descendants ? Naturally they would desire to be assured of the safe and unquestionable descent of their favourite creation under any accident. So true was it, that the actual system of inheritance of land was to be defended on sound modern principles of commerce. The whole arrangement worked admirably, and afforded a proof how well social usages which had sprung up under a different state of circumstances might adapt themselves to the requirements of a more advanced civilization, and to the enlightened commercial condition of affairs on the present day. Suppose the Motion of the hon. Member carried, and what then? A horse might stumble, or a boat might be upset in a sudden squall. Any unforeseen accident might carry off the proprietor of an estate, who, being a minor—perhaps the last in an entail—was forbidden by the law itself to make a will. The hon. Member found it convenient to overlook this question of minorities, and to argue as if intestacy must always be wilful, and as if the man who had not made his will must either have wished not to make it, or have been culpably careless as to giving force to his wishes. Were all the model cottages, all the model farms, examples of science, thrift, and providence to the country round, to be cleared away; all the sustentation of schools and charitable societies to be stopped; all the ties of family connection and friendly intercourse to be ruptured, and the property brought to the hammer with a view to its division possibly among second or third cousins, who knew nothing of the district, possibly had never even visited it, and perhaps had looked upon the creation of the place with a jealous eye? Would that be, in the opinion of the hon. Member, a satisfactory change in the descent of property? Would all the advantages so thrown away be easily replaced? The land of England was necessarily limited—bound in by the circumfluous sea—but while limited it was at the same time visible and tangible, and the measure of its acreage was public property, thanks to the Ordnance Survey. The commercial wealth of the country on the other hand was in one respect illimitable, but in another untangible and uncertain.

The moral he drew from those considerations was this. He could not help comparing the land of England as compared with the universal wealth of to-day with the bullion reserve in the Bank of England. With all the wealth, the vast commercial enterprize, the finadcial power—which recent events had shown might sometimes prove illusory—the land of England was the solid backbone of the country, and on its stability indirectly rested the solvency of those whose income represented other modes of property. It ought not to be tied up capriciously or tyrannically; but, at the same time, it ought not to be made too easily convertible. The question had to be forced as it effected the practice of mortgages. This was a matter about which there was often a good deal of misapprehension. When a squire was heard of as raising money on mortgage, the first illnatured idea was that he might have known too much of Epsom. The surmise was in innumerable instances unfounded; for the common sense and commercial exigencies of various classes had discovered that the security of land afforded on the one hand an unrisky and ungambling method of investment at rather higher interest than the funds afforded; and on the other a method of easily finding that material and by which the value of the land itself might be developed and enhanced. The people of our country had thoroughly appreciated this advantage, and every one who had anything to do with the management of land in this country must have known how common it was for people possessed of small sums of money to lend them to some neighbouring landowner on the security of his property; and there could be no doubt that such an arrangement was, as he had just said, a source of mutual convenience, inasmuch as it enabled the lender to obtain a higher amount of interest than he could otherwise command, while it placed at the disposal of the borrower money which he could beneficially invest in the improvement of his estate. But this whole system of mortgages under which money was easily obtained at a moderate rate of interest hinged upon the belief that land would never become divisable to excess. Once make it clear that land must constantly be sold in lots, and that accordingly these incumbrances would have to be periodically got rid of, in this case most assuredly that form of investment would go out of favour both with borrower and lender, for of course the increased uncertainty of tenure and the augmented risk of an inconvenient and unexpected paying off, would soon make itself felt by an alteration both in the rate of interest and in more suspicious and narrow investigation of the securities. But the evil would not even end there. Parliament had, not many years since, passed a series of very useful measures chiefly at the instance of that admirable country gentleman and distinguished representative, whose untimely loss both sides sincerely lamented, Mr. Ker Seymer, which had created certain societies with powers to advance money on easy terms for the improvement of estates. The financial arrangements of these bodies were practically those of ordinary mortgages based on the recognized normal indivisibility of land, and it could not be supposed that the insurance companies which really found the money for those societies would continue their present accommodation if this Bill became law.

He thought, therefore, that the change would be simply unsettling and mischievous, as far as regarded what he might call the gentry or middle-class estates, and he believed that its operation would be at least as pernicious in the case of the smaller estates held by yeomen. No Duke or Scotch Earl could have more pride than a yeoman in keeping his land together. The yeoman would cling to his own land, and reject the best offers to part with it, sometimes, as he (Mr. Beresford Hope) well knew, a little to his own cost. He had had to do with that class of proprietors in Kent and in the North Midland Counties, in both of which they still abounded, and he could vouch for the tenacious pride which led them to stick to their condition of freeholders. He believed that the pride of that class was often even carried to an extent at which political economists would shudder, and that those freeholders in many instances clung to the possession of their land when they would become much richer and much easier-minded if they were to sell it. But it would ill become Parliament to discourage their honourable ambition, as it would necessarily do, if it were reckless enough to pass the present measure. They loved their land much, and withal they wished to have as little to do with the attorney as good Christian people could. They had no great fancy for making wills, and when they made them they were too apt to go to the village schoolmaster and make a bad one, with an ugly law suit on its back. But once this Bill was passed, they must either sign a deal of parchment or else lose the land which had come unbroken to them from their fathers and grandfathers, in some cases from the very earliest days of the English monarchy. At best, they would have to pay costs that would have the effect ultimately of depriving their race of their small holdings; for the descent of land in the yeoman class was not by settlement, but by the customary law of the land; and once that customary law was unsettled the whole system would crumble.

He next came to the smallest holder of all—to the working class freeholders, whether of ancient descent or created by modern election societies—the freeholders who constituted, as it had been proved, the working-men element in the county constituencies. Was it desirable, was it seemly, for Liberals to disfranchise and destroy this class as they would do were the present Bill to pass, for these little freeholders were not the folks to make wills. It was true that these peasant proprietors had been termed by a very high authority, and in that House too, "the flies in the pot of ointment." But if they were flies, was that any reason why they should be chopped up? The proposition of the Member for East Surrey was one of broad disfranchisement, and for that reason, if for no other, it never ought to have been brought in from the other side of the House. So much for the matter as it stood; but if the Bill passed it must, as he had shown, lead to still greater changes. The hon. Gentleman the Member for East Surrey, and those who supported his proposition, had taken up a purely sentimental grievance, and in the name of that sentimental grievance they sought to unsettle a custom which had been the law of the land from time immemorial, and on which the social happiness and the political stability of this country in a great degree depended. They sought to effect that change at a moment when the condition of all Europe was being disturbed by imminence of a general war. He hoped the House would refuse to have its time occupied by the discussion of such questions, and, with confidence that it would do so, he begged to move that the Bill be read a second time that day six months.

Mr. GOLDNEY, in seconding the Amendment, said, the Bill was an attempt to alter the whole law of landed property in England; and if such an alteration was to be made it ought to be made by a direct proposition coming from Her Majesty's Government and not by a side-wind coming from a private Member. A Commission, whose investigations were made during a period extending over four years—namely, from 1829 to 1833—had considered the whole subject of real property, and in the Report of that Commission it was stated that in the case of a person who died intestate it was more in accordance with the spirit of our constitution that land should descend by the law of primogeniture than that it should be distributed among the surviving members of the family. He had not heard the hon. Member for East Surrey make out any general grievance; and in considering such a violent remedy as that which the hon. Gentleman proposed, one must not look to isolated cases. No principle of law was better understood in this country than that the land which had been held by intestates should descend to the eldest son, and the consequence was that many proprietors, and more especially many proprietors of the smaller class, never made any wills. It was a common saying in the West of England that what comes by heirship goes by heirship; and the effect of a departure from that principle, and the adoption instead of the principle of the Bill now before the House, would be to break up and destroy the class of small freeholders, and to put the great bulk of the small estates in the hands of attorneys and auctioneers. If the principle on which the law was based were wrong, let the subject be dealt with as a whole; but to treat it in the partial manner proposed by the hon. Member would be highly objectionable, even if he had made out a case against the present system.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Beresford Hope.*)

THE ATTORNEY GENERAL: With respect to the suggestion that fell from the hon. Member for East Surrey in the close of his speech—that in Committee the operation of this Bill might be confined to small properties—I think that will not be the view of the House. We cannot legislate for small properties and not for larger properties: the law must be looked upon as a whole. The hon. Member argued that the law is bad because it leads to some hard cases. There is a saying among lawyers that "hard cases make bad law:" and certainly it is not the best way of discussing these questions to say that some woman or some man has been disappointed of what he or she might reasonably have expected. The better way is to look at the law as a whole and see whether there is any reason why the House should be dissatisfied with it and should therefore commence a course of departure from it. It is an assumption of my hon. Friend that the law relating to landed property is an unjust one and one essentially founded on injustice; but with great deference to him and those who adopt his view, I think that is a point which ought to be established and not merely assumed. And I confess I am not able to see what *à priori* injustice there is in this law more than in any other which might be made on the same subject, especially in a country where there is so much freedom of action as exists in England. The owners of property are permitted by deeds in their lifetime, and by wills to take effect after their death, to dispose of that property exactly as they may please. Therefore there is no real hardship at all, and the portion of the law which applies to the cases for which it is now proposed to legislate—namely, those in which persons omit to make a will, is merely supplementary, and operates only when there has been no intention manifested to exclude its operation. I cannot but think it is a mere begging of the question to speak of injustice, because, if there were any solidity in this argument of my hon. Friend, it is obvious it would put an end to his other argument that this is not the thin end of the wedge. I admit that the argument about the thin end of the wedge is not to be received without examination; but when you come to speak of an injustice in the law it is necessary to examine it, because if the argument on the ground of injustice be well founded, we cannot stop at the point which my hon. Friend has indicated. If the policy of the law be wrong, injustice may be inflicted as much in cases of wills and family settlements as in the case of omission through accident to make a will. But really, the question we have to consider is one of public policy; and in questions of public policy the burden of proof is on those who propose to alter a particular institution of the country. But I have no objection to examine the state of the law, and to contend that the law of primogeniture is not inexpedient. It is not arbitrary, because the greatest freedom of action over property is allowed. I cannot help thinking it would not be desirable that there should be a general system of division of estates. It seems to me that considerable benefits have always arisen and do arise in this country from keeping landed property together. By means of this system the duties of property are handed down and are better performed; there is more family and hereditary interest felt in the welfare of labourers and tenants; and improvements in land are made on a longer prospect, and with greater interest in their permanence. The class composed of the owners of landed property stands between the Crown and the lower orders—supporting the Throne and the higher institutions of the country, and at the same time maintaining excellent relations with those below them. The existing gradations of society in this country, including the hereditary peerage, are in harmony with this state of the law; and the maintenance of that graduated scale of society has been in times past of essential importance to public liberty, and still operates as a very strong encouragement to the increase of wealth and intelligence, and to every kind of laudable ambition. That, of course, is a political benefit which arises incidentally from the advantages which the eldest son gets by primogeniture. But is this injurious to younger sons? I think quite the reverse. On the contrary, if there is one argument stronger in its favour than another, it seems to me to be that derived from its effects with regard to younger sons. Instead of being, as they are in some countries, a class who keep apart from the other classes of society, in this country the younger son of a nobleman or landed proprietor is sent into the world and immediately goes into the ranks of the people, and takes his place among them; while, at the same time, he retains the social advantages arising from the position and influence of the head of his family, and from the connection which he is able to keep up with his old ancestral home. He enters one of the learned professions, or the army, or he becomes a civil engineer, or goes into commercial business, or, as is now very common, into trade. And as time goes on in this country we find a tendency—which I think is very desirable—to abandon the objection which formerly existed to the younger sons of what are called good families entering the ranks of the people. There is now among the aristocracy a more widely-spread recognition of the power and importance of every independent occupation in which a man may be embarked, and there is a disposition to get rid of those absurd distinctions which formerly prevailed as to some occupations being honourable, and others, though equally useful, and suitable to the education and talents of the individual, not so. Then, as regards small properties, I agree with the hon. Gentleman who spoke last that under this Bill those properties would be likely to change their character. They would change hands and contribute to make larger properties. I believe that such a change would not be desirable. I think nothing would be more satisfactory, in a natural point of view, than the gradual growth of small into large holdings; but by this Bill you would be making it absolutely necessary that every small estate should be sold. In this way they would get sooner or later into the hands of great owners, and through the medium of the Court of Chancery many of those properties would be incumbered with costs which would render them of little value to anyone. For these reasons, I trust the House will not be disposed to adopt the change proposed by my hon. Friend.

Mr. BRIGHT said: I was not aware until I came into the House that this question was about to be discussed to-day; and I will not trouble the House with many observations upon it. I will say, in the first place, that the speech of the Attorney General is one we have heard very often on this subject. I will say, moreover, I live in hopes of hearing him make a speech exactly contradictory of that which he has now delivered—I think that extremely probable. The hon. and learned Gentleman began his speech by saying that the charge of injustice brought against the present law was a charge which had yet to be established. Of particular cases of injustice I think he made no denial. He did not deny that there are particular cases of injustice; but I should like to ask the Attorney General, if there be no injustice in this law, would he be willing to extend it to all descriptions of property—to personal property as well as real property. Now, if he will answer me that question in the affirmative—that he would so extend it, and that he thinks by so extending it there would be no injustice—to keep him to his own phrase—I would believe what he said upon that point; but until he does so I must believe that in his observations to-day he did not mean exactly what his words indicated. I will undertake to say that the hon. Gentleman opposite (Mr. Goldney), who is so delighted with the four years' sitting of that Commission, knows—and men who know even less about the matter know—that to extend this law to all the property of the country would involve the country in convulsion and confusion within the next twelve months. There are many forms of injustice which, having been long established amongst us by law, the people are able to bear without the disasters occurring to which I have referred. But if the principle of this law were extended to all other kinds of property, and the principle could be judged of as a whole, it would not last a month, and every Member of the House is perfectly conscious of that fact. Now, the Attorney General tells us that everybody is left by the law to perfect freedom of action. Well, he knows, too, that was not a fair mode of stating the case. Of course, with regard to property that can be left by will, every man is left in perfect freedom to make a will, but the question is what happens if he does not make a will. Whether he has a freedom to make a will, or not to make a will, surely the law has no right to do injustice if he exercises the option and does not make a will. Take the case of game, one which must be very interesting to many hon. Members of this House. If there be no contract between the landlord and the tenant what does the law say? The law says that the game belongs to the tenant. Why does the law say so? Because it is clearly right, that if there be no contract, it should be presumed that the tenant on engaging to take the land, to pay a rent, and to cultivate it, should have a right to all the animals that live upon it; and the law acting upon that wise principle declares that, if there be no contract between the landlord and the tenant, the game is the property of the tenant. And so in this case, if the law were equally just and wise it would say that if the owner of the property at his death had failed to make any appropriation of the property to those who survived him, the law should undertake to do that which it is to be presumed he would have done had he made a will. Well, it is to be presumed, I assume, that any man making a will and leaving children behind him, would treat those children with some show at least of an impartial affection, and would divide his property with some degree of justice amongst them. Why men do otherwise than this is the great condemnation of your law, for it destroys in their minds the sense of right and wrong—and induces in thousands of cases every year a making of wills and a devise of property which is contrary to all natural right, and which makes in many cases the last act of a man's life the great crime of his life. I have said often with regard to the character of men and the lives of men that I will judge of no man's life and character until I hear of the will that he has made. [*Laughter.*] Hon. Gentlemen opposite treat that observation with a sort of derision and contempt. That is only another proof of the effect of this bad law upon their feelings and their judgment. Now, the Attorney General says that it is not to be discussed as a question of justice or injustice, but as a matter of public policy. Well, there he passed on to ground where, no doubt, he was more in accordance with the facts of the case. He says that if you have a hereditary peerage, a law of this nature is desirable, and, it may be, is also necessary. I sat some years ago on a Committee with regard to the affairs of Ireland, and a great deal of evidence upon this matter was taken. Amongst others we had the evidence of Professor, now Judge, Longfield, of the Incumbered Estates Court in Ireland, and it would be very valuable to Members of this House if they would read that evidence. We had the evidence also of another eminent lawyer, who argued in his evidence strongly in favour of this law, but he was obliged to admit at last that if he confined himself to the questions and principles of political economy he must condemn the law; but taking the law in connection with a hereditary peerage, and looking at it as a political institution, he was obliged to support the law. Well, Sir, I prefer morality and justice to all the peerages and all the dynasties that ever existed in the world—and if I were in favour, as hon. Gentlemen are, and to the extent that they are, of hereditary succession, I should be afraid of tying up the hereditary peerage of this country with a law so obviously immoral and unjust as that which we are now discussing. The Attorney General told us of the duties of landowners as if nobody but great landowners would perform their duty. Why, it would be equally an argument for a law to maintain great factories in Lancashire, and yet everybody in Lancashire knows perfectly well that small manufacturers perform their duties just as well as large ones, and there being no law to create and keep only the largest manufactories, that there is much greater facility for little men gradually to grow and become greater men than there could be under a law that would affect manufactories in the way that the law of primogeniture affects land. Does the Attorney General mean to say that all over Europe, all over the United States of America, all over the Australian colonies, and wherever—and it is almost everywhere—this law does not prevail, that the duties of landowners are not performed in just as exemplary a manner as they are performed in this country? Why, it is one of the great calamities of this country at this moment, and a calamity constantly increasing, that the limited amount of land, to which the hon. Member for Stoke referred, is gradually becoming the property of a more limited number of the people—and I will undertake to say there is no other civilized country in the world in which the same state of things is taking place, and it would be impossible to place your finger upon any single fact connected with this country which is more deplorable and more dangerous than that. The Attorney General went on to tell us about younger sons. Well, Sir, I am not at liberty to tell the House everything I have heard from younger sons upon this question—but I recollect, only two years ago, coming to this House very soon after I had made a speech in Birmingham referring to this very question, and I met a younger son, who has before this time been seen in this House. He made a communication to me which I am anxious to repeat. I am not sure whether the language he used would be quite Parliamentary for me to use, but, I think, Sir, you will forgive me if I use it. He said—"I read your speech at Birmingham; I agree with you; we younger sons are damned badly used." Now, Sir, I think that remark, for which I vouch—and I have not altered a syllable of it—is a very fair answer to the arguments of the Attorney General with regard to the younger sons. I understood the hon. and learned Gentleman to say that he thought there was a great advantage in the present system, inasmuch as by its means younger sons were induced to descend into the ranks of the people, and to turn their attention to obtaining an honourable living by following professions, commerce, and so forth. That would be an argument equally for robbing the elder son — but I am not sure that the Attorney General intimated that he would like the principle to be extended to every member of the family. If the property were more equally divided, perhaps younger sons might hereafter come into the ranks of commerce, or enter the professions, and the object of the Attorney General would be obtained perhaps a little later. But now, if this principle that is here made so sacred is held to be sacred nowhere else—if it is held to be of a most pestilent character in every country in the world but this—was not my hon. Friend the Member for Westminster justified when he said that England in regard to this question of land was the exceptional country, and not the country from which you could argue as the rule. I remember having read in a biography of Mr. Jefferson who was, I think, twice the American President, and one of the most able and illustrious men that the English colonies in America have ever produced—that he considered it the greatest act of his life, or one of the greatest, that he abolished this law of primogeniture in his native State of Virginia. And his biographer quotes, I think from some letter or declaration of Mr. Jefferson, in which he described the great advantage that the abolition of the law had been to that State, and he used one phrase as an illustration which will convey to the House what he meant. He said, "Some years after the abolition of the law there were fewer carriages-and-six in Virginia but a great many more carriages-and-pair." And he took it for granted, as we may all take it for granted, that a country is better off where there is a greater equality of condition and a greater division of property, and where there is no particle of injustice in the law. Now, I believe there has been a multitude of cases in which this law has produced injustice of the most grievous kind. If the hon. Member for Surrey brought forward one case or half-a-dozen such cases, they are but, as it were, one in a hundred or one in a thousand of those that are continually taking place throughout the country; and I maintain that nothing can be worse for a Legislature, nothing worse for the permanence of any Government, than that we should in any matter of this kind maintain a system which we in our own hearts, if applied to anything else or in any other way, should condemn; because if a law, which is made by the general judgment of the ruling class in a country, be unjust and the instrument of injustice, how can you expect that morals and a regard for justice should spread and become as it were settled in the minds of the people? I do not expect that my hon. Friend will carry his proposition to-day, but the day will come—and it is not very remote — when his proposition will be carried. Hon. Gentlemen opposite always fancy that they are going to be ruined. They do not believe that they can keep possession of their own estates if the law allows them to deal with them. They seem to me to be unable to comprehend any question connected with land. They believe that we on these Benches are hostile to the land and to the owners of great estates. But you know we have done you more good than you have ever done for yourselves. We, in discussing this question, own allegiance to the highest principles of a true political economy and of justice between a man and his children, and between the State and those whom the State governs; and therefore, without regard to any special inconvenience that might happen here or there from the establishment of this principle for which my hon. Friend contends, we avow ourselves the supporters of this Bill, and we believe the time will come, and that before long, when it will be accepted by the House of Commons and the Legislature.

Mr. HENLEY said: I should have contented myself with stating that which I believe to be the effect of this Bill in itself had it not been for the somewhat powerful speech of the hon. Member who has just sat down. In spite of the denial of the hon. Member who brought in the Bill, it is now quite clear that the measure is not to be looked on as a matter by itself, because the hon. Member who has just sat down most distinctly asserted that he and those about him support the Bill for the purpose of bringing about a first change in the present state of the law, which he describes as being wholly unjust. The hon. Member for Birmingham went so far as to say that however good a man's life may have been in itself, he could form no opinion of that man, unless he found that at the close of his life he had acted in conformity with what the hon. Member believed to be just. That shows how strong the hon. Member's opinion is, and pretty strongly also that he would not leave much latitude to persons who might differ from him. That is a proposition from which I think it is impossible the hon. Member can escape. The hon. Member seems to say that this particular law must be unjust because its principle is not universal, and that it must be unjust unless it is applied to every description of property. Now, I believe that a law may be perfectly just, right, and convenient as applied to one description of property, and very unjust, wrong, and inconvenient if applied to another description of property. Indeed, my chief objection to the proposal of the hon. Member for East Surrey is that it is inapplicable to the peculiar species of property with which it professes to deal. In itself the Bill does not touch the great question of primogeniture. It does not profess to meddle with that vast question, but it merely professes to deal with the limited number of cases in which persons have not made a will. Speaking generally, there are three classes of persons to be considered—the rich, the less rich, and the poor. Each of these classes are more or less, or not at all, interested in these matters. That ugly customer, Death, catches all classes, catches them napping and unawares. Nobody knows when he comes. But here it may be said that the higher and better educated classes have more right to be prepared and to be guarded against the contingencies with respect to those who come after them than the less wealthy and the less educated classes. How will this Bill cut? According to the law of this land every man can do what he likes with his freehold property provided he has an absolute interest in it—provided that it is absolutely at his own disposal. As to the higher classes, or those who are designated by the other side of the House as the "aristocracy," but who might more properly be called the richer, in ninety-nine cases out of 100 the property is settled—dealt with by will—and such a Bill as this would not apply to them at all. It applies in a less degree to the middle classes; but how would it apply to the poor? I am not talking about small landed estates, but of the poor men throughout the country, who are a very numerous class, who own a cottage. Do you not think the possession of a cottage is as much valued by the poor man, because he has had it from his father, as the great Duke's estate is by the Marquess who succeeds him? Every one knows the pride the poor take in these cottages; but the hon. Member for Birmingham says it is unjust not to divide them. The hon. Gentleman complains of the great accumulation of land which takes place under the present system, but if the change which he advocates is carried out, what will become of every little bit of land belonging to a man who dies intestate? The Bill absolutely says the property shall be divided. But if it be a house it cannot be cut into bits. I remember a late colleague of mine telling me, when a similar Bill was before the House, that he knew of a walnut tree in France which belonged to two-and-thirty people. If you do not want to accumulate these landed estates the natural course is to allow them to remain in the hands of the small people to whom they belong. Because if you divide a small estate on a man's death you may be sure that the person holding property contiguous to it will get it when sold, and thus you will go on aggregating property, which you say is a misfortune. That would be the natural and inevitable effect of the matter. Every one who has much acquaintance with the cottage holders of this country know that they have a great respect for gentlemen filling the office of Chancellor of the Exchequer, and that, from want of modesty, they rarely trouble him by making a will, because they know that the Chancellor of the Exchequer and the lawyers betwixt them get hold of a great deal of the property left. These people, wise in their generation, never make wills, and think it better to let a cottage and twenty-five yards of garden go from father to son than make a will, in which case should this measure pass the Chancellor of the Exchequer and the lawyer are pretty sure to get possession of the best part of such properties. You propose to compel these poor persons to make a will, or that the property shall be sold. That is a hardship. I do not propose to go into the great question of primogeniture. I deal with this question as it is. It is a simple Bill, the defect of which will be that the property of poor cottagers in the country will be bought up by neighbouring landowners. As to the larger question, I am perfectly content to abide by what the Attorney General said with respect to it. But I oppose the present Bill because I believe it will inflict great hardship, injury, and injustice on the cottagers throughout the country.

Mr. NEATE said, that with respect to the argument that this measure would render it less easy to lend and borrow money on mortgage, it would be sufficient to point out that the law of settlement was a bar to the power of mortgaging altogether. The hon. Member for Stoke (Mr. Beresford Hope) had spoken of the pride which the holders of moderately-sized freeholds felt in their estates, and referred to several instances in the county of Kent; but he would remind the hon. Gentleman that that was the very county in which the law of gavelkind prevailed, under which property was equally distributed. He by no means wished to see any system established which would lead to a minute subdivision of landed property. Indeed, in travelling through Brittany he was shocked and disgusted at seeing the number of fields no bigger than the floor of the House of Commons, and fences no higher than the table. He agreed that every one ought to be at perfect liberty to dispose of his property as he pleased; but the question now under discussion was, how real property should be disposed of in the event of its owner dying without having made a will. The Attorney General had said that the effect of the proposed change would probably be that the owners of property would feel a sort of pressure upon them to make their wills in the manner which would seem to be suggested by the State; but, for his part, he did not apprehend that any such result would follow the adoption of this measure. This Bill tended to a perfect assimilation of real and personal property, and the assimilation of the settlement of land to the settlement of personalty. The consequence of that change must be that you would allow to the tenant for life, not a power of alienation, but a power, which he did not now possess, of distribution to his children. That was an inducement to him to support the Bill, which he believed would be most conducive to the peace and happiness of families. He should not, however, object to an inalienable endowment being connected with every peerage, inasmuch as he traced our liberties to the feudal lords of 400 or 500 years ago. The reason why primogeniture co-existed with feudalism was because an estate at the period of feudalism was a sort of office to which military duties and jurisdiction were attached; and if an estate held on those conditions had been divided there would have been a necessary division of service. But as feudalism was a thing of the past, he saw no reason why the things which sprang out of it should not also pass away. The Act regulating the succession duty with respect to real property, was a legislative measure which constituted a step in the right direction; and in his opinion the time had now arrived when personal property ought to be dealt with in the same way.

Mr. WHITESIDE said, the question before the House is one which affects the whole of our system of law with respect to property, and therefore, according to the fashion of our times, it is introduced on a Wednesday by a private Member. It has been opposed, in an able speech, by the hon. Member for Stoke (Mr. Beresford Hope), and his arguments have not yet been answered. Then the Attorney General has delivered a very sensible and conclusive argument against the Bill, and the hon. Gentleman who has just spoken appears to me not to be really in favour of the Bill, though he thinks he is. He is under a delusion. Why, he spoke in favour of feudal times. His heart was on the plains of Runnymede, and I thought he was going to quote Magna Charta. I understood him to say that he should be willing that a portion of the landed property of the country should be set aside for the peerage and made inalienable for ever after. If so he has given a conclusive argument against his own opinion, for it is not philosophic to say that you are to have a national law, which is exceptional on the face of it, and applicable only to the House of Peers. Now I am so far a Radical that I would subject the Peers to the same laws as the other members of the community are subjected to. I respect the members of the aristocracy; but, at the same time, I cannot adopt the revolutionary theories of the hon. Member on their behalf. It is extremely difficult to substitute better laws and a better Constitution for those which we now possess. And this leads me to the arguments of the real admirer of this Bill—the hon. Member for Birmingham. He is always sincere, and I am sure that what he spoke to-day he sincerely believed to be true. The hon. Gentleman, indeed, has frequently published his opinions that the law of primogeniture is a nuisance and ought to be abolished, and that the law of entail is unjust and ought to be subverted. Knowing what is to happen the hon. Member told the Attorney General, as a compliment to him, that he is quite sure we shall live to hear the Attorney General unsay all he had said to-day, and make a speech exactly the reverse of that which he has addressed to us on the present occasion. How does the hon. Member for Birmingham know that? Is the hon. Gentleman in the secrets of the Attorney General? I ask the question because at the close of his speech the hon. Member said that the time was rapidly approaching when the Attorney General would be converted by him and seduced into the belief that his views were right, and that they would then join together for the purpose of overturning the Constitution of the country. I agree with him that the time might come when that object might be attempted, and I believe he believes what he said to be true, The hon. Member prefers what he calls the rights of morality and justice to peerages and dynasties. Now, I do not like to hear peerages and dynasties spoken of in so unceremonious a manner; but I suppose the hon. Member does not care much for either. If the present law is, as the hon. Gentleman alleged, immoral, unjust, and pestilent, then the English nation must be immoral and incapable of ascertaining what is moral and just, because they have endured this law for centuries. The hon. Gentleman really does not do justice to his own abilities. How could the people of this country be the respectable people they are, if they did not have a law like this? The hon. Gentleman has given us a touch of America, but I am always prepared for that whenever the hon. Gentleman addresses the House. He pronounced a panegyric upon Jefferson, because Jefferson overthrew the law regulating the descent of freehold property in Virginia. I do not draw the same conclusion as the hon. Gentleman, but rather think that that fact goes far to account for the position of Virginia at the present day. The institutions of England once existed in America, but surely the present condition of that country is not likely to animate us to walk in the footsteps even of Jefferson and his biographer. But, perhaps, I only just perceive the meaning of the hon. Gentleman, who must have held up the example of America to induce the House to avoid it. Then the hon. Gentleman referred to the example of countries on the Continent—no doubt he intended to refer especially to France. Well, Sir, the operation of the Code Napoleon made it impossible for a man to leave his property to one of his children to the exclusion of the rest, and consequently the moment the Code Napoleon was carried it became impossible to have a gentry in France, and it also became impossible to have any other kind of Government than a mock Republic and an absolute Empire. I have been informed, though I cannot state it positively, that the present Emperor and his advisers are trying to invent a mode of making property in France divisable in another way than it is now, but however this may be, it is well known that the Emperor relies upon the working classes, and not upon the middle classes, who, had they but the power, might perhaps have prevented the outbreak of the impending war. So much for the example of the most powerful country on the Continent. The hon. Member for Birmingham attempted to argue, but how did he argue? He said, "I call upon the Attorney General to answer me a question," when he knew that, according to the rules of the House, the Attorney General could not make an answer. The question he asked was, "Would you extend the principle of the existing law to personal property?" I say that I would not. The law extends the principle only to the land, which partakes of the stability of the Constitution of the country, but that is no reason why the same rule should be applied to personal property. The hon. Member said he would make out his case by referring to a speech made by a younger son of his acquaintance. I collect from the very irreverent manner in which that younger son spoke that he was what is popularly called a scamp, and that, being a scamp, he disapproved the law which preserved the paternal property for an older and a wiser man.

Mr. BRIGHT: The gentleman in question was a gentleman of the highest rank and character.

Mr. WHITESIDE: I am very sorry to hear that, but if the rank and character of the gentleman are indisputable, at all events I have a right to dispute his good sense, and I think if he were a man of good sense he ought to have respected the institutions of his country. The hon. Member should recollect that it was open to younger sons to devote their abilities to the service of their country, or employ them in the study of the learned professions. The present Chief Secretary to the Lord Lieutenant of Ireland was a younger son, and so was the celebrated Lord Mansfield and Lord Erskine; for a man may have sense and yet be the son of an Earl. The present system worked well, and that was the best argument in its favour. With respect to what has been urged about political economy, I confess I distrust a great deal of what political economists state, as, for instance, that the right of voting in this country should be separated from the possession of property. The hon. Gentleman said that landed property was in fewer hands than formerly; but how can he prove it? Unfortunately we have no statistics on the subject, and if we had the hon. Gentleman would not believe them. The hon. Gentleman has adduced nothing in proof of his statement, and I doubt it. There is a court in Ireland for breaking up estates, and I heard a newspaper commissioner swear in the court that, having inquired into the manner in which the new proprietors had dealt with the land, he found that the new small men had generally raised the rents 50 per cent. I can quite conceive that if inquiry were made among the tenants, in order to ascertain on whose estates they were treated with most kindness, gentleness, and liberality, every one of them would say, "I would rather live on an estate belonging to one of the old gentry, than on the estate of a new small proprietor, who pinches and takes the last farthing he can get." Hon. Gentlemen must not assume as a fact that there are fewer proprietors than formerly, and must not draw the inference that if there were more it would be a great advantage. There is enough land for those to buy who wish to purchase. One would think that we were living in a very unfortunately circumstanced country. If the law is immoral, vicious, pestilent, it is marvellous it should have existed so long, and England is not the country that poets, historians, and patriots have described it to be if we are to accept the description given by the hon. Gentleman. I hope he may live to see the error of his ways, and come round to my opinion of our good old Constitution.

Mr. JAMES said, he could not help thinking that an attempt had been made to turn the discussion from that which was the real question before the House. They were not discussing whether the law should be so altered as to take away from owners of property the power of disposing of it, as one might have thought from the serious consequences which had been depicted by hon. Members as the result of the passing of the measure. The question had been argued as if the aristocracy were to be ruined, and as if no man was to have an opportunity of preserving a great estate intact. But what was the Bill? The law at present enabled every man to dispose of his real and personal estate in whatever manner he pleased, and the only principle which the hon. Member for Surrey sought to introduce was, that in the event of the owner of real property dying intestate, there should be a more just disposition of the property than there was at present. For the last 200 years the law had, under such circumstances, dealt in a manner dictated by sound policy with the disposition of personal property, which included not only horses and dogs, and tea and coffee, but even leases of large estates, which might be for an indefinite number of years, and relate to thousands of acres, and all that the Bill proposed was in similar circumstances to deal in like manner with real estate. The hon. Member for Surrey thought it not unreasonable that if a man did not choose to dispose of his estate by will in his lifetime, it should not be disposed of after his death for the benefit of one member of his family. The Attorney General had told them that if a man had a wife and a number of children, it might not be fair to assume that he meant to dispose of his estate among all the members of the family; but surely, on the other hand, it ought not to be assumed that he had an invincible desire to benefit one. The reason was as good for the one case as for the other, and if the man had neither wife nor children, how could it possibly be assumed that he was desirous to benefit one distant relation, who, according to the present state of things, was the heir-at-law, to the exclusion of all others who might claim some degree of relationship? The remedy proposed for the evil of the existing system was founded not only upon justice but upon policy, for it was the duty of a man to provide for those whom he had introduced into the world. And the measure would be productive of no inconvenience, because there were very few of the great estates of the country, whether attached to peerages or held by the gentry, which were not settled; and if a man who had made a large property by commerce or manufacture had invested that property in land, there were very few instances in which he would neglect to exercise his power of disposing of it by will. But it was said that the measure would affect the humbler classes, and would throw property into the hands of attorneys and auctioneers. That was an argument of little weight when twelve words would enable a man to dispose of property to the extent of £10,000, and when a man might leave his cottage in the hands of his children by merely filling up a printed form. The State interfered at present to the extent of declaring that, in the event of a man leaving a freehold estate undisposed of by will, it should go to his eldest son; but the anomaly was, that if the property consisted of leasehold land or houses, the law stepped in and said it should be divided among all the next of kin. They were not asked by this measure to undermine the Constitution, but simply to establish a principle which was both just and politic, and he trusted the measure would receive the sanction of the House.

Lord JOHN MANNERS said, that he was not either a lawyer, or a great landed proprietor; but before the House went to a division he thought they ought to know from the hon. Member for East Surrey, whether the intention and purport of this Bill were that, supposing a landed proprietor, whether Peer or commoner, possessed in fee-simple, died intestate, his property, be it castle, palace, or hall, necessarily under the operations of this Bill, should be sold and divided, as the provisions of the Bill seemed to indicate?

Mr. LOCKE KING was rather surprised that the noble Lord should have put a question of that sort to him. This Bill did not contemplate any difference between rich and poor. If the owner of such a property as the noble Lord had described should die intestate, the estate would be divided; but the noble Lord must know that, practically speaking, all the great estates were settled and entailed, and he would make bold to say that this Bill would not practically affect the great estates of the country.

Mr. HIBBERT suggested to the hon. Member for East Surrey that as many hon. Members would vote against the Bill in the fear that it would operate against the large estates it might be consistent with the object of his Bill to stipulate for the registration of all estates coming under its operation. Of late years there had been a great increase in the number of small estates, and the present law inflicted great hardships on the proprietors of them. It would only be justice if they were allowed to register their estates on their becoming possessed of them, so that they might come under the operation of such a Bill as this, and in this way no interference would take place with the estates of the great landed proprietors.

Mr. EWART reminded the right hon. Member for the University of Dublin, that Adam Smith, in his last volume, strongly advocated the principle on which this Bill was founded, which was, in effect, but carrying out the great principles of free trade which had so long governed the policy of this country. He had himself thirty years ago called attention to the subject, but had not pressed the question because he felt sure that a better opportunity of dealing with the matter would occur. He was convinced that the proposed change was consistent with right and justice.

Sir JOHN WALSH said, that the question was one of so much importance that he thought it would be satisfactory to the House to learn the opinion of a Cabinet Minister before they went to a division upon it.

MR. BARROW said, he represented a great many small freeholders, and he well knew what their wishes were on this question. He felt that the land should not be cut into ribbons, or that the cottage which a man might build by his industry should at his death be split up into lots of bricks. The question was what sort of a will they ought to make for a man who did not make a will for himself, and he would state, without reference to the aristocracy, that the wishes of small proprietors was that their land should not be divided.

THE CHANCELLOR OF THE EXCHEQUER: I had no intention of addressing the House, nor do I intend to enter upon the question at any length. It is one of great interest and importance, and I should not like to address the House upon it without endeavouring to make my sentiments fully and clearly understood; but, after the appeal which has been made to me by the hon. Baronet opposite, it would not be respectful in me to allow the House to go to a division without my saying a few words. I am not aware of any sufficient reason for the passing of such a Bill as this, and I am opposed to the principle of the Bill. I am far, however, from regarding the present state of the law as perfectly satisfactory. It has never been thought necessary, or even, under the circumstances, becoming, that the Government, as such, should take part in the discussion of this measure. My hon. and learned Friend the Attorney General has explained his views with great force and clearness, and, without adopting particular expressions and every incidental sentiment, in the general views of my hon. and learned Friend, the Government—or at any rate, I—heartily concur. I hope this will be deemed sufficient, as, but for the appeal made to me, I should not have thought it necessary to address the House at all.

Question put, "That the word 'now' stand part of the Question."

The House *divided:*—Ayes 84; Noes 281: Majority 197.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

FELLOWS OF COLLEGES DECLARATION BILL—[BILL 26.]—THIRD READING.

(*Mr. Bouverie, Mr. Dudley Fortescue.*)

Order for Third Reading read.

MR. SELWYN rose to present a Petition signed by 179 residents in the University of Cambridge—namely, the Chancellor and twelve Heads of Colleges, ten professors, seventeen tutors, thirty-seven assistant-tutors, twenty-two deans and other officials, seventy-four members of the Senate, and six B.A. resident fellows, which set forth that a very short time had elapsed since very important questions relating to the endowments, discipline, studies, government, and religious condition of the University were examined into and carefully considered by certain eminent persons acting under a Royal Commission, and who were themselves familiarly conversant with all matters connected with the constitution of the University and with the government and general working of the several colleges; that the opinion of these gentlemen was—

> "That many of the endowments of the Colleges and the University were connected with the Church by links which it would be an injustice to sever, and that its whole school of theology was identified with the Church and incapable of a separate existence."

That an Act was passed in the 19th and 20th years of the present reign to allow persons not members of the Church of England to avail themselves of the University education to be admitted to all the scholarships, prizes, and exhibitions, and to proceed to degrees; that it was specially provided by that Act that those degrees should not entitle them to become members of college or qualify them for holding any offices in the University which had heretofore been held by members of the United Church of England and Ireland; and that the Bill before the House was calculated to unsettle what had been done in the University and Colleges in accordance with this recent legislation; and the petitioners, therefore, prayed that the House would not allow the Bill to be passed.

MR. BOUVERIE moved that this Bill be read a third time.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. E. P. Bouverie.*)

MR. GATHORNE HARDY, in rising to move the rejection of the Bill, said, that he was sorry that the third reading had come on at so late a period of the sitting, as it might prevent them from fully discussing the question. He was anxious for the sake of both sides of the House that they should come to a decision upon the question, for as the Bill involved a great principle it was desirable that the House should pronounce its opinion upon it. The present Bill differed materially from the Bill of the hon. and learned Member for Exeter (Mr. Coleridge), which related to University tests. In the first speech he made the hon. Member for Exeter stated that the two measures stood upon quite distinct grounds, and that no one who should vote for his Bill would by so doing be prevented voting against the Bill of the right hon. Member for Kilmarnock. The Bill of the right hon. Gentleman introduced a principle that was absolutely novel, affecting as it did the teaching of the Colleges, which were a kind of domestic foundation, by placing the governing power in the hands of persons of different religions, or of no religion at all. It had been stated, both by the Mover of the Bill and his supporters, especially the hon. Member for Brighton (Mr. Fawcett), that the Bill would not interfere with the statutes or ordinances of the Colleges, or put them under any coercion, but he should be able to show that it could not be passed without necessarily leading to such a coercion being applied to them. It was contended that inasmuch as most of the Colleges were founded before the Reformation, they had been dealt with by Act of Parliament, and handed over from one creed to another, and that Parliament could deal with them again if necessary. Now this argument went beyond the Bill, for if it were just so to deal with endowments given before the Reformation, and now attached to the Church of England for purposes of religious education, they must be prepared to go farther, and to extend the principle to foundations attached to clerical fellowships, and even to the temporalities of the Church itself. He would venture to say it was the same Church of England, holding the same creeds as the Church before the Reformation; but that point had been before urged in the House, and it was enough for his purpose to state his view without further argument. He considered that the pre-Reformation endowments justly belonged to the Church of England. But with respect to the post-Reformation endowments, on what ground would they put their hands on them? They at least had been given on the sanction of Acts of Parliament, up to the present time recognizing these as Church of England Colleges, and so affording a guarantee that funds given to them would be protected as bestowed for Church purposes. Yet it was proposed to deal with them as with pre-Reformation endowments. This proposal was admittedly wrong as applied to other communities; but a strange reason was given for its justice when applied to the Church. In a very important inquiry before a Committee of the other House, a question was put to a gentleman opposed to all connection of Church and State, and desirous to seize Church property for other purposes. How would he distinguish between Nonconformist and Church of England endowments? He said, Oh, the Church of England was national; therefore the endowments were given to the nation, and the nation had a right to deal with them as it thought fit; whilst those of the Nonconformist were given to individual bodies, and could not be claimed by the nation. Was the Church of England to be placed in a position different from all other denominations—that if persons conferred these benefits on Colleges they should be alienated from the purposes they were intended for, and devoted to purposes for which the donors would never have given them? It was an injustice that had not been attempted on any other denomination but the Church of England; and it was in the present instance as inexpedient as it was unjust. Mixed religious teachers could not properly or effectively carry on the only education that could be called real—namely, religious education. And as a general rule all in the education of their children sought for instructors of their own creed. They found this natural desire responded to in the Colleges and schools of various denominations, which had teachers of but one religion in them. Look at the Colleges affiliated to the London University, as King's College, Stonyhurst, Oscott, for examples, and yet the right hon. Gentleman opposite asked them to introduce a new principle, and make the governing body of the Colleges one composed of persons of different religions, and on what grounds is the proposal made? Hard cases are put forward, which if listened to will cause bad laws. The case which the right hon. Gentleman had brought forward was that of persons on the verge of the Church of England, differing very little in doctrine or forms from it, but who did not admit they were members of the Church of England. He was led to ask himself whether these almost Churchmen were not put forward as a screen for those on whose behalf the hon. Member for East Surrey had formerly spoken, the freethinkers nominally within the Church, but withheld from assailing her doctrines by the pledges which they have given; or such as those for whom Mr. Goldwin Smith and other writers were advocates, with a somewhat expansive and intangible creed which he could not understand. On a former occasion he had pointed out that Roman Catholics were not admissible under this Bill, and the right hon. Gentleman in his speech two years ago confined his remarks to Protestant Nonconformists. [Mr. BOUVERIE: I do not admit that.] The right hon. Gentleman should look back to his speech, and to the comments then made by the right hon. Member for the county of Limerick (Mr. Monsell) on the subject. But he would not dwell further, as the time was short, upon that point, except to state that under the measure of the right hon. Gentleman Roman Catholics would not be admissible to the Colleges, but that further legislation would be required. If, as he contended, the endowments of these Colleges were for the advancement of the religion of the Church of England; if these Colleges were never intended for such persons as the right hon. Gentleman proposed to legislate for, the grievance that they were excluded fell to the ground. The right hon. Gentleman said his only wish was to leave the Colleges to deal with their statutes as they pleased—to remove a bar, but to put no pressure upon them. But a grievance was put forward that the Colleges did not admit certain persons, who had greatly distinguished themselves, but who did not agree with the Church of England, to the benefit of fellowships. Well, suppose the Colleges refused to do this, when the barrier which this Bill proposed to do away with was removed, was any one silly enough to believe that the grievance would be allowed to slumber; that it would not be said they had passed a measure, permissive indeed, but containing a principle? He knew the history of permissive Bills. They invariably led to coercive Bills. The principle having once been admitted, would not this become a coercive measure? Suppose one or two of the Colleges admitted into their teaching bodies members of other denominations than the Church of England, would there not be pressure put upon the others, and appeals made to the House to coerce those Colleges? It was said that these gentlemen were not admitted to the privileges of the Universities. That was not the case, for they were admitted to all the honours of the University, and what they asked was honour, emolument, teaching and governing power within the Colleges. They were not content with the honours of the University; they sought to get the emoluments of the Colleges. He said they were not intended for them, and it was proposed to apply the sums given for the foundation of the Colleges and the promotion of the religion of the Church of England to a purpose entirely opposite. For if the right hon. Gentleman made out his case of grievance for persons almost Churchmen, it was fair, on the other hand, for his opponents to assume that men of strong religious or irreligious views adverse to the Church would claim admission on account of their attainments, and cause strife and dissension within the Colleges. In reply to the argument that the course now proposed would lead to dissensions in the Colleges, it was said that there were dissensions now. Truly that was so, and differences of opinion would arise, but they subsided as they arose, and at least they were within the limits of the creed which all received, and which bound to harmony on the greatest points those who united in a common worship. There was an essentially Church life and feeling maintained within a College. This Bill tended to destroy these, and the object sought was a bad one, for he did not believe that there was any efficacy or advantage in having instructors of varied religions, either in schools or Colleges, and especially in such peculiarly English institutions as the Colleges, which, as he had said, were of a *quasi*-domestic character, and where the relations of tutor and pupil were of a confidential character. It was a wrong principle. What the parties complaining really wanted to do was this. Those persons who were so anxious for mixed religious teaching founded nothing for themselves; therefore it was, when not prepared to put their hands in their pockets and give handsomely of their substance for their vague and unintelligible system of mixed religions, which must become secular education, they were ready to take what was given for other purposes by founders and donors, whose main object was education founded upon religion, and that one fixed and definite. The right hon. Gentleman said the fellowships were "simply prizes for intellectual and scientific attainments." They were not only this; they were given for persons who were to have the charge of the education, and who were therefore the guardians of the religious instruction of the members of the Colleges. He said at this moment a distrust had arisen in the minds of men disposed to make these endowments, lest their gifts should be applied to purposes opposite to those for which they intended them. He did not oppose the Bill simply because he represented the University of Oxford. He opposed it long before he held that position. He did not believe in mixed religious education that was superintended by men of different religious opinions, and he had never known an instance in which it had succeeded. The very success of the Colleges on their present system was against the change proposed; and believing, as he did, that they were founded and endowed upon right principles which had obtained such success, and that the Church would always furnish, as she had done, abundance of men of scientific and intellectual attainments for the purposes of instruction within them, he begged to move that the Bill be read a third time that day six months.

Mr. POWELL said, it had been a common observation during the discussions on this Bill that its opponents were not the most enlightened of men. In seconding the Amendment he had, however, the satisfaction of feeling that he was representing the feelings of the University of Cambridge, who had sent up a petition which had been or would shortly be presented to the House against the Bill, a petition that was adorned by the names of men the most eminent in mathematical science. A petition signed by such men as Professors Cayley, Challis, Stokes, and Adams was worthy of the consideration of the House. He doubted not that the right hon. Gentleman would meet this petition in the same way as on a former debate—namely, by saying that "if the University had ever done anything for the advancement of the cause and the improvement of education the petition would be entitled to some consideration, but that the reverse was the case." Although it might not be described as a dishonest Bill, yet it evidently concealed some of its objects. With reference to the tests imposed by the Act of Uniformity, none could fail to observe the uncertainty of the position occupied by those who objected to them. Sometimes they asserted that the tests were weak; sometimes they objected to them on the ground of their strength. He contended that the test now complained of was of the mildest character. They were sometimes told that there was so little of religious teaching in the Colleges that it was of no value; at other times that religious teaching was too severe and stringent. He did not think the right hon. Gentleman who brought forward the Bill would have spoken scornfully of the religious education in the Colleges. During the last twenty years he (Mr. Powell) had had the advantage of association with Cambridge, and had not failed to observe great improvement in the moral and intellectual and religious culture of the graduates of the University. Religious education was now given partly by lectures, partly by examination, partly by Divine service in the College chapels. It had been suggested by a gentleman who was once a Member of that House that a simple form of prayer might be adopted in the College chapels, similar to that which was used in and gave a solemnity to the proceedings of that House. But few, he thought, would venture to approve of such an arrangement. The whole system of the Colleges was based upon the idea of "unity of creed." But once introduce "diversity of creed" and none could say what results might follow. Another objection would arise from the distraction from the usual studies of the place which must ensue. It was because he felt convinced that the introduction of these varied elements must distract the minds of the teachers of Oxford and Cambridge from their duties that he was anxious to shut out those elements. Supposing the hon. Member for Birmingham had acquired a position in one of the Universities, would any one venture to say that the teaching of that University would be conducted without acrimony and distraction from practical work? It had been stated that if this Bill passed there would still remain many barriers against the Nonconformists, and that the Church of England men might shelter themselves under them. But could any one believe that such barriers could be allowed long to remain? No. Agitations would spring up for the very purpose of destroying them. For all these reasons he asked the House not to pass this Bill. He felt certain that it would be fraught with great inconvenience and disaster; that, instead of advancing religion and sound learning, religion would fail under its influence, and the Colleges now so full would be comparatively deserted, and lose a large share of the public confidence it was now their privilege to enjoy.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Gathorne Hardy.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. FAWCETT said, he should not have ventured to address the House a second time on this subject, did he not think that by doing so he might be able to remove a misapprehension. It had been stated during the debate that this Bill would give no relief to Roman Catholics. Now he was anxious to assure his Roman Catholic friends in the House and the country that they who first started this movement in Cambridge—and it was a movement first started in the University, and not outside of it—were not in the least degree aware of any other Act that would exclude Roman Catholics. It was their desire that the Colleges should have power to admit persons of any religion, whether Nonconformists or Roman Catholics, if they thought the student sufficiently distinguished, and if they thought he was a man who would do good to the College. There were some doubts as to the operation of an Act of Parliament and of the Act of Indemnity, but he gave his Roman Catholic friends this distinct pledge, that they who were in favour of this measure, if it passed and if they found that it did not give to Roman Catholics the same privileges that it gave to Nonconformist Dissenters, would at once introduce a measure that would confer the same privileges on Roman Catholics. But he had consulted eminent Roman Catholics on the subject, and he was told that this Act, if passed, would admit Roman Catholics, because the operation of the Act of Henry VIII. virtually became inoperative by the Act of Indemnity. There were one or two other points to which he wished to direct attention. The hon. Gentleman who had just sat down had alluded to a petition from resident Members of the University of Cambridge. Many of those who signed the petition were intimate friends of his, and he would be the last person to say one word in disparagement of its influence or of its importance. He was aware that it had been signed by some of the most eminent men in the University, but still this did not in the least degree affect the case that he wished to put. Strong as the petition was there was still a great majority in favour of this Bill in some of the Colleges, and all that they asked for was to try the experiment gradually and in the smallest Colleges. He had authority to state that there was one College that was ready immediately to try the experiment; that a Dissenter there had lately taken a distinguished degree, and they would have let him into fellowship immediately. That would have been making an experiment on a small scale. The hon. Member for the University of Oxford had laid great stress upon this principle. He said that the Colleges were private institutions, just like private schools. Now he denied that, and he maintained that Parliament had likewise virtually denied the principle, because it had given to Commissioners power to frame their statutes, and to a certain degree against their will. And in every other respect the Commissioners had allowed the Colleges to have the greatest variety in practice. In some of the Colleges there were married Fellows; in others all the Fellows must be clergymen, and in others all the Fellows must be laymen. All these differences of practice existed, and therefore he asked why did they not let one or two Colleges who wished to try this experiment do so, and see whether, as they believed, the best interests of the College would be promoted by occasionally electing a distinguished student to a Fellowship, who did not happen to be a member of the Church of England? The advocates of this measure based their case on two grounds. In the first place, they considered that what they asked for would promote the best interests of the University; and, in the second place, they advanced a wider and more important argument; they said it would promote the best interests of learning. What was more important to a great educational establishment than this, that they should have the opportunity of retaining among their body the most distinguished students, in order to promote education? Instances had been adduced in which the Colleges had been prevented from electing a student to a Fellowship because he was not a member of the Church of England. What harm could it do to religion if a student, though he did not belong to the Church of England, but being a brilliant mathematician, were elected to a Fellowship so that the College might put him on the educational staff? But this Act of Parliament virtually said they should not appoint a man who would best promote education in their Colleges. Then, again, he put it on another ground. He said that the present system made an inroad on a cherished principle, which was that the emoluments and distinctions of the College should be conferred on the most distinguished student, and it was a bitter mortification, and a great inroad on this principle which they so cherished, if they saw a distinguished student passed over, and a less distinguished student gaining the honour which this man had fairly won, and all simply because there was some slight difference in their religious creed. But he put the question on a wider basis than this. He said it was a question in which the nation at large had a deep interest. He looked upon the Colleges as something more than private establishments. He maintained that their magnificent endowments and their history in some respects illustrated the growth of this nation. There, there was always the quiet retreat to which the student might retire. When the nation was convulsed, there on the banks of the Isis and the Cam, the student might produce those works which would tend to give lustre to the age. Ages had been rendered illustrious, not so much by the wealth that was accumulated, but what made an epoch illustrious was to look back and think that at that time there was the scholarship of an Erasmus, the poetry of a Milton, the philosophy of a Bacon, the discoveries of a Newton. And was it not equally important at the present time, in this age of material progress, when there was such striving for wealth, that there should be a retreat where superior intellect could peacefully and calmly pursue its investigations, and where the noble principle was recognized that it was not wealth that could confer distinction, but that the only way to honour was the culture of the intellect? He appealed to the great Liberal party to remove these restrictions, which were the remnants of that unfortunate policy the upholders of which seemed to think that religion would be promoted by the maintenance of restrictions which only tended to foster the rancour of sectarianism. Lately, we had heard a great deal from the Chancellor of the Exchequer about the burdens which had been handed down to us by our predecessors. These burdens had to be borne by us all. But we had inherited something more; we had inherited magnificent endowments and a great and illustrious history. If we had all to bear these burdens, let us, let the nation at large, enjoy those other gifts that had descended to us with the burdens. These were questions in which the humblest citizen of the land might take an interest, because it was the glory of the University that many a poor boy with no other possession than his intellectual gifts had gone to Oxford or to Cambridge, and had there obtained those pecuniary rewards which had enabled him to win great distinction. He therefore confidently asked the House by passing this Bill to allow the nation at large to have a full opportunity of participating in these inestimable advantages.

MR. BENTINCK said, this Bill was an illustration of what the right hon. Member for Calne called the doctrine of stepping-stones and instalments. One instance of such a stepping-stone had been just dealt with by the House, and he hoped the present one would share the same fate. When this question first arose, they were told that if the Universities would allow Dissenters to write B. A. and M. A. after their names that was all that would be asked for. When that concession was made, claims were immediately made both to the emoluments and the government of the Universities. He quite agreed with the Member for the University of Oxford that this Bill interfered with, and was injurious to, the rights of property in the country. The endowments of the Universities were of two kinds—the pre-Reformation and the post-Reformation endowments. His hon. Friend the Member for the University of Oxford had argued the question with regard to the former in a way which made it unnecessary for him to touch upon them. But with regard to the latter, and speaking of the University of Cambridge, he could say that the post-Reformation endowments constituted a very large proportion of the whole, and if the State were to interfere with such property it would amount to neither more nor less than confiscation. Many of the Colleges at Cambridge had been founded since the Reformation, and one even in the last century, and to divert these endowments to different purposes from those to which they were intended would be monstrous. The hon. Member for Brighton had argued that the State had a right to interfere. No doubt the State had interfered in many cases, and had interfered most injuriously. Some centuries ago Queen's College was instituted for the benefit of Westmoreland and Cumberland, and with the sole view of educating clergy for those poverty stricken districts; but the State had most unjustly thrown the College open. The most rev. Prelate who now filled the archiepiscopal throne of York was educated at Queen's College, where he obtained first scholarship, then fellowship, and was afterwards elected to the headship of his college. His merits became known in that way, and, perhaps, only for that he might not now occupy the position which he so worthily filled. It had been said that the education given at Cambridge was not religious, and the right hon. Gentleman (Mr. Bouverie), who said so adverted to his own experience. He said that he attended chapel regularly, that he was a most profound student of Paley's works, that he attended lectures on the Greek Testament, and so on. Well, he would ask the House, was not all that religious education? Nothing could be more pertinent than the observation made by the hon. Member for Oxford University, when he referred to Stonyhurst, Oscott, and other Colleges affiliated with the London University, and he thought the right hon. Gentleman opposite would be puzzled to say how the religious education of those establishments was different from that of the Colleges.

Debate *adjourned* till *Wednesday*, 11*th July*.

LOCAL GOVERNMENT SUPPLEMENTAL (NO. 2) (*re-committed*) BILL.

Order for Committee read, and *discharged*.

Ordered, That the Bill, so far as it relates to Linthwaite and Briton Ferry, be committed to a Select Committee, to be nominated by the Committee of Selection, as in the case of a Private Bill.

Ordered, That all Petitions which have been presented during the present Session against the Bill be referred to the Committee, and such of the Petitioners as pray to be heard by themselves, their Counsel, or Agents, be heard upon their Petitions, if they think fit, and Counsel heard in favour of the Bill against the said Petitions.—(*Mr. Knatchbull-Hugessen.*)

House adjourned at six minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, June 7, 1866.

MINUTES.]—*Took the Oath*—The Lord Brougham and Vaux.

PUBLIC BILLS—*First Reading*—Charitable Trusts Deeds Enrolment* (146).

Second Reading—Crown Lands (114); Nuisances Removal* (132); Life Insurances (Ireland)* (122); Naval Savings Banks* (129).

Referred to Select Committee—Crown Lands (114).

Committee—Law of Capital Punishment Amendment* (61); Burials in Burghs (Scotland)* (112); Companies' Act (1862) Amendment (124), *negatived.*

Report—Pensions* (144); Burials in Burghs (Scotland)* (112).

Third Reading—Hop Trade* (135), and *passed.*

HER ROYAL HIGHNESS THE PRINCESS MARY OF CAMBRIDGE—THE QUEEN'S MESSAGE.

Her Majesty's most gracious Message of Tuesday last *considered*, according to Order.

EARL RUSSELL said: My Lords, I have to propose the following Resolution to your Lordships:—

> "That an humble Address be presented to Her Majesty to thank Her Majesty for the most gracious communication which it has pleased Her Majesty to make to this House of the intended marriage between Her Royal Highness the Princess Mary Adelaide Wilhelmina Elizabeth, youngest daughter of his late Royal Highness the Duke of Cambridge, and his Serene Highness Francis Paul Charles Louis Alexander, Prince of Teck, and to assure Her Majesty that this House, always feeling the most lively interest in any event which can contribute to the happiness of the Royal Family, will concur in the measures which may be proposed for the consideration of the House to enable Her Majesty to make a further provision for Her Royal Highness on this occasion."

Resolution *agreed to Nemine Dissentiente.* The said Address to be presented to Her Majesty by the Lords with White Staves.

LAW OF CAPITAL PUNISHMENT AMENDMENT BILL—(*The Lord Chancellor.*)

(No. 61.) COMMITTEE.

THE LORD CHANCELLOR said, that in consequence of the numerous Amendments which had been made in this Bill he proposed, as more convenient to their Lordships, that the Bill should be committed *pro formâ* with a view to its being reprinted in its amended form.

LORD BROUGHAM said, he was strongly impressed with the importance of this Bill. He hoped some alteration would be made with regard to the plea of insanity in cases of murder, in order to permit a verdict of manslaughter to be returned in cases where such a plea was made out. He also thought it was a most improper course of proceeding in capital cases to admit the accused to adduce evidence to show that he was intoxicated at the time he committed the offence, as he regarded intoxication as an aggravation rather than as an extenuating feature in such cases. Such a course ought never to be permitted in a Court of Justice. He further wished to point out the necessity for steps being taken for the prevention of bribery, an offence which had prevailed to a great extent during the last election. The other House might, by an alteration in their Standing Orders, make such regulations as would put a stop to the practice, by requiring a stringent declaration on the part of the Member ; or an Act of Parliament might be passed making the offence punishable. He thought such an alteration in the law would be most effectual in deterring persons from committing the offence ; as, although many men might be willing to risk their money, few would like to run the chance of being sent to the treadmill in the hopes of obtaining a seat. If they acted as firmly in regard to bribery as they had in regard to the slave trade, their object would be speedily attained.

House in Committee : Amendments made : The Report thereof to be received *To-morrow,* and Bill to be *printed* as amended. (No. 145.)

CROWN LANDS BILL—(No. 114.)

(*The Lord President.*)

SECOND READING.

Order of the Day for the Second Reading read.

EARL NELSON *presented* a Petition of Owners of Land in the New Forest, praying for Amendment of the Bill, and to be heard by Counsel against it. The petition was signed by 700 persons, consisting of the most important landowners, of the small freeholders, and of the farmers holding land in and in the neighbourhood of the New Forest. He believed that the parties complaining would be seriously aggrieved if the Bill were to pass in its present form, but he could not support the prayer of the Petition to be heard against the Bill, as that would be contrary to the rules of the House. He should, therefore, if the Bill should pass the second reading, ask their Lordships to send it to a Select Committee, and refer the Petition to them, in order that it might be seen whether or not the Petitioners' fears were rightly founded.

LORD REDESDALE *presented* a Petition of J. W. Pycroft, a Fellow of the Society of Antiquaries, London, praying that the Bill may be referred to the Examiners, or that the Petitioner may be heard by Counsel against it. Mr. Pycroft, the noble Lord said, was a gentleman who had paid a great deal of attention to the question as to how far the rights of the Crown over the foreshores extended ; and he now complained that in the Bill there was an indirect assumption on the part of the Crown of a right to the foreshores. The matter was of considerable importance, and as there had been a recent decision against that assumed right, there ought not to be an attempt made to indirectly assume such a right in an Act of Parliament.

EARL GRANVILLE, in moving the second reading of the Bill, said, that its objects were, in the first place, to provide that the expenses of the management and of the improvement of the Crown lands, at present paid out of the income derived from that property, should be placed to the capital account of the Land Revenue of the Crown, and should be defrayed by a charge on the income of the lands, extending over a period of not more than thirty years. It was difficult to know how to deal with the costly improvements which were requisite to develop the property, and which could not properly be paid out of the income of the year. The result of the proposed change would be to prevent the income derived from these lands being materially and improperly reduced during the life of Her Majesty. The next object of the measure was to transfer one moiety of the income derived from the working of the minerals on the property to the capital account of the Land Revenues, instead of including the whole of the sum arising from that source in the income, as had been done hitherto. The Bill also proposed to deal with the right of shooting over the New Forest, and also over the Forest of Dean, and with certain other minor matters connected with the subject. One of the most important alterations it proposed to effect was to transfer the management of the foreshores from the Commissioners of Woods and Forests to the Board of Trade. Some objection had been raised to the words of the clauses relating to this matter; but he could only say, on the part of Her Majesty's Government, that their only desire was to transfer existing rights of the Crown in such property—whatever they might be—from one Department to another. With regard to Claremont, the Bill proposed to give to Her Majesty during her life the use of that place, which had belonged for life to the late King of the Belgians, but on his decease had reverted to the nation.

Moved, "That the Bill be now read 2^a." (*The Lord President.*)

EARL NELSON said, as the subject on which he was about to address their Lordships was only interesting to those who were connected with the New Forest he had to crave their Lordships' pardon while he explained the case brought under their Lordships' notice by the petition he had just presented. Some years ago, in 1851, an Act known as the New Forest Deer Removal Act was passed. By that Act the Queen had power to remove the deer from the New Forest, and to enclose 10,000 acres of the land in addition to 6,000 already enclosed. The Act might therefore be regarded as an arrangement between the Crown and the commoners of the New Forest. One of the clauses of the Act declared that Her Majesty might grant licenses to sport in the Forest under Her sign manual. This right, it was true, had been previously exercised; but the mention of it in the Act was an assurance to the commoners that that was the way in which it would continue to be carried out. Now, what was complained of was, not that the authority had been transferred from the Crown to the Commissioners of Woods and Forests, but that the latter were about to convert the licence to shoot into a lease of the shooting. The difference to the commoners between the two systems was very material. Under the present system those who had merely shooting licences had no control over the Forest, no power of getting up game, or of keeping down vermin, or of interfering with the free use of the Forest. It was proposed to divide the Forest into eight or ten districts, for the shooting over which a rent of £2,000 a year was expected; and he was informed that by another Bill that had been introduced into the other House the Commissioners were empowered to let certain small portions of land on building leases, so that keepers' cottages might be erected by the lessees of the shooting. Now, the total acreage of the New Forest was 92,362, and the result of the adjudication by the Commissioners under the Act of 1851 was that the right of the commoners to pasturage, &c., extended over 65,212 acres, the number of claimants being 881, and the number of houses having rights of fuel, &c., being 1,579. Those rights were circumscribed by that Bill, and if the licensing system was introduced there was every probability that they would be further impaired, for a large head of ground game would most likely come up, to the great injury of the commoners. It was feared, moreover, that whereas at present there was no impediment to walking, riding, or driving through the Forest, the lessees, whose interest it would be to make as much out of shooting as possible, would do away with that free user, and would provoke continual litigation by the closing of roads. Already, indeed, two roads had been closed, and the gentlemen who combined on a former occasion to preserve the highways of the Forest had determined to devote the residue of the fund they then raised to resisting such aggressions. If the free user of the Forest were interfered with, it would materially depreciate the value of the land in the neighbourhood. Many of the men had bought land there because they would have the free use of the Forest without doing harm to any one. The commoners did not object to this Bill on the ground of the shootings being let; what they wanted was that the present system of letting them by licenses should be continued, instead of, as proposed, by leases. There was a proviso inserted at the end of the 4th clause of the present Bill, to the effect that the licences granted under the 9th section of the Act of 1851 should not be interfered with. The existing licences terminated at the end of the shooting season in February; really, therefore, there were no licences in existence under the 9th section. Either, therefore, this proviso was a sham, or, as he believed, it indicated a desire to make some amends to the commoners by effectually preventing the Woods and Forests from letting the shootings by lease. Practically unless they had broken any of the rules of the licence, those who held it under the sign manual held it for their lives. There were eighty-two or eighty-three persons who stood in that position; and this fact he thought would prevent the Woods and Forests from letting the shootings by lease. It might be thought there was a large amount of game in the New Forest. Now, such was by no means the case. There might be some black game and a few pheasants; but every one of these must be reared and fed. One black cock, two pheasants, and perhaps an old hare would be considered not a bad day's sport. The shootings had very little to do with the question. The chief object was, by continuing the licensing in opposition to the leasing system, to maintain the free user of the Forest. The commoners would not object to the Bill if the noble Earl would confine it to simply transferring from the Crown to the Woods and Forests the power of letting by licence instead of by lease. It was rather curious that a Liberal Government should be the first to propose turning the Crown lands into a great game preserve. He thought such a measure would be likely to induce a great many poachers to resort to the neighbourhood of the New Forest; for nothing was more demoralizing than the preservation of game which was ineffectually preserved. These poachers would be constantly brought up before the bench by the new lessees, and great litigation and disturbance would be the consequence. If the noble Earl did not agree to the suggestion he had made, he should ask their Lordships to refer the Bill to a Committee upstairs.

THE DUKE OF BUCCLEUCH said, he concurred generally in the observations of his noble Friend. The Bill did a great deal more than it purported to do. When he first saw the Bill, which bore the simple heading of "Crown Lands Bill," he had supposed that it was some matter-of-course measure, and that it was of no great importance; but when he looked into it he found that he was mistaken. It was not a mere matter of the transfer of the foreshores from the Commissioners of the Woods to the Board of Trade, but it proposed to do a great deal more—it proposed to take a power which it was doubtful that the Crown possessed at that moment—namely, the power of selling, leasing, and applying the foreshores. He believed that great evils would result from the proposed transfer of power from one Board to the other. In Scotland the Crown had made various claims in reference to the foreshores, and the consequence was that the landowners were obliged to combine to resist the encroachments of the Crown, but many persons who could not afford to resist had been obliged to submit to injustice. He would add that almost every legal decision which had been obtained had been against the Crown.

LORD CHELMSFORD observed, that though the President of the Council had stated that the object of the Bill was simply to transfer powers, and that it was not intended to confer any new right upon the Crown with respect to foreshores, nor to interfere with adjacent proprietors, yet there were expressions in the Bill which went very far towards conferring additional rights upon the Crown, and which it would therefore be necessary to alter. In many parts of the Bill he considered the rights of the Crown to foreshores was stated in too wide terms; but his objection had most force in reference to Scotland, since in England the law relating to foreshores was fixed and certain, whilst in Scotland the right of the Crown was altogether doubtful. He was able in reference to the petition of Mr. Pycroft to bear testimony to the importance of that gentleman's researches upon this important question, and, therefore, he should propose in Committee, instead of Clauses 8, 9, and 10, which dealt with the question of foreshores, to insert one single clause, that the Board of Trade should have and exercise all powers and authorities, rights and privileges whatsoever with regard to the foreshores, which the Commissioners of Woods were at present entitled to exercise with regard to the same.

THE LORD CHANCELLOR, in reply to the statement made by the noble Duke (the Duke of Buccleuch) that the Bill, under the pretence of making a mere transfer of powers from one Department to another, clandestinely sought to give new powers to the Crown, declared with the most perfect confidence that the proposed enactment with respect to the foreshores conferred on the Crown not one particle of power which it did not possess at present. On the contrary, the clause had been carefully worded, so as to preclude all possible doubt on that head.

THE EARL OF MALMESBURY wished to say a few words as to the Crown leasing the right of shooting in the New Forest. He had lived in the vicinity of the New Forest all his life, and could bear testimony to the fact that the shooting there was scarcely worth having. The country was an open one; it was not made for the rearing of game; there was little or no corn there, and if some cockney sportsmen should take it into their heads that it would be a fine thing to shoot in the Forest, and should pay for the purpose the money which the Government required, they would have to rear every bird by artificial means. Moreover, there were perhaps not 200 acres of corn land in the whole 70,000, and therefore any game raised there must feed upon the crops of the adjoining farmers. It was not worth while, therefore, he contended, to make a change which would put an end to that good feeling which now prevailed in that part of the country, and which would be a breach of the agreement which had been entered into between the Crown and the commoners, to the effect that the Crown should give up the right of keeping deer and the commoners give up the right of commoners over certain lands. Numerous convictions for poaching would, he felt assured, be the result of the proposed legislation, while fires and other outrages would in all probability follow. Under those circumstances, it would be far better to leave things as they at present stood.

Earl GRANVILLE thought that the value of the shooting in the New Forest was underrated, for some of it he believed was very good, and certainly was very wild and picturesque. If the Bill passed the Crown would be ready to make reasonable arrangements with the present licencees, instead of a lot of strangers being introduced.

Viscount EVERSLEY said, that while disposed to agree with those who regarded the shooting as pretty good, he would remind the House of the arrangement which had some years ago been made, in accordance with which the deer in the Forest, which had been found to be a great nuisance in the neighbourhood, had been confined to an enclosure of 10,000 acres set apart for the purpose, adding that if the shooting were leased as proposed large heads of game would be kept up, and the residents in the immediate vicinity of the Forest exposed to the still greater nuisance arising from the increase of rabbits and hares.

The Earl of DERBY said, that if they let the right of shooting to a perfect stranger, they could not expect him to pay rent for it unless he were allowed to have his own keepers and to get as much game as would compensate him for his outlay. So, if they let Crown lands and then said that no others persons but the Queen's keepers should have the right of going there, and that they should have the power of keeping down the game as much as possible, it would be rather absurd to expect Gentlemen to take leases of those lands.

Motion *agreed to:* Bill read 2^a accordingly, and *referred* to a Select Committee.

And on Monday, June 11, the Lords following were named of the Committee:—

Ld. President
M. Lansdowne
E. Doncaster
E. Malmesbury
E. Powis
E. Nelson
E. Morley
V. Eversley
V. Halifax
L. Blantyre
L. Harris
L. Silchester
L. Portman
L. Stanley of Alderley
L. Northbrook

COMPANIES' ACT (1862) AMENDMENT BILL—(No. 124.)

(*The Lord Stanley of Alderley.*)

COMMITTEE.

Order of the Day for the House to be put into Committee read.

Moved, "That the House do now resolve itself into a Committee."—(*The Lord Stanley of Alderley.*)

Lord REDESDALE said, that that Bill had been introduced to enable companies with shares of large amount, which they had a difficulty in disposing of, to reduce their shares to a lower amount, whereby it would be more in the power of persons of small means to become possessed of them. The companies would thus get rid of a liability to which they were now subject. He did not think it would be right to give those facilities to the extent proposed by that measure; for one probable result would be to transfer the shares to a less responsible class of persons. A limit should, he thought, be imposed—as, for example, that the shares should not be reduced to more than one-half, or, at most, one-quarter of their present amount. As the Bill stood, shares of £100 might be divided into ten shares of £10 each.

Lord OVERSTONE said, he thought the Chairman of Committees had rendered very good service in bringing the subject before their Lordships. These shares were little else but gambling symbols used not for the purpose of promoting industry, but to facilitate practices which had about as much relation to honest industry as the exchange of cards over a gaming table, or any other device by which property in the possession of one person was to be transferred to the pockets of another. There was no Return of the present number of these shares in joint-stock companies; but in 1864 he moved for Returns from which it appeared that in May of that year the number of shares created up to that time in companies of limited liability amounted to 42,000,000. He moved for the Return in the hope that it might tend to check such reckless proceedings; but he feared the hope had proved vain and delusive, for beyond doubt this abuse of credit and reckless gambling in these shares had been carried on with increased activity. He had another Return which showed that during the sixteen months from January, 1863, to May, 1864, no less than 13,350,000 shares were created. What was the number in existence when the panic set in he was unable to state. Was it wise, right, or justifiable to pass an Act for splitting up and thus causing an extensive multiplication of these shares? If they were to be thus multiplied, they would find their way into the possession of a more ignorant and a poorer class of investors, and great loss and distress might be thereby occasioned. When these companies under limited liability were first got up, the shares were as low as 10*s.* and £1, and it was only necessary to refer to the proceedings of the Bankruptcy Court to see how the humbler classes might be wronged by these companies. All the Commissioners — Fane, Holroyd, and Fonblanque — had pointed out the folly of engaging in companies of this description; and had used language of the severest censure in regard to the conduct of those who had promoted them. A leading counsel engaged in the Bankruptcy Court emphatically declared that "limited companies" were a "mockery, a delusion, and a snare." These companies were now dealing with shares of a greater number and larger amount? One illustration of the danger of investing money in companies of this description might be given. The house of Overend, Gurney, and Co., once a large and important establishment in the City, and enjoying the highest credit, was at length carried on with great indiscretion and sustained many very heavy losses. Under the weight of these transactions the firm sought to avert the impending evil by converting it into a joint-stock company, limited. The number of shares was 100,000 of £50 each, of which £15 were paid up. The sum of £500,000 was given for the goodwill of the business. What was the result? The transfer was accomplished in August, 1865, and in May of the present year the concern became insolvent. There were 2,300 shareholders thus suddenly involved in this catastrophe. The indebtedness of the company was estimated at £18,000,000, the shareholders had already lost the whole of the £15 per share they had paid up, and a further call of £20 per share would probably be required to discharge the engagements of the company. He was informed that letters were received from females in great distress, from retired officers of the army and navy, who were unable to pay heavy calls, and to avoid which exile from the country was in many cases contemplated. That being the state of the case, 2,300 shareholders in that concern alone being placed in such a situation, was it the desire of the Government that the £50 shares should be reduced to £10, and that the suffering caused by such failures should be more widely shared and extended to those who, from their position, would be less able to take care of themselves, or to bear the pressure? There were many other cases which offered but a repetition of the same consequences. There were the cases of Barned and Co., and the Consolidated Bank, and it was announced that morning that a great concern, known as the Agra and Masterman's Bank, had suspended payment, a bank having establishments at Calcutta, Bombay, Madras, Lahore, Kurrachee, Shanghai, Hong-Kong, Melbourne, and Sydney. That company was formed of two concerns, both of which as long as they remained in the hands of private individuals possessed excellent connections and high credit. The Agra Bank was created in 1833, and obtained a high reputation for the amount of its business and the prudence of its management. Masterman and Co. was also a bank of high standing in the City. But in an evil hour both these valuable houses combined together under the fatal ægis of limited liability, and the result was that two years after the combination these two concerns, previously prosperous and in high credit, had suspended payment. In that concern there were, he was informed, 60,000 shares and 900 shareholders; and was it a matter to be regretted that the shares had not been smaller in amount, and the loss, therefore, more widely diffused, and amongst classes less able to bear it? He had taken care not to be carried away in this matter by any personal crotchet, but had fortified his opinions by the safe and reliable judgment of those who from their experience were entitled to respect. When, after the second reading of the Bill, his attention was called to this matter, he consulted two gentlemen connected with the City of calm and unbiased judgment. Both of those gentlemen were wholly unconnected with transactions of this nature, but both held positions which required them to watch the money-market day by day, for the purpose of giving to those with whom they were connected sound, judicious, and reliable advice in matters of this nature. One of those gentlemen, speaking of the manner in which companies were concocted, said—

> "There is no doubt that the facility given to the formation of companies with limited liability has led to great frauds in their concoction, great frauds in the issuing of shares, and also to a system of reckless advances which has helped to bring about the present trials."

The other gentleman, who had equal opportunities of constant observation, aided by a knowledge of transactions arising out of shares, wrote—

> "Your Lordship will permit me to express an opinion that the issue of shares at a small nominal value is calculated to lure into the field of speculative enterprizes a class of investors of humbler position and more easily to be misled than even those who have of late had such sad experience of the evils attending the folly of becoming co-partners in schemes of which they could have no personal knowledge whatever."

The system had undoubtedly received a severe check, and it would, at all events, be some time before they heard of the further concoction of similar concerns. For the sake, therefore, of all honest dealing and the success of legitimate commerce, he implored their Lordships neither directly nor indirectly to give additional liberty or prolonged existence to a system which had been attended by such serious failures, and which had proved, as he had predicted would be the case, the means of spreading so much ruin and misery throughout the community.

LORD STANLEY OF ALDERLEY acknowledged how utterly incompetent he was to contend with the noble Lord upon a subject with which he was so familiar, and upon which his authority was so justly appealed to; but the whole tenor of the noble Lord's argument had been not so much against the Bill as a revival of his old denunciations against the system of limited liability. He doubted whether the failures instanced by the noble Lord had at all resulted from the adoption of the principle of limited liability. To show the evils of the system, the noble Lord had put prominently forward the failure of Overend and Gurney. He (Lord Stanley of Alderley) agreed that no house had stood higher in the world for experience, integrity, and good management; but the cause of the failure was losses incurred by the concern before it became a limited liability company; so that the fall of that magnificent establishment was due to the time when it was conducted on those principles which the noble Lord considered the only safe and sound principles for the conduct of commercial transactions. One of the great Banks, too, which had recently failed, and which he understood had failed more disastrously than any other Bank, was not a limited liability company. He referred to the Bank of London. With regard to that and others which had failed, there was no reason to suppose that the creditors would lose anything. In all previous commercial crises which had occurred in this country very great disasters ensued, and there had been very great losses experienced by all the creditors of the banks that failed, when those banks were in the hands of private individuals and the liability was unlimited. But he believed that as yet no bank with limited liability had failed to pay its creditors all that was due to them; and it stood to reason that when the liability was distributed over a large number of shareholders, and there was a large portion of the subscriptions to the shares unpaid, it was more likely that means would be found to provide for the liquidation of debts than under the old system. What they had to consider with regard to this Bill was whether, by allowing the partners in these companies to reduce the value of their shares, they would in any way deteriorate the security the creditors of such companies possessed under the existing law. He could not see how the public could be injured or how the security of the creditors could be diminished by permitting a man holding a share of the value of £100 to divide it into ten parts of the value of £10 each, to be held by ten different individuals. On the contrary, he thought the probability was that the man with the £100 share would be less likely to pay the amount due upon it than if the liability were distributed in smaller sums over a larger number of holders, and the holder of the small share would only be liable to pay the nominal price of his shares. It should not be overlooked that as the law now stood the amount of the shares might be whatever the company chose to fix upon — £100, £50, or £10, and, therefore, there was no absolute objection to £10 shares. He quite agreed with the noble Lord the Chairman of Committees that there should be some limit, and that it was not desirable to go below £10. He proposed to introduce provisions which, he hoped, would satisfy his noble Friend in that respect. All the arguments made use of by the noble Lord behind him (Lord Overstone) against this measure were in reality directed against the principle of limited liability. While admitting that many persons preferred the old system under which the financial affairs of the country were conducted by a few great capitalists, he could not but think that the nation had derived much advantage from the establishment of joint-stock companies based on the limited liability principle, which diminished the monopoly of joint capitalists, whereby a number of people possessed of small capital were enabled to undertake important enterprizes. He must further remind their Lordships that it was not the duty of Parliament to enforce prudence upon people as to the way in which they should invest their money, although the Legislature might take care that sufficient security was given to the creditors of the companies to which he had referred. In his opinion, such security was amply provided for by the present Bill. He trusted their Lordships would not prevent the Bill from going into Committee.

LORD OVERSTONE wished to state that the noble Lord had misunderstood what he had said with regard to Overend, Gurney, and Company. What he had said was, that by recent legislation the losses of the company had been distributed among 2,300 shareholders.

EARL GREY said, that after the statement of the noble Lord (Lord Overstone) he had expected an explanation from the noble Lord the Postmaster General which would have shown that the Bill before the House was intended to answer some useful purpose. The noble Lord had not, however, stated any ground whatever which could induce their Lordships to pass the Bill; but, on the contrary, had furnished them with a good argument against it by stating that, under the existing law, companies were free to make their shares of whatever value they chose. They might, therefore, have done themselves what this Bill proposed to do for them. Why had they not done so? Was it proper for the Legislature to give facilities to those who had been guilty of great imprudence to divide their shares, and thus to enable them the more easily to transfer to other persons the consequence of their recklessness? The noble Lord said that Parliament was not bound to provide prudence for private individuals. In that proposition he entirely concurred; but, at the same time, it was the duty of the Legislature to take care so to frame the law as not to give improper encouragement to a spirit of gambling. The effect of recent legislation had been most mischievous in stimulating such a spirit already too prevalent. It was not fair to the parties who had had dealings with these companies that their constitution should be altered as this Bill proposed to allow. The companies had the power of breaking up and re-forming themselves, according to their own notions, and there was not the slightest ground for Parliament interfering to alter the arrangement which they had voluntarily entered into. Under these circumstances he begged to move that the Bill be committed that day three months.

An Amendment *moved,* to leave out ("now") and insert ("this Day Three Months.")—(*Earl Grey.*)

LORD TEYNHAM agreed with the noble Lords who had just addressed the House, that a very important principle was involved in this apparently unpretending Bill, but he could assure their Lordships that the measure, as it stood, would be received as a boon by many persons. The noble Earl who had just sat down spoke of the power the companies now possessed of dissolving and of reconstituting themselves with shares reduced in value, but that operation would entail such a loss of business, such a scattering of connection, such a loss of interest upon money, and of time, as rendered it practically very difficult to be performed. The Bill before their Lordships permitted the parties concerned to do cheaply and speedily, and without any injury to their business, that which they could now do in a roundabout and expensive way. So much was an alteration of the kind proposed in the Bill required that some companies had been debating whether it would not be prudent for them to apply for a private Act of Parliament to enable them to reduce the value of their shares. He thought it most unreasonable to prevent a company which might have been established under the belief that it could employ a large capital, from reducing the value of its shares when it was ascertained by experience that a smaller capital would be sufficient. In some cases promoters and directors might think so highly of their connection as to expect to get their capital subscribed by fixing the shares at a high price ; but from disturbance in trade or other causes it might be found impossible to obtain, at the high figures, the amount of capital required. Again, persons were often unable to dispose of their shares when circumstances required that they should do so, in consequence of their high amount, but were they subdivided, no such difficulty would be experienced. The passing of the Bill was awaited with some impatience by a number of the companies specially concerned ; but he did not see why the Government should have limited its operation to £10, for, in his opinion, the companies formed for the purpose of supplying the necessaries of life, and the shares of which were as low as £2 or even less, would compare favourably with undertakings of a higher denomination in the excellence of their management, and in the rate of profit they yielded. Those companies, indeed, would sooner or later compete with savings banks as a mode of investment.

On Question, That (" now ") stand Part of the Motion ? their Lordships *divided* :—Contents 14 ; Not-Contents 17 : Majority 3 :—*Resolved* in the *Negative*, and House to be in Committee *this Day Three Months.*

CONTENTS.

Cranworth, L. (*L. Chancellor.*)
Devonshire, D.
Somerset, D.
Normanby, M.
Granville, E.
Sydney, V.

Boyle, L. (*E. Cork and Orrery.*)
Clandeboye, L. (*L. Dufferin and Claneboye.*)
Foley, L. [*Teller.*]
Harris, L.
Ponsonby, L. (*E. Bessborough.*) [*Teller.*]
Saye and Sele, L.
Stanley of Alderley, L.
Teynham, L.

NOT-CONTENTS.

Grafton, D.
Bath, M. [*Teller.*]
Belmore, E.
Grey, E. [*Teller.*]
Lucan, E.
Nelson, E.
Powis, E.
Chaworth, L. (*E. Meath*)

Denman, L.
Houghton, L.
Overstone, L.
Redesdale, L.
Silchester, L. (*E. Longford.*)
Southampton, L.
Stratheden, L.
Walsingham, L.
Wynford, L.

Lord Teynham

CHARITABLE TRUSTS DEEDS ENROLMENT BILL [H.L.]

A Bill to make further Provision for the enrolment of certain Deeds, Assurances, and other Instruments relating to Charitable Trusts—Was *presented* by The LORD CHANCELLOR ; read 1ª. (No. 146.)

House adjourned at a quarter before Eight o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, June 7, 1866.

MINUTES.]—SELECT COMMITTEE—*Second Report*—On Superior Courts of Common Law and Courts of Chancery (England and Ireland), *presented.*

PUBLIC BILLS—*Committee*—Representation of the People [68], and Redistribution of Seats [138] ; Standards of Weights, Measures, and Coinage* [166] ; National Gallery Enlargement (*re-comm*)* [124] ; Transubstantiation, &c., Declaration Abolition [82], debate *adjourned.*

Report—Standards of Weights, Measures, and Coinage* [166] ; National Gallery Enlargement (*re-comm.*)* [124].

ANNUITIES—EXCHEQUER BILLS.

QUESTION.

SIR STAFFORD NORTHCOTE said, he wished to ask the Secretary to the Treasury, Whether the amount of the Annuities for lives and terms of years, granted on account of Exchequer Bills, cancelled in 1830-31, pursuant to the Act 11 *Geo.* IV. c. 26, is included in columns 3, 4, 7, and 8 of the Return, No. 290, of the present Session ?

MR. CHILDERS replied that the amount of the Annuities referred to were included in columns 3, 4, 7, and 8, having been put there in compliance with a distinct Order of the House. He proposed, however, to lay upon the table a document in which the amount for each year would be given in a distinct column.

ARMY—ARTILLERY—GUNS AND GUN-COTTON.—QUESTION.

SIR GEORGE STUCKLEY said, he would beg to ask the Secretary of State for War, Whether the penetration of various Guns have been tested against works faced with granite ; and, if so, would he be pleased to lay before the House the official

Report upon such experiments; and, whether the Gun-Cotton Commission have reported; and, if the Commission have not reported, when the Report may be expected?

THE MARQUESS OF HARTINGTON replied that experiments had been made to test the penetration of various kinds of guns against granite, and that Reports had been received both from the Engineer and Artillery officers; but as additional experiments were about to take place he thought they had better be completed before any Report was laid on the table. The Gun-Cotton Commission were engaged in a laborious, and, to some extent, hazardous, investigation, and it would be some time before their Report would be ready.

IRELAND—THE MILITIA AND THE FENIANS.—QUESTION.

MR. WHALLEY said, he rose to ask the Chief Secretary for Ireland, What is the cause of the Militia not being called out this year in Ireland; and whether, in particular, it is owing to the knowledge or belief that a large proportion of that Force is or has been in complicity with the Fenian conspiracy; and, if so, whether the Government are prepared to furnish the House with further information as to the nature and extent of such complicity?

MR. CHICHESTER FORTESCUE: Sir, I think the hon. Gentleman is not aware that I have answered his question several times before. I made a statement on the subject in a recent debate raised by the hon. Member for the King's County (Sir Patrick O'Brien), and I have nothing to add to the statement I then made.

RINDERPEST IN THE ISLE OF MAN—QUESTION.

SIR ANDREW AGNEW said, he would beg to ask the Vice President of the Committee of Privy Council, If it is true that Rinderpest has broken out in the Isle of Man, appearing there last week in five places almost simultaneously; and if the information he has received leads to the belief that these outbreaks can be traced to distinct sources of infection; or whether it would appear that the disease has taken an epidemic form, and that all or any of these cases have originated spontaneously?

MR. BRUCE said, in reply, that in consequence of a communication received last week from the Lieutenant Governor of the Isle of Man, an experienced inspector was sent, who arrived on Friday. His last letter was dated Monday, the 4th instant. In that letter he stated that though the appearances of the disease were similar to those of rinderpest, he was not yet prepared to give a decided opinion of the character of the disease which had appeared in that island, or that it was rinderpest. He had not expressed any opinion as to the cause of the appearance of disease in that island.

PRINCESS MARY OF CAMBRIDGE.

QUEEN'S MESSAGE.

Queen's Message [5th June] *considered* in Committee.

(In the Committee.)

Queen's Message read.

THE CHANCELLOR OF THE EXCHEQUER: In pursuance of an Order made upon a former day, I rise to submit a proposal to the Committee with a view to a further provision for the Princess Mary of Cambridge upon the occasion of her marriage. The character of the Princess is one happily well known both to the public at large and to many persons Members of this House and Members of the other House of Parliament, who have been permitted to live in habits of intercourse with her illustrious family; and I am very happy to think that, as far as experience has enabled the people of this country to form a judgment respecting the illustrious person to whom she is about to be united in marriage, that judgment is not less favourable. Prince Teck is by no means unknown to many of us. This is not the first occasion of his appearance among us; and wherever he has been known, I may say without fear of contradiction, the impression made by the qualities of his mind is eminently satisfactory. The subject of a further provision for the Princess Mary of Cambridge, in the event of the Princess forming a matrimonial connection, was brought under the notice of Lord Palmerston during the last autumn—at the period which nearly coincided with the dissolution of Parliament. The settlement made on the Princess Mary at a former period was a settlement of the sum of £3,000 a year; but Lord Palmerston was strongly of opinion that such a sum could hardly be regarded as adequate for the due support of the Princess in the marriage state, unless it should be her fortune to be united with some one possessed of great wealth. That opinion of Lord Palmerston, formed by him in his capacity as head of the Government, was communicated by him to the family of the illustrious Princess, and it is a circumstance which I doubt not the House will take into its consideration. With respect to incomes granted—freely and liberally granted—by Parliament to members of the Royal Family, I venture again to remind the House that these illustrious personages are not so free as we are, that they do not enjoy the same degree of liberty as we do, with respect to the manner in which they live and the appearance they are called to present to the public. If any of us finds that the scale of his expenditure bears an inconvenient relation to his means, there is comparatively little difficulty in contracting it. But the members of the Royal Family are felt to be in a peculiar sense, I may almost say the property, certainly the subjects of the deepest concern and interest to the nation; and the nation would feel that it was itself disparaged unless the members of that Family residing within its limits—where there was no cause connected with their own conduct to account for the deficiency—were enabled to maintain a certain appearance and a certain dignity of station. That is an important consideration which I hope will also weigh with the House. Now, Sir, it has been an eminently satisfactory circumstance upon several occasions on which communications more or less analogous to these have been made to Parliament during recent years, that the person who has been responsible for submitting it has uniformly been able to state that the marriages formed in the British Royal Family during our recollection have been marriages not founded upon political considerations, nor upon any secondary or conventional rule, but marriages rooted in that depth and strength of personal attachment, which is the only true foundation and which affords the only solid prospect of domestic felicity. There has been no case, I believe, in which that statement could be made with more undoubted confidence than the case which it is now my duty to submit to the decision of the Committee. I think the House will also be disposed to recollect that the branch of the Royal Family to which the Princess Mary belongs, though not numerous in itself, is strongly united by ties of affection. Both as sister and as child the Princess is deeply attached to those whose domestic happiness this circumstance so nearly concerns, and under the arrangement now contemplated, it affords them the greatest pleasure and satisfaction that they are not likely to be deprived of her society—that her lot and that of her husband will still be cast in this country, so that the union of family which the public heretofore has been accustomed to rejoice in will be continued. Nor can we, on an occasion of this kind, refrain from calling to mind that good, benevolent, and kindly Prince, the late Duke of Cambridge, who endeared himself to all classes of the community, not only by his genial manners, and Royal courtesy, but by the deep and unfeigned interest which he took and testified by his liberality, in every design calculated to promote the welfare of his countrymen. The Committee, probably, will not think it necessary to examine minutely the cases in which at former periods the House was invited, after once having considered the provision to be made for a member of the Royal Family, to make an addition to that provision. There is indeed one instance which it may be expedient to refer to—that of the Princess Sophia of Gloucester in 1806—where the provision which had formerly been fixed at a smaller sum was, upon the proposal of Lord Henry Petty (afterwards Lord Lansdowne), then Chancellor of the Exchequer, enlarged to the sum which it is our intention to propose on the present occasion—that is to say, to a provision of £5,000 a year. The Princess Mary of Cambridge is already in possession of an annuity for life of £3,000, and the proposal I have to make is that £2,000 a year be added to that sum. And, Sir, I beg the Committee to observe that, in making that proposal, we do not at all desire—on the contrary, we should deprecate—any attempt to bind the future liberality of the House in other cases. We think it best to present this claim to the House as a whole. It is upon the consideration of the entire circumstances that Her Majesty's Government have come to the conclusion that such a demonstration of the liberality of Parliament might be fairly and justly made. And we should by no means wish it to be considered that any general rule was to be established whereby in the event of marriage and residence in England — whatever the other circumstances of the case might be—a ground was to be laid for a new application to Parliament, after an arrangement had once been made for the illustrious person affected.

We deprecate all inferences of that nature which may be drawn from the present proposal. It is on a general view of the circumstances of the case that we are of opinion that the provision we now propose is a liberal, yet a moderate and just, provision, and one, therefore, which we can ask not only with propriety, but with confidence, from the vote of the House of Commons. These, briefly stated, are the grounds upon which I will place in your hands, Sir, a Motion to the effect that on this most happy occasion—as I am certain all Members of this House will feel it to be—an annual sum of £2,000 be granted to Her Majesty as an annuity settled on Her Royal Highness the Princess Mary of Cambridge.

Mr. DISRAELI: I rise to second the proposition; and from the manner in which it has been received by the Committee I feel sure that the House takes a deep interest in the happiness of the Princess, and gladly avails itself of the opportunity to express its very best wishes for the happiness of the auspicious union.

Sir WILLIAM HUTT said, that having enjoyed an opportunity during his recent residence at Vienna of observing the feelings with which Prince Teck was regarded in his own country, he hoped a word from him would not be considered misplaced. He had the satisfaction of testifying that the Prince of Teck was distinguished by intellectual and moral qualities, by character and by conduct, which commanded for him the sincere respect and goodwill of every one by whom he was known. He begged to offer his sincere congratulations to the Princess Mary upon the approaching event, and to the illustrious family which she was about to join.

Resolved, That the annual sum of Two Thousand Pounds be granted to Her Majesty, out of the Consolidated Fund of Great Britain and Ireland, the said Annuity to be settled on Her Royal Highness the Princess Mary Adelaide Wilhelmina Elizabeth, younger daughter of His late Royal Highness the Duke of Cambridge, for her life, in such manner as Her Majesty shall think proper, and to commence from the date of the Marriage of Her Royal Highness with his Serene Highness Francis Paul Louis Alexander, Prince of Teck; such Annuity to be in addition to the Annuity now enjoyed by Her Royal Highness under the Act of the thirteenth and fourteenth years of Her present Majesty, cap. 77.

House *resumed.*

Resolution to be reported *To-morrow.*

REPRESENTATION OF THE PEOPLE BILL [Bill 68.], AND RE-DISTRIBUTION OF SEATS BILL—[Bill 138.]

(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers.*)

COMMITTEE.

Order for Committee read.

Bills *considered* in Committee.

(In the Committee.)

Preamble.

The CHANCELLOR of the EXCHEQUER, in moving to leave out the words "for Counties, Cities, and Boroughs," and after "Wales" to insert the words "and to make further Provision for the Distribution of Seats in Parliament," and to leave out "Franchise," and insert "Representation of the People," said, that these were the first of a series of verbal Amendments standing in his name upon the Notice Paper, all of which were to be considered as strictly technical alterations, necessary for the purpose of carrying out the union of the two Bills. It might be necessary for the Government, hereafter, to give notice of Amendments relating to other matters, but it had been thought best to keep them completely separate.

Preamble amended accordingly.

Clause 1 (Short Title of Act) *agreed to.*

Clause 2 (Application of Act) *agreed to.*

Clause 3 (Interpretation of Terms).

Mr. HUNT suggested that as this was the Interpretation Clause, relating to and governing the whole Bill, it might be advisable before agreeing to it to see what changes were introduced into the Bill. He therefore moved that the clause be postponed.

The CHANCELLOR of the EXCHEQUER said, as far as he was able to judge, the suggestion of the hon. Gentleman was a good one; and but that he wished to adhere rigidly to the terms of the Instructions under which the Bills had been referred to the Committee he might himself have recommended the adoption of the course which had now been proposed.

Clause *postponed.*

Part I.—*Franchise.*—

County and Borough Franchises.

Clause 4 (Occupation Franchise for Voters in Counties).

The CHANCELLOR of the EXCHEQUER: The fourth clause of the Bill, which relates to the county franchise, and which is one of the main members of the measure—one of its leading provisions—it has occurred that an additional importance has been attached to it, from the amount of notice which the subject of it has received during the discussions on the Bill, and from the important Amendment of which notice has been given by my right hon. Friend the Member for the University of Cambridge (Mr. Walpole). I will endeavour to state clearly the view the Government take of this clause, considered on its merits, and then I will advert to the terms of my right hon. Friend's Amendment. Were we now discussing the matter in the House, where there is only power to any Gentleman to speak once, I would reserve any comment on the clause; but as we are speaking here with an indefinite liberty of speech, I think it will be more convenient to those who are to come after me if I now state, as far as I can, all that it may be necessary for me to say on the subject of this clause. As I have already said, this clause is one of the leading and capital provisions of the Bill. But there are two points in connection with it to which I ought to advert; because, if I did not, it might tend to some extent to fetter the discussion on the clause. The first of them is that I should refer to that provision of the Bill which allows leaseholders, within the limits of Parliamentary boroughs, to vote in the quality of leaseholders in the county within which the borough is situated, provided the leasehold is not one conferring a borough qualification. Now we intimated, at a very early period of the debate, that this provision was a matter open for re-consideration. I think, however, it is due to the Committee to state by what process it was we were led to insert such a provision in the Bill. Now, Sir, in our view a different account should be given of the relative nature of the county representation and borough representation from that which I am aware is in vogue on the other side of the House. We do not admit that the county and borough representations were different originally, by either the letter or the spirit of the Constitution, as is now sometimes supposed, with reference either to the interests of parties or the separation of what are called the urban and the rural interests and a certain equipoise of those two representations. We read the meaning of the arrangement in the provision in which we find that while the franchise was given for counties in respect of property that franchise ran evenly and regularly through the entire of the counties, there being no exception save those of cities which were counties in themselves. At the same time it was the practice of the Constitution, wherever from a variety of circumstances a community were aggregated together, to invest that community with a right of representation, and that representation forms the whole body of the city and borough constituency; but, according to the practice of the Constitution, this was without the slightest prejudice to the right of the inhabitants of those boroughs to be represented in Parliament in respect of their property. In this state of things the Reform Act introduced two innovations. The first of these was one which took away from the county freeholder his right to vote by reason of his freehold in cases where that freehold conferred a borough franchise. That, I believe, was an original part of the Reform Act. At all events, it is one of its provisions. Another innovation introduced in the Reform Bill—introduced undoubtedly in a very great degree to give effect to those ideas of difference between the urban and rural representations to which I have alluded—was the £50 occupation clause. But while that proposal was made from the opposite side of the House, it received a large amount of support from those who usually voted with the Government of Earl Grey, as being a measure of additional enfranchisement, and an enfranchisement of a class to whose intelligence and position no just exception could be taken. I am not now speaking in censure of the clause; but it is to those recent innovations alone that can be traced, as I apprehend, the doctrine which is now so much in favour with so many Members of this House. In proceeding to consider the state of the representation of the people it was quite obvious to us—as it has been obvious to all who have dealt with the subject for the last fifteen years—that an essential provision of any measure of Reform which could be expected to receive, and ought to receive, any support in Parliament, must be in counties a considerable reduction of the occupation franchise. But in thus reducing the occupation franchise, which we thought it quite necessary to do, we felt it only right and fair to see whether there was any considerable class of interests strictly proprietary, which, according to the ancient spirit and practice of the Constitution, ought to be represented in counties, and which we might introduce with the new and considerable mass of occupiers which we were about to create by a reduction of the franchise, with a view to maintain in the county representation, as far as possible, that strength and permanence of proprietary interest which was the original—and perhaps I am not going too far in saying the exclusive—basis of the county franchise. Therefore, in looking back into the Reform Act, it was obvious that an anomaly was introduced by it. The leasehold franchise for counties was then introduced for the first time, and according to the ancient practice of the Constitution that might be acquired in towns—that is, a town leasehold not conferring the franchise in the town would be introduced as a county qualification. It seems to have been thought by hon. Gentlemen opposite that this provision was one eminently opposed to their interests. That is not at all the view which we have taken. This is not only a proprietary interest, but a proprietary interest in the hands of persons who, for the most part, are holders of leaseholds in plurality—in many cases of a very considerable number. A man who holds one leasehold ordinarily resides on it, and so residing he would not have a vote under this clause. But men holding this description of leasehold generally do not reside on it. They generally belong to the class possessing property, and, with regard to the votes of this class, I think Gentlemen opposite have no reason to be dissatisfied with the share of them, which on all occasions they obtain. But the clause has evidently proved one extremely objectionable to hon. Gentlemen on the other side the House, and in fairness I am compelled to admit to the right hon. Member for North Staffordshire (Mr. Adderley) that with the necessarily imperfect information we could obtain as to the operation of the clause, we were not aware there would be cases — although I believe the instances would be extremely few in which an influence would be exercised by that class in the constituency of particular counties or divisions of counties, certainly out of proportion to what we think ought to be brought to bear in any case. That being so, we have also taken in view the imperfect representation of property in those counties as a theoretical imperfection —because for all practical purposes property is amply and fully represented—and though we should be glad to qualify the admission of a large number of occupiers into the county constituency, by making an addition to the votes by tenure, either in this form, or in any other form that might be suggested, in such constituencies, yet, under the circumstances of the case, and seeing no object connected with the clause besides that which I have stated—admitting the occasional and incidental objection which in particular cases may tell against it, and being anxious to avoid as far as possible matters of controversy — we are willing to withdraw that proposal from the arena, and when we come to that part of the Bill I will ask leave to do so. There is another subject connected with this matter on which I should be glad to say a word—that is, the consideration of expense, which may be said—particularly in the case of counties—to have a tendency to grow with the growing number of the constituency. We are very sensible of the evils attendant on a great expenditure at elections. These are of an intense and, so to say, fatal character where connected with corrupt practices; but even where they are not it is a great public mischief that the road to this House should be barred by the necessity of an expenditure of large sums of money. I am not now going into the opinions which may be held as to the particular methods by which such expenditure may be restrained—I am not going to give an opinion now even in favour of attempting to gain that end by clauses in the present Bill. That is a matter which I think may justly be held over, as it is a matter for consideration whether the subject can be best dealt with in a Bill of this kind, where it would be mixed up with much contentious matter, or whether it can best be dealt with in a Bill devoted to that object alone, as being an object in which all persons have a common interest, and the consideration of which ought to be approached without any disturbing bias. Undoubtedly, however, it is our opinion, and I wish it to be strongly expressed, that it is the duty of Parliament to consider how it can adopt measures of vigour and efficacy for the purpose of restraining the very large, mischievous, and injurious amount of what may be called the necessary expenditure, more particularly at county elections. I do not say that such a measure should not extend to boroughs, because they are not exempt from evils of the same description; but a large portion of the evils of large expenditure, not connected with corrupt practices, are particularly felt in the counties.

And now, Sir, the House may justly expect me to say why it is that, when a proposal is made by a Gentleman in the conciliatory spirit of my right hon. Friend opposite, to raise the standard of the occupation franchise in the counties—I am not sure whether he meant to £20 annual value or £20 rating, but that is immaterial as regards my present purpose—why, when such a proposal is made, we adhere to the proposal of a clear annual value of £14 as the basis of the occupation franchise in counties. Well, Sir, the first reason which I think it necessary to give—and it is one of which I can hardly describe the weight on my own mind—is this. We have thought it our duty, in approaching this question, to present to Parliament such a measure as might, in our hope and best judgment, amount to what is called a settlement of the question. Now, what had we to take into consideration? We had to take into consideration that repeatedly, on the proposal of a private Member, this House had by considerable majorities affirmed the principle of a £10 occupation franchise in counties. We had to take into consideration that in 1854 that proposal had been adopted by the Government—a Liberal Government undoubtedly, but still a Government under the direction of a nobleman whose name was in those days, I will not say universally, nor even generally, but, at all events, to some extent, accepted as a guarantee for the moderation of his political proposals by many Gentlemen who sit on the other side of the House—I mean Lord Aberdeen, Then we had to bear in mind that in 1859 there appeared in this House a Bill in which a £10 occupation franchise was proposed—advisedly and deliberately proposed—to Parliament by the Government of Lord Derby; and of all the £10 franchises which have been proposed theirs was the largest. It would have included the greatest number of voters, because it was a franchise which was dependent solely on an occupation of lands and tenements, irrespective of rating, irrespective of residence, and irrespective, if I remember right, of even any building being on the ground. I do not say now whether that were a good extension of the £10 franchise—I myself think it was far otherwise—but I speak of it as the most extended form in which the £10 franchise was ever proposed. This question of the £10 occupation franchise was made the subject of much discussion in this House, and the right hon. Gentleman the Member for Buckinghamshire, as the responsible Minister of the Crown, is reported to have used, on the 28th of February, 1859, these words in reference to it—

> "With reference to the change of the county constituency from £50 to £20, I would venture to observe that, having given to this subject very considerable pains, so far as I can form an opinion, there is nothing which would make me trust the loyalty and respectability of one who lived in a £20 house in a county in preference to one who lived in a £10 house."—[3 *Hansard*, clii. 994.]

That was the opinion advisedly given by the right hon. Gentleman. I do not quote it for the purpose of endeavouring to bind him to that opinion, but I quote it because declarations and proceedings of this kind emanating from a responsible Minister of the Crown, become part of the history of Parliament and of the country—part of the material which it is necessary for us to take under our view when we consider our relations to the people, what their just expectations may be, and how far we are bound in prudence, if not in honour, to go towards their fulfilment. That was the proposal contained in the Bill of 1859; and I need not remind the House that, minus only that portion of it which extended a £10 occupation franchise to cases where there were no buildings on the land, it was embodied in the Bill of 1860. When, therefore, we are told that we ought to settle this question on the principle of meeting half way those who differ from us, and of endeavouring to allay jealousy by aiming at union of sentiment, or, at all events, at union of decision—the House, I hope, will perceive that that is precisely what we have already done. We have gone back from the votes of this House, from our own proposals, and from the proposal of the Government of Lord Derby, in order to bring about that union of opinion and sentiment. I think, indeed, we have been somewhat trying the feelings and the temper of those who form the Reform party in this House and in the country by proposing the £14 clause. We ourselves had been parties to a £10 clause, and so had the party opposite been; and I think we made some draught on the liberality, or, at all events, on the prudence and temper of the Reform party in the country when we declined to adopt a £10 and adopted a £14 occupation clause. It may possibly be said that the £10 occupation clause of Lord Derby was accompanied by a provision for the extinction forthwith of the voters within the limits of Parliamentary boroughs.

That was a great and a serious innovation on the Constitution, though I do not wish to comment on it from that point of view. It was pointed out that, independently of political inexpediency, there was gross injustice in that disfranchisement, and during the short existence of that Bill the Government who were responsible for it admitted, by the mouth of the noble Lord the Member for King's Lynn, that it was not expedient to apply the clause to the existing generation of freeholders. They were prepared, therefore, to go on with the existing generation of freeholders within boroughs retaining their votes for the county and to give at the same time a £10 occupation franchise in the sense I have described outside of the Parliamentary boroughs. Now, will any man tell me that if the £10 voters within the limits of boroughs were so very dangerous to what are called the interests of land, and so destructive to the Constitution, or if they gave such an overwhelming weight to any one of the parties represented in this House, that it was a satisfactory mode of dealing with the question to leave them where they were, to vote during the term of their natural lives? It is impossible that the Government of Lord Derby could have believed that there was political insecurity in a £10 occupation franchise in counties without excluding voters within the limits of Parliamentary boroughs, for otherwise they never could have made the concession that the rights of the existing generation should be saved. Under all these circumstances, what we feel with regard to the most important point—the settlement of the question—is this. We may say, that as matters now stand, the £14 and £7 franchise have been so frankly accepted by what may be called the Reform party in the country, and by the whole of that portion of the House which is more immediately connected with that Reform party, that if this Bill is passed here and is assented to by the House of Lords, we can advise the assent of the Crown to it with a confident feeling that for a length of time this important question of the franchise is laid to sleep, and that Parliament may betake itself in peace to the discharge of its other duties. Now, the whole of that immense advantage will be lost by the proposed alteration of the £14 franchise, and I trust that those who speak so much, and also, I doubt not, feel so much, about the necessity of settling this question, and about putting an end to the possibility, the likelihood, and the temptation of making it a subject of discussion from year to year, will be governed by this consideration—which I venture to say is all-important—in regard to the vote they give on the clause now before the Committee. If that clause be altered in the way proposed by the right hon. Gentleman, I feel that virtually the engagement with those who may be called the Reform party will be at an end, and the prospect of a long tranquillity with regard to the subject of the franchise will naturally assume a different character in consequence of the ending of that virtual engagement. But there is another consideration which I venture to urge, and to urge strongly, upon the Committee. It has been the fashion in these discussions, in the criticisms made of the persons proposed to be admitted to the franchise, to draw, as I think, a very invidious distinction between the lower order or labouring class, and the middle class of the community. My right hon. Friend the Member for Calne (Mr. Lowe) is unbounded in his worship of the middle class. He quotes Aristotle to induce us to strengthen the Constitution in its middle—that is, to enfranchise the middle class. He says that the £10 franchise is excellent. He thinks, however, that there are some vicious elements, some dregs which settle at the bottom—that at £10 and a little way above it there are little impurities he does not like, but some small distance beyond that the constituencies become what may be called, generally speaking, immaculate constituencies. I quote that, as the extremest of extreme views, because that is the position which my right hon. Friend has appeared to take throughout this discussion. The enfranchisement, therefore, of the middle class is admitted on all hands to be a good and salutary enfranchisement; and what we propose by this clause is neither more nor less than to complete the enfranchisement of the middle class. In the towns, with some exceptions, which we propose to remedy, it is complete already. In the counties it is admitted not to be complete; and we seek to complete it by this clause. Exception may be taken, perhaps, to the words I used when I stated that this was neither more nor less than the completion of the enfranchisement of the middle class. I admit that in one respect—that is, as respects one class of voters—it does more; I refer to the small agricultural tenants paying rents between £14 and £10, who do not belong to the middle classes which it will affect. For instance, a blacksmith with a smithy and three or six acres of land—such a man would pay more than £14, but he could hardly be said to belong to the middle class, and I admit that there must be a portion of the tenantry of that character in the distinctive sense of the word, and who hardly do belong to the middle class. With such exceptions as these, I contend that the mass of the people proposed to be admitted at £14 are people who belong to the middle class of the community—of the lower portion of the middle class if you like, but still of the middle class as distinguished from the lower class of the people.

In passing, let me say a word as to the reasons why we have not called for any information in regard to the numbers of the labouring classes in the counties. It is that we are not proposing to increase the weight of the labouring classes in the representation of the counties. On the contrary, we are proposing to diminish the weight of the labouring classes in the representation of the counties—that fact is perfectly undeniable. In the county representation the labouring class is chiefly among the 40*s.* freeholders, and we are going to diminish the proportion of the 40*s.* freeholders in the aggregate mass of the county constituency; we are going, therefore, to diminish the power they will possess through the county vote. The consideration, which I hope will be recollected when hon. Gentlemen come to deal with us on the question of the borough vote, is, that this clause aims at completing the representation of the middle class in counties. When you come to add to £14 of annual value what is necessary for repairs, insurance, and furniture, and the amount of rates and taxes, you will arrive at the conclusion that the man who lives in a £14 house spends £25 a year upon his residence; and a man who spends £25 a year upon his residence will have not less than £150 of annual income, excluding, of course, exceptional cases. I am not stating this as an indisputable proposition, but as a matter of estimate, admitting of argument. If you can overturn the argument, well and good; but my proposition is this—I say that a man's income is six times as much as he spends upon his house—and that that is, upon the whole, a moderate estimate. It is said that a vast number of £14 votes will be made in the suburbs of towns by buying an acre or two of land. I can conceive of nothing more improbable, because land in the suburbs of great towns is used for other purposes, and is not to be easily cut up into small patches for political ends, as no doubt rural land frequently has been, and much more easily may be. The great bulk of the £14 voters added to the constituencies will be householders, and the proportion of them who eke out the £14 to any considerable extent by land or property will be small. Even if you take the sum of their incomes to be on an average £100 and upwards, still they must be regarded as persons belonging to the middle classes, and, therefore, as persons, whom I would say, with the universal consent of this House, it is desirable to enfranchise. I will now notice an objection which has been put forward in very sweeping terms with regard to the swamping of the counties by persons who are to come from the suburbs of large towns that have outgrown their former dimensions. Let us see how this matter stands. My leading proposition is this—if the towns are too much extended into the counties the proper way of dealing with these towns is not by restricting the county franchise, but by adjusting the boundaries of the towns. A notion seems to prevail—it has been urged by the right hon. Gentleman the Member for Buckinghamshire, and it has been stated by others—that there is a general or universal disinclination on the part of those who are now outside the municipal boundaries of a town to be brought within because of increased rates and taxes. I do not believe that to be universal or general. There are very strong reasons tending to make the inhabitants of those suburbs which substantially form part of towns, desire to be placed within the municipal boundary. The county police is totally unfitted for the management of the suburbs of a great town, and, speaking generally, it would be inconvenient that the county police should be other than rural police. It must be borne in mind that the state of the law with regard to these municipal boundaries is admitted to be defective. We believe that by far the best method of proceeding is to make a good law for the extension of municipal boundaries, and then to provide that wherever the municipal boundary shall be enlarged the Parliamentary boundary shall follow. We do not attempt to dictate to the House upon this matter, which is not a vital one, but one for consideration, admitting of much to be said on both sides. No doubt many towns now extend into the counties, and not doubtful but indubitable portions of the towns, and in such a manner that the towns cannot be distinguished from county except by legal liabilities. There are possibly cases in which the town forms part of the county. There can be no doubt at all that in cases of that kind, if not by a direct provision, which, as at present advised, we think the least advantageous method of proceeding, at all events, by effectual provisions for the extension of the municipal boundaries, this town population properly so called should be brought within the municipal limits and also within the Parliamentary boundaries. But it should be borne in mind that this is a matter which it is exceedingly difficult to settle by a mere definition in a Bill. Although I am not prepared to say what would be better than the definition given in the Bill of 1859, which spoke of the population properly and substantially belonging to the town, it is totally insufficient. I have heard the right hon. Member for Buckinghamshire say that a man holding property in a county should be considered disqualified for possessing a town vote, and that every man who pursued an occupation in a town was to be considered as being disqualified from being a county voter, and, at any rate, that every place in which any number of persons pursuing their occupation in a town were aggregated should be excluded from the county constituency. I should like to know how he would deal with the northern suburbs of Liverpool. The bank of the Mersey, which offers a river and sea view for six or seven miles, is occupied for that length by little more than a couple of rows of houses, inhabited entirely by persons pursuing their occupations in the town, or by persons dependent upon and auxiliary to them. It is what, without any great license of language, may be called a suburb six or seven miles long, yet no one would say that the town of Liverpool ought to be extended six or seven miles in that direction so as to include those houses running alongside the river and the sea. If I were to endeavour to solve the question by giving a definition, I should say that wherever a town is continuously and integrally extended—wherever it is extended in its shops, in its manufactures, in its avocation of its labouring class, and in its habitations for all classes of its people—wherever, in fact, it is one continuous mass—it ought to be considered part of the town, and be included in its boundary. But I question whether you should include narrow strips and rows of houses, the very object of which is to allow their occupants to enjoy the pleasures of the country, together with residence and employment in the town. This is a matter extremely difficult to settle by definitions adopted for political reasons in this House, where we are all too liable to be influenced by the consideration how any definition would operate in a particular place; and what I would press upon the House is that it is a matter which ought not to influence the vote upon this Bill. As far as we are concerned, we have only the desire to adopt with respect to boundaries a just and fair arrangement. We foresee great difficulties in coming to an arrangement upon that subject if we proceed upon any other basis than that of a good law for the extension of the municipalities along with the growth of the towns. But we have no foregone conclusion upon the subject; we are ready to consider the best provisions for fixing the boundaries of towns; and therefore I say there is no ground—not a shadow of ground—for allowing these questions to influence the vote to be given upon the occupation franchise in counties or towns. I will mention another topic on which great stress has been laid. The case of particular counties has been treated. It has been shown that in South Lancashire there will be an enormous addition to the constituency by the adoption of a £14 franchise. Undoubtedly that is so. Even a £20 franchise would in South Lancashire make some very considerable addition to the constituency. In South Lancashire and in North Lancashire, in the Metropolitan counties, and in what, I think, the right hon. Gentleman (Mr. Disraeli) described as South-Eastern and North-Western quarters of the country, the addition generally would be large. But look at all the other counties. We must not consider alone those I have mentioned. In the bulk of the counties the addition may be justly described by these two epithets:—In the first place, it will be moderate; and secondly, it will be, on the whole, wonderfully equal. Taking an alphabetical list of the agricultural counties, I find that the £14 franchise will give in Bedfordshire an addition of 1,277 upon a constituency of 4,845, being one-fourth; in Berkshire an addition of 1,476 to a constituency of 5,066, being an increase of under one-third or two-sevenths; in Buckinghamshire an addition of 1,501 to a constituency of 6,126, being an increase of somewhere about one-fourth ; in Cambridgeshire an addition of 1,317 to a constituency of 7,060, being an increase of under one-fifth but more than one-sixth. Now, it may be perfectly true that if we were really to examine every case and to be governed with regard to this proposition of enfranchisement—which I entirely deny—by its party bearing, we should find that in cases like South Lancashire an advantage may arise to the Liberal party from a £14 franchise. But do you suppose that that is the case in Bedfordshire, Berkshire, and Cambridgeshire ? Quite otherwise. In all such counties the small tenantry and persons immediately connected with those who depend upon the land would form the bulk of the addition made ; and I have not a doubt that there are cases in which this addition would be eminently unfavourable to the political party occupying the Benches on this side of the House. Sir, I protest against the imputation of such odious motives to the framers of the Bill ; I protest against the justice of making any such considerations the basis of our vote ; and I wish to point out that hon. Gentlemen are entirely mistaken in attributing a party complexion to this question. Another reason for the franchise we propose is that it is in substance the franchise which has been adopted and which has worked well in Ireland. The county franchise in Ireland is a £12 rating. Within the merest fraction that franchise compares with the £14 occupation franchise in England. The difference between our £14 occupation franchise and the Irish £12 rating franchise is not a difference of principle at all ; it is a mere question of practical convenience. It is on the ground of practical convenience that we adhere to a franchise of clear annual value. But comparing it with a franchise now in force for full fifteen years in Ireland, we say that there can be no reason why you should not in England give a county occupation franchise as extended as that which prevails in the sister country.

Now I come to the Amendment of my right hon. Friend (Mr. Walpole). [An hon. MEMBER: It is not moved yet.] It is not yet moved, but it is closely connected with this subject. I am going to show that in our opinion it is utterly vain to search for anything in the nature of a principle by any such means; while, in point of fact, it is a mere restriction of that middle-class representation and enfranchisement which we propose to render complete. In the first place, this £20 franchise, as we know very well, is generally recommended because it is said to be the jury franchise. Now, is it so clear that no man is fit to give a vote—that no man of all those taxpayers whom you call upon to contribute largely according to their means for purposes of State is to be allowed to give a vote — unless he is competent to deal with questions of evidence and give a verdict which may decide the life of a fellow-creature ? That proposition is very far from self-evident. But there is a much wider objection to the proposal. £20 is not the universal jury franchise. As I understand the law—and I shall be corrected if I am wrong—in boroughs which have sessions of their own the jury franchise is a household franchise. Then are you prepared to take that standard for the county because it is a jury franchise and apply the same principle in the boroughs ? If you urge that the juryman's qualification shall make the voter, you bind yourself when you come to boroughs to the virtual adoption of household suffrage. In point of fact, do what you will, there is no resemblance at all between the voting franchise and the jury franchise. Even the county jury franchise is a varied one. It does not depend on occupation ; it requires that a man should be a householder. But if we alter the franchise from £14 to £20, we do not require the voter to be a householder ; nobody proposes that. Again, the jury franchise requires that a man should be rated to the poor rate. But your £50 occupying tenant is not so rated. I grant that there is a certain advantage in fixing your political franchise upon some basis already known to the Constitution ; but even that advantage, secondary as it would be, does not exist in the present instance. I will not enter into the question of clear annual value and rateable value at this moment, because I will not anticipate the details of the proposal of my right hon. Friend. But I think I have given good reasons why it would be vain to fix the franchise at £20, under the notion that in fixing the political qualification we were adopting the jury franchise, because your first necessity, if you so fixed it in counties, would be to adopt the same principle in boroughs.

I will now ask the Committee to consider the numerical effect of the £14 franchise. The county enfranchisement thereby effected would be 171,000 persons—according to the best estimate we can make—whose fitness, I think, we clearly show by reference to their resources and their general position in life. Excluding that portion of them who are agricultural tenants, and to whom I do not apprehend objection is likely to come from the other side, it will be admitted that they are persons generally—I should perhaps say uniformly — above the labouring classes. The proposal to raise this to a clear annual value franchise of £20, irrespective of any reference to rating, would cut down the 171,000 persons to 115,000, being a reduction of 56 per cent on the franchise we propose, or one-third part of the whole number whom we intended to admit. Such a reduction would, in my opinion, be deeply to be deplored. I do not hesitate to say it would maim a capital clause in the Bill; it would indicate jealousy where no jealousy ought to be felt; it would be inconsistent in the highest degree with all that has been said, and justly said, in praise of middle-class constituencies; and upon these grounds, and upon every other ground, it will meet with determined resistance from Her Majesty's Government.

LORD STANLEY: Sir, I do not rise to reply to the speech of the Chancellor of the Exchequer, nor is it my intention to discuss the Amendment of my right hon. Friend the Member for the University of Cambridge (Mr. Walpole), that Amendment not having been yet moved. I regret to interfere with the ordinary course of proceeding; but I know that I am representing the feelings of a very large number of Members on this side of the House, and I believe of not a few upon the other side, when I venture to offer to the Government and to the Committee a suggestion as to an alteration of the course of our proceedings upon these Bills. In order that that suggestion may be discussed, I shall conclude by moving the postponement of this clause. The proposition I submit for the consideration of the House is not one that will cause any delay, for if you are to go through the whole question it matters nothing, so far as the saving of time is concerned, at which end you begin. The suggestion I have to offer is that that portion of the joint Bill which relates to the re-distribution of seats shall be taken first. I cannot expect that that proposal should meet with universal acceptation, but I must nevertheless submit it to the serious consideration of the House; and I will state as briefly as I can the reason why it seems to me expedient that we should adopt it. I have a right, I think, to take it for granted, from what occurred in former debates, that the House desires and expects some effectual guarantee that the whole of this question shall be not only discussed but disposed of in one and the same Session. This is not the first time that an effort to secure that result has been made, and its justice has been admitted not only by the House but by the Government themselves, inasmuch as they ultimately consented, in deference to the general wish of the House, to embody in a single Bill their two original schemes. Now the case as it stands at present is this:—The franchise question, although exceedingly important, is one comparatively simple and lying within narrow limits. It is a question which may probably be disposed of in two or three nights. I do not think, therefore, that there is any reason to anticipate that those clauses of the Bill which deal with the franchise will have to be dropped from mere want of time. But, on the other hand, I cannot forget that there is a very considerable probability that if the clauses relating to the franchise were once disposed of, so far as this House is concerned, and if business pressed, and time grew scarce, and Members became impatient, Ministers would have an opportunity of doing what the rules of the House would undoubtedly allow them to do, and which, looking at the subject from their point of view, I could hardly blame them for doing—contenting themselves with the passing of that portion of the Bill which disposes of the franchise question, and dropping the rest of the measure, and thus reverting to their own original proposal. I repeat that I should not complain if the Government, looking at the matter from their point of view, were to adopt that course, because that was their own first intention, which they only altered out of deference to the general wish of the House. But that is a solution of the question which, as far as I can judge, would be regarded by a great majority of the House as eminently unsatisfactory. It is a course which would replace us in precisely the same position which we occupied two months ago, before the debate on the Amendment of my noble Friend the Member for Chester, and from which we were only extricated after a discussion that extended over the greater part of three weeks. I am not going now to repeat the arguments then used in favour of a comprehensive and general measure, partly because they must be already familiar to the House, and partly because they have, whether willingly or unwillingly, been for all practical purposes acquiesced in by the Government. It may be said, however, the object of this proposal is delay, and nothing else. Your object is to throw over the whole Bill for another year. Now, upon that point I must observe that I have no desire for delay, and that if you are to pass this Bill, or any Bill of the same description, it seems to me a very small matter whether you pass it this year or next year. What I think important is that you should pass the whole, or, failing that, that you should postpone the whole of this scheme. But the only way to ensure that object, as it appears to me, is to deal now, while we have time, and while we can bring comparatively unexhausted energies to the work —to deal now with the more delicate and difficult portions of the question, and to reserve its less difficult portions for that period when we shall necessarily have to meet them under less advantageous conditions. But I will put the matter upon a broader ground, and deal with it apart from any question of the possible abandonment of the Bill, or of any portion of it, by the Government. I say that you cannot deal conveniently or satisfactorily with the question of the extension of the franchise in boroughs and in counties—but more especially with the question of the franchise in counties—unless you know what is to be the nature and what is to be the extent of the constituencies you are about to create. I have no hesitation in saying—I believe it is the opinion of the House generally, including many Gentlemen sitting upon this side—that it is desirable to effect a considerable reduction in the county franchise, although the amount of that reduction may be a fair subject of discussion. But the real difficulty of any large reduction of the county franchise is that to which the Chancellor of the Exchequer just now adverted for a different purpose. It is that even now the county constituencies are so large that the expenses of county elections—I am not now speaking of bribery, but of the legitimate expenses of county elections — these expenses have become so enormous that men of small or even of moderate means are, in the majority of cases, practically excluded from the county representation. Nobody will deny that that is an inconvenience, and that it is an inconvenience which, apart from any proposed change in the franchise, is not diminishing, but is constantly increasing. That increase is the result of that growth in our population and in our wealth which must necessarily contribute to enlarge the number of our electors. That inconvenience you are going to increase by throwing into the county constituencies all occupiers between £50 and £14, and you will increase it, though in a lesser degree, by admitting all occupiers between £50 and £20, as proposed by my right hon. Friend the Member for the University of Cambridge (Mr. Walpole). I am not finding fault with such a proposal; but if you are increasing an admitted evil, you are bound at the same time to provide a remedy. If a £14 franchise is to be adopted, and if no division of the counties is to take place simultaneously with that measure, you will create a state of things under which no person will have a chance of being returned for a county except a millionaire, or some one who is supported by great landed influence. Now, by the Government Bill, nothing is done to remedy that evil. I am not going to enter now into the general question—it is not the time; I only want to indicate how it bears upon the particular point to which I am at present adverting. I believe the view of the great majority of the House coincides with mine as to the expediency of reducing the county franchise, and I believe the extent of that reduction must depend very much upon the extent into which the various electoral districts you are about to create may be divided. If the counties are to be subdivided, and the electoral districts made of a moderate size, you may offer a lower franchise; but if they are to remain undivided, then it would become a serious question even for those who think that upon the general merits of the case it would be desirable to reduce the county franchise to £14, whether the advantage to be thus gained would not be more than counterbalanced by the inconvenience of the enormous and unwieldy constituencies you would call into existence. That argument applies, although in a minor degree, to the great towns as well as to the counties; and it extends also to another question of immense importance—to the question of the unrepresented towns. Are you to have these towns in the counties or not? If you take them out to that extent you reduce the constituencies and the expenses of election. If you leave them in, the objection which I take to the absence of any provision for the division of the counties would be further increased. But that question of leaving the unrepresented towns in the counties involves the whole subject of an extension of the franchise, and the whole subject of a re-distribution of seats. No one knows, however, what will be the ultimate decision of the House upon that question. The Chancellor of the Exchequer told us the other day that it was a matter of detail, and we have not the slightest means of ascertaining how it will stand when the Bill comes out of Committee. I could say much more upon this subject, but I really have no wish to occupy time. What I contend for is simply this—that we ought to know what the constituencies are to be as regards their nature and extent before we settle the question of who is to vote in these constituencies. I contend that we ought to settle the outlines before we proceed to fill in the details. That seems to me to be the rational, the logical, the natural mode of proceeding. We can, I believe, adopt the course which I recommend without incurring any loss of time; but if we act upon the proposal of the Government, we shall from first to last be working in the dark. I believe that we ought to take the question of the re-distribution of seats before we take the question of an extension of the franchise; and, entertaining that belief, I now move that Clause 4 be postponed.

MR. E. C. EGERTON: I rise to second the Amendment, and I am sure the House will agree with me that in doing so it will require but very few remarks on my part to recommend the proposal to the careful consideration of the House after the speech of the noble Lord the Member for King's Lynn. If I may be permitted to make a personal remark, I will frankly say that I support the Amendment with no hostility to the cause of Reform. ["Oh, oh!"] Hon. Gentlemen opposite may laugh; but we are entitled on this side of the House to hold our own opinions, and to give to them the fullest expression. I am one of those who are willing and anxious to effect a settlement of this great question, and I am not alone on this side of the House in desiring that. But I wish to have that settlement made upon a proper footing—upon a footing which has reference not to mere numbers, but to the property, the intelligence, and the growing wants of the country. Let not hon. Gentlemen opposite, therefore, when my noble Friend and myself make what I conceive to be a most desirable proposal, throw it in our teeth that we are enemies of Reform. I say that when you have to consider the question of the electoral qualification you should in the first place consider who are the persons to whom you are to extend it. Let the House consider the peculiar position in which we are placed with regard to this question. I am not going to address any taunts to the Chancellor of the Exchequer. My high regard for his personal character, and the admiration which I feel for his great talents, would prevent me from saying anything offensive to him; but this I cannot help stating—that the conduct of this great question, from the time it was launched on the 12th of March, has not been such as to give it a fair chance of finding favour with the House. There has been too much menace. There has been too little consideration for the feelings and the expressed wishes of the House. For whatever consideration has been shown to us we are indebted to the noble Lord the Member for Chester (Earl Grosvenor). I believe the course pursued by the noble Lord does him the highest honour, because he had the courage to separate himself for a time from his personal and political friends in advocating what he thought to be just and right. But what did the Government do? They proposed, in the first instance, to bring in a Franchise Bill only; and what security have we now, on the 7th of June, that if we pass the clauses relating to that subject the proposal for a re-distribution of seats will not disappear when the dog-days shall have arrived? That re-distribution scheme, as it has been presented to us, is, I believe, one of the scantiest and most inefficient measures ever submitted to the House of Commons; and if the Government wished to settle this great question, why, I would ask, have they not brought forward a re-distribution proposal commensurate with the importance of the object they have in view? Why have they left out of their Bill all the great towns? Why is every great town in the North of England to be still unrepresented, so that it may form a perpetual nucleus for fresh agitation? We all profess a desire to settle the question; but how can we settle it if the great anomalies are to remain untouched, and great towns forming the growing centres of large districts are to remain unrepresented? Is it right that such towns as Leamington in Warwickshire, and Torquay in Devonshire, and other great communities, should continue to send no Members to this House? I confess I am surprised to find hon. Gentlemen who arrogate to themselves exclusively the title of Reformers, contentedly accepting that blot in our representative system. But I do not mean to enter at any length into the merits of the case. My noble Friend (Lord Stanley) has admirably argued the question; and I hope I may be allowed to take this opportunity of also reminding the House of the admirable speech delivered by the right hon. Gentleman the Member for Buckinghamshire on the second reading of the Re-distribution of Seats Bill—a speech which in my humble judgment was one of the most statesmanlike ever heard in this House—a speech which will endure as long as the records of this Assembly, and which will be read as a text-book by all persons who are anxious to study the question of Constitutional Reform. I believe that in that speech you will find the germs of any Reform Bill which is likely to pass through Parliament; but I cannot believe that the good sense of this House and of the country will consent to accept such a Re-distribution of Seats Bill as that proposed by Her Majesty's Government. As to the Amendment that has now been moved, in seconding it I commend it first to the consideration of the Government, and, if they fail to attach a proper weight to it, then I commend it to the consideration of those independent Members who sit behind the Government; and I trust they will prove that they are equal to the occasion, and that they are not disposed to hazard jeopardizing the Constitution by deciding as to what shall be the franchise qualifications before we have settled what the constituencies shall be.

Motion made, and Question proposed, "That the Clause be postponed."—(*Lord Stanley.*)

MR. BRIGHT: Sir, I have been a little surprised at some of the observations of the hon. Member for Macclesfield (Mr. E. C. Egerton). He blames the Chancellor of the Exchequer for bringing in what he calls a very scanty measure of re-distribution. Now, I understand that the Bill disturbs and re-arranges forty-nine seats. The Bill of Lord Derby disturbed and re-arranged fifteen seats. The hon. Member says he is very much surprised that this great blot of the great unrepresented towns is not dealt with. But that question was not dealt with by the Bill of Lord Derby. The Bill of the Government deals with just about as many—I am not sure whether it is exactly the same number—new boroughs as the Bill of Lord Derby dealt with. I presume that the hon. Member has forgotten the Bill of his leader. [MR. E. C. EGERTON: We are not discussing Lord Derby's measure.] I think the hon. Member, who is a great supporter of Lord Derby, has hardly acted fairly in making the subject of a general attack upon the Bill of the present Government certain things which were to be found fault with—if they are faults—in Lord Derby's Bill. But he says further that the Chancellor of the Exchequer has shown no consideration to the House, and especially none to the feelings of hon. Gentlemen opposite. Well, I might say, in reply, that they do not show very much consideration for the feelings of the Chancellor of the Exchequer. But surely no Member of the House can be unaware of this fact, that from the beginning of these discussions the Chancellor of the Exchequer has, in many matters not affecting the essential principle of the Bill, made several important concessions to the feelings of Gentlemen opposite. ["No!"] Why, the fact that he made one great concession is the cause of the dilemma in which the noble Lord the Member for King's Lynn finds himself. He says exactly what I said in the first speech I made on the Franchise Bill, that the Franchise Bill, as a measure, was a simple measure, easy to be understood, and comparatively easy to be disposed of. I quote the words which the noble Lord has used to-night. And he said further, that two or three night's debate would be sufficient to pass the franchise clauses through this House. If that be so, and if hon. Gentlemen opposite will follow the moderate lead of the noble Lord in respect of the franchise clauses, and let us get through them in the course of next week, there can be no kind of difficulty in proceeding with the clauses relating to the distribution of seats. It seems to me that the answer which the noble Lord gave to his own proposition is complete, and does not require that I should add anything to it. But he says there is great danger of reverting to the original proposition of endeavouring to pass a Franchise Bill without a Re-distribution of Seats Bill. The noble Lord, I think, begins to have some doubt of the wisdom of the course which he took, and which his party followed him in taking, at the commencement of these discussions. In my opinion I should say that the argument which the noble Lord has now used, if it be worth anything, is an argument conclusive on behalf of the course which the Government proposed to take at the beginning of the Session. The noble Lord's theory and that of hon. Gentlemen opposite is, that they should try to get six, or it may be ten omnibuses abreast through Temple Bar. That was the object at the beginning of the Session, with the intention that we should all remain sitting in Fleet Street if we happened to be at the east side of that monumental archway — and should never reach the Strand. Well, we who wanted really to get on, proposed a mode of getting on which the noble Lord in his speech to-night has proved that he himself—I will not say felt then, though I believe he felt then — but feels now was the true and honest course for the Government to take if the Government intended to pass any measure at all during the present Session. But the noble Lord has offered a reason of a very extraordinary character for interfering with the Amendment given notice of by the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole). He is afraid that the Seats Bill will be dropped by the House after the franchise clauses have been passed, and that consequently we shall revert to the original proposal of the Government; and one of the reasons which he gave for his alarm on this head — one which I could scarcely comprehend—was that the Bill, if it should pass with a £14 franchise in it, would raise the county constituencies, which are now, he says, cumbrous and inconveniently large, to constituencies of such an extraordinary size, and the expenses of the elections would consequently be so enormously increased, that none but very rich men, or men having very rich friends to support them, could venture to contest a county election. Well, but does the noble Lord propose that the great body of the people, now excluded from the franchise in the counties — because, mind you, his argument would be the same in reality for the £20 as it is for the £14—does he propose that all persons between £50 and £20 — I shall assume that figure for the sake of my argument—are to be excluded from the franchise until you have devised some mode of conducting county elections in an inexpensive manner? Why, we know perfectly well that county elections, as well as borough elections, are more or less expensive, according to the wisdom of their management, and according, it may be, to the violence in some degree of the party strife which arises. The noble Lord said a question for consideration was whether it would not be wise to divide the counties still further. I have never expressed any opinion in opposition to such division. Hon. Gentlemen opposite have conceded by all the arguments they have used in this House the plan of electoral districts—and although I have never argued for electoral districts—of course all our districts are electoral, but I mean for any mathematical exactness with regard to them—I find myself driven constantly through these discussions towards that conclusion by the arguments and the speeches of hon. Gentlemen opposite. Now, I can point to a Member of this House — I do not know what his Colleague on the other side of the House might say—representing a county where I never heard of any manufacturing population or any great town, it being a strictly agricultural population, in which every vote polled at the election cost the candidate £4. I think 2,000 votes were polled—I am speaking from memory — and consequently the election cost the candidate, or his friends, £8,000. For anything I know, about the same number, polled by some Gentleman—I do not know his name—on the other side of the House, may have cost him the same amount. But down in South Lancashire, where the number of electors is 20,000 or more, the cost bears no proportion to that of the county I have described; and if there be boroughs in which the cost runs up to several thousand pounds at almost every election, there are other boroughs of equal population and number of electors where the contest costs not more than one-fourth of the sum I have named. I maintain that the cost of elections does depend, and after all your legislation it will depend, to a large extent on the good sense of those powerful persons, whether in a borough or a county, by whom the elections are generally controlled—I mean in the selection of candidates and the working of contests, and on their determination to do nothing that law or morals can in any degree find fault with. I should like to ask any Gentleman who may rise after me to advocate the view of the noble Lord, whether it is not the fact that under the present law county magistrates can open as many polling-places as they like throughout the county? The adoption of such a course would at least do away to a large extent with the great expense which is entailed by the conveyance of voters. I have had several letters from farmers in the county of Warwick, asking that Parliament, in this Bill, or in some other Bill, should insist upon having a much larger number of polling-places. Now, Sir, the simple question is this—the noble Lord the Member for King's Lynn, after having asked the Government to bring forward their Seats Bill on grounds which I thought wholly insufficient, and I must say unfair and ungenerous, and which I did not expect from him, because they were grounds of suspicion against the Chancellor of the Exchequer and his colleagues—a suspicion which I never felt—with regard to the noble Lord or his colleagues when they were on this (the Ministerial) Bench—having prevailed, I say, upon a large section of the House to urge the Chancellor of the Exchequer to that course, then having seen the Bill, and knowing that the Government only propose to deal with forty-nine seats, knowing the worst that the Government can do, either this Session or next, with the matter of forty-nine seats, the noble Lord turns round upon the Chancellor of the Exchequer and says, "Do not go on with your own Bill, the Franchise Bill, but go on with the Bill which I forced you to introduce this Session. Let us have a Bill that is ten times more difficult to carry"—for that is his argument—"and let us throw aside for the time the Bill which can be got through in two or three nights' debate." Well, I shall describe this matter no further. I will leave it in the hands of all those in the House who have any honest feeling in favour of doing anything whatever on this question this Session. I am perfectly satisfied that there is no Member of the House who really wishes that all or any portion of this Bill should pass this Session can applaud the Motion which the noble Lord has made. I believe that as for that great portion of the public outside this House who are looking to some progress being made, they will add this to those other propositions that are intended only for delay—and they will come to the conclusion, which I have come to long since, that, notwithstanding fair and plausible words, you are determined, if it be possible, that no measure of Reform whatever shall pass this Session.

MR. NEWDEGATE said, the question to be decided was, which was the real Reform—a mere reduction of the franchise, or a re-distribution of seats? He came to the conclusion, judging from the precedent of 1832, that real Reform consisted in the re-distribution of seats. It had been stated by the right hon. Gentleman the Member for Calne (Mr. Lowe) that this was by far the gravest question, because it decided the allocation of political power, and he quite concurred in that opinion. The hon. Member for Birmingham had said, in referring to the Bill introduced by Lord Derby's Government, that it proposed the re-distribution of only fifteen seats. Now he (Mr. Newdegate) voted for the second reading of that Bill with the greatest difficulty, because it proposed to deal with fifteen seats only. But then the hon. Member for Birmingham had himself proposed a Reform Bill, when he was addressing a meeting in the country, and in the sketch of that Bill the hon. Gentleman proposed to give only eighteen seats to the counties. He was in favour of the re-distribution of seats to the extent proposed by the Government. He thought the present Bill inferior to the Bill of 1854, because it did not contemplate so extensive a re-distribution as that measure did. But, having from first to last, with respect to this great question of Reform, had in his eye the great Bill of 1832, and holding that the allocation of political power was the greatest and most important question, and believing that the House was nearer to its solution now than he had ever known it to be, he should support the Motion of the noble Lord the Member for King's Lynn.

THE CHANCELLOR OF THE EXCHEQUER: Sir, whatever may be said about fighting in open day upon an open field, I cannot but congratulate hon. Gentlemen opposite upon their perfect mastery of the arts of ambush. Ten days have elapsed since the Motion for going into Committee on this Bill has been under discussion, and not till the moment when the noble Lord rose was the gallant party opposite able to make up its mind as to the next step it should take. Sir, I do not complain of the step. If it is thought by the noble Lord and by my hon. Friend that this is the manner in which the battle of Reform should be fought, by all means let them persevere. Sir, this question requires no lengthened argument, no detailed discussion; the purport of the Motion—if not its purpose—is perfectly plain. At last, with many efforts, having got nearer the time when something like decisive issues are to be taken, this new strategy comes in, having been kept locked up in the breasts of those who concealed it lest it should suffer from exposure to the open air—being a tender hothouse plant, not fit for the rude climate of Great Britain, imported from elsewhere. Sir, my hon. Friend the Member for Macclesfield (Mr. E. C. Egerton) has said that no one has a right to charge him with motives hostile to Reform. Whatever my hon. Friend states with regard to motives at all times commands my implicit belief:—it is no part of my duty, it is no part of my right, to investigate the motives of hon. Gentlemen opposite; but there is a supposition which we may in some degree reconcile with the claims of courtesy. My hon. Friend may not be hostile to Reform, but he is very hostile to our Reform. I almost forget the strong epithet he used; he said nothing would have induced him "to sanction the fatal policy which put the Constitution in jeopardy, like that of proceeding to the extension of the franchise before we have determined the clauses as to the Re-distribution of seats." "That," said my hon. Friend, "is the fatal policy." But that was the principle, and that was the arrangement of the Bill of 1859, brought in by the Government of Lord Derby, which received my hon. Friend's contented support. And my hon. Friend was then as he is now a friend to Reform, and being a friend to Reform, he was not particular as to the arrangement of the clauses or even as to the adoption of the principle which he now declares place the Constitution in jeopardy. But without any imputation on my hon. Friend of hostility to Reform—which God forbid I should indulge in—I do not doubt that my hon. Friend is fanatical about Reform, though he is exceedingly opposed to our Reform—I do not think it uncharitable to say that by every means in his power he is endeavouring to delay it. And he has taken means perfectly effective for his purpose. I think we understand both the Motion itself and the reasons of its concealment, and we know that they will be perfectly well understood elsewhere. There was a great deal in the speech of the noble Lord of that everlasting arguing in a circle—"Do not draw your outline until you fill in your details." But the outline is geographical, and the details are human beings; and it certainly is as judicious to say, "Before you fix the dimensions of counties let me know what your franchise is to be," as to say, "Before you fix what your franchise is to be let me know the dimensions of the counties." No doubt if we have these narrow party objects in view—if we are endeavouring to neutralize to-morrow the effects of concessions to-day by underhand or oblique arrangements, why then, no doubt, this question of limitation assumes an enormous, a transcendant importance. But we say—trust the nation, go forward to enfranchise those of the people whom you deem worthy of enfranchisement; having done that, all your questions of re-distribution will easily adjust themselves. This is not a case without a precedent. In 1832, the very same proceeding took place. It was not so successful as might have been desired; but hon. Gentlemen appear to me to have a love which I should have thought unwise with reference to their objects, their power, their position, and their prospects—a love which is to me inexplicable—of going back on the re-trial of experiments that in other times have conspicuously failed. In the House of Lords on the 7th of May, 1832, Lord Lyndhurst made a Motion of equally innocent aspect. When the Motion was put from the Chair that the preamble be postponed, Lord Lyndhurst said—"I will not only support your Motion, but I will go a great deal further, and move to postpone all the first clauses relating to disfranchisement, and deal with clauses relating to enfranchisement." [*See* 3 *Hansard*, xii. 677.] Of the words of Lord Grey I need quote but very few—"He hoped noble Lords present would not deceive themselves, for he must say that if the Motion were successful it would be fatal to the whole Bill." [3 *Hansard*, xii. 714.] As regards the direct merits and object of the Motion I will say nothing, but its effect is to escape, to evade, and to pass by a decision of the great issues which now have been raised, and to lose the debate on the main question in the interminable labyrinths of the distribution of seats. But, Sir, there are other things than the effect to be viewed. My hon. Friend says, what pledge do the Government give us that they will not fall back on their original method of proceeding? I suppose my hon. Friend does not think our word any pledge at all. Our word has been given that we will abide the judgment and pleasure of the House. That pledge has been given, as is well known, to the House. But the Government, be its terms what it may, will not consent to any Motion for taking the conduct of the Bill out of their hands. They have been charged with many offences. Many hard words, naturally enough, necessarily, perhaps, in crises like these, have been used from time to time; but there are no words that would be hard enough to describe their degradation, were they willing to sit here from day to day and leave their Reform to be manipulated helplessly by the hands of a hostile Opposition, that from the first hour till now does not venture to avow its purposes. We intend, as far as depends upon us, to obtain the judgment of this House on the important propositions we have made with regard to the popular franchise in this country. That is the end that we have set before us, towards that end we will walk steadily as long as we are supported by the House, and to the judgment of the House we will cheerfully bow. I thank the noble Lord for raising the issue in a decisive form. He will not find us unwilling to accept the indication which will be given us by an adverse vote.

Motion made, and Question put, "That the Clause be postponed."—(*Lord Stanley.*)

The Committee *divided*:—Ayes 260; Noes 287: Majority 27.

AYES.

Adderley, rt. hon. C. B.
Annesley, hn. Colonel H.
Anson, hon. Major
Archdall, Captain M.
Arkwright, R.
Bagge, W.
Bagnall, C.
Bailey, Sir J. R.
Baillie, H. J.
Baring, H. B.
Baring, T.
Barnett, H.
Barrow, W. H.
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. Hicks-
Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. P.
Bingham, Lord
Booth, Sir R. G.
Bourne, Colonel
Bovill, W.
Bridges, Sir B. W.
Bromley, W. D.
Brooks, R.
Bruce, Major C.
Bruce, Sir H. H.
Bruen, H.
Buckley, E.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Cairns, Sir H. M'C.
Campbell, A. H.
Capper, C.
Cartwright, Colonel
Cave, S.
Cecil, Lord E. H. B. G.
Cholmeley, Sir M. J.
Clinton, Lord A. P.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Cole, hon. J. L.
Conolly, T.
Courtenay, Lord
Cooper, E. H.
Cranbourne, Viscount
Cubitt, G.
Curzon, Viscount
Dalkeith, Earl of
Dawson, R. P.
Dick, F.
Dickson, Major A. G.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. W. E.
Dunne, General
Du Pre, C. G.
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Earle, R. A.
Eaton, H. W.
Eckersley, N.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, hon. W.
Elcho, Lord
Fane, Lt.-Colonel H. H.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Fitzwilliam, hn. C. W. W.
Floyer, J.
Forde, Colonel
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gaskell, J. M.
George, J.
Getty, S. G.
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Gooch, D.
Goodson, J.
Gore, J. R. O.
Gore, W. R. O.
Graves, S. R.
Greenall, G.
Gray, Lieut.-Colonel
Grey, hon. T. de
Griffith, C. D.
Grosvenor, Earl
Grosvenor, Lord R.
Guinness, B. L.
Gurney, R.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, G.
Hardy, J.
Hartopp, E. B.
Hay, Sir J. C. D.
Heathcote, hon. G. H.
Heathcote, Sir W.
Henley, rt. hon. J. W.
Henniker, Lord
Herbert, hon. P. E.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hogg, Lt.-Colonel J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.
Horsman, rt. hon. E.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Humphery, W. H.
Hunt, G. W.
Jolliffe, rt. hn. Sir W. G. H.
Jones, D.
Kekewich, S. T.
Kelk, J.
Kelly, Sir F.
Kendall, N.
Kennard, R. W.
King, J. K.
King, J. G.
Knightley, Sir R.
Knox, Colonel
Knox, hon. Major S.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Lascelles, hon. E. W.
Leader, N. P.
Lechmere, Sir E. A. H.
Legh, Major C.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Liddell, hon. H. G.
Lindsay, hn. Colonel C.
Lindsay, Colonel R. L.
Lopes, Sir M.
Lowe, rt. hon. R.
Lowther, Captain
Lowther, J.
Lytton, rt. hn. Sir E. L. B.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Meller, W.
Miller, S. B.
Miller, T. J.
Mitford, W. T.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R.
Naas, Lord
Newdegate, C. N.
Noel, hon. G. J.
North, Colonel
Northcote, Sir S. H.
O'Neill, E.
Packe, C. W.
Pakington, rt. hn. Sir J.
Parker, Major W.
Patten, Colonel W.
Paull, H.
Peel, rt. hon. General
Pennant, hon. Colonel
Percy, Maj.-Gen. Lord H.
Powell, F. S.
Pugh, D.
Read, C. S.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Schreiber, C.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.

Simonds, W. B.
Smith, S. G.
Smollett, P. B.
Somerset, Colonel
Stanhope, J. B.
Stanley, hon. F.
Stirling-Maxwell, SirW.
Stronge, Sir J. M.
Stuart, Lt.-Colonel W.
Stucley, Sir G. S.
Sturt, H. G.
Sturt, Lt.-Colonel N.
Surtees, F.
Surtees, H. E.
Sykes, C.
Taylor, Colonel
Thorold, Sir J. H.
Thynne, Lord H. F.
Tollemache, J.
Tomline, G.
Torrens, R.
Tottenham,Lt-Col.C.G.
Trevor, Lord A. E. H.
Trollope, rt. hon. Sir J.
Turner, C.
Tyrone, Earl of
Vandeleur, Colonel
Verner, E. W.
Verner, Sir W.
Walcott, Admiral
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.
Whiteside, rt. hon. J.
Whitmore, H.
Williams, Colonel
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, C. W. W.
Wynne, W. R. M.
Yorke, J. R.

TELLERS.

Stanley, Lord
Egerton, E.

NOES.

Adair, H. E.
Agnew, Sir A.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Anstruther, Sir R.
Antrobus, E.
Armstrong, R.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Baring, hon. T. G.
Barron, Sir H. W.
Barry, C. R.
Barry, G. R.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Beaumont, W. B.
Biddulph, Col. R. M.
Biddulph, M.
Blake, J. A.
Blennerhasset, Sir R.
Bonham-Carter, J.
Bowyer, Sir G.
Brady, J.
Brecknock, Earl of
Bright, J.
Briscoe, J. I.
Brown, J.
Browne, Lord J. T.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir E. M.
Butler, C. S.
Buxton, C.
Buxton, Sir T. F.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hon. C. R.
Carnegie, hon. C.
Castlerosse, Viscount
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, M.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clinton, Lord E. P.
Cogan, W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Colvile, C. R.
Corbally, M. E.
Cowen, J.
Cowper, rt. hon. W. F.
Cox, W. T.
Craufurd, E. H. J.
Crawford, R. W.
Crosland, Colonel T. P.
Crossley, Sir F.
Dalglish, R.
Davie, Sir H. R. F.
Denman, hon. G.
Dering, Sir E. C.
Devereux, R. J.
Dilke, Sir W.
Dillon, J. B.
Dillwyn, L. L.
Doulton, F.
Duff, M. E. G.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunkellin, Lord
Dunlop, A. M.
Edwards, C.
Eliot, Lord
Ellice, E.
Enfield, Viscount
Erskine,Vice-Adm. J.E.
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
Finlay, A. S.
FitzGerald, Lord O. A.
FitzPatrick, rt.hn. J.W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, W. E.
Foster, W. O.
Fort, R.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Gaselee, Serjeant S.
Gavin, Major
Gibson, rt. hon. T. M.
Gilpin, C.
Gladstone, rt. hon.W.E.
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, J.
Gower, hon. F. L.
Goschen, rt. hon. G. J.
Graham, W.
Gregory, W. H.
Grenfell, H. R.
Greville, Colonel F.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hanbury, R. C.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, J. D.
Hartington,Marquess of
Hay, Lord J.
Hay, Lord W. M.
Headlam, rt. hon. T. E.
Henderson, J.
Heneage, E.
Herbert, H. A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Howard, hon. C. W. G.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Ingham, R.
James, E.
Jardine, R.
Jervoise, Sir J. C.
Johnstone, Sir J.
Kearsley, Captain R.
Kennedy, T.
Ker, D. S.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen,E
Laing, S.
Layard, A. H.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J. A.
Leatham, W. H.
Lee, W.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Locke, J.
Lusk, A.
Mackie, J.
Mackinnon, Capt. L. B.
Mackinnon, W. A.
M'Lagan, P.
M'Laren, D.
Maguire, J. F.
Marjoribanks, D. C.
Marsh, M. H.
Martin, C. W.
Martin, P. W.
Matheson, A.
Matheson, Sir J.
Merry, J.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mills, J. R.
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Moncreiff, rt. hon. J.
Monk, C. J.
Monsell, rt. hon. W.
More, R. J.
Morris, W.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicol, J. D.
Norwood, C. M.
O'Beirne, J. L.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
Ogilvy, Sir J.
Oliphant, L.
O'Loghlen, Sir C. M.
Onslow, G.
O'Reilly, M. W.
Otway, A. J.
Owen, Sir H. O.
Packe, Colonel
Padmore, R.
Palmer, Sir R.
Pease, J. W.
Peel, A.W.
Peel, J.
Pelham, Lord
Peto, Sir S. M.
Philips, R. N.
Pim, J.
Platt, J.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, W. P.
Pryse, E. L.
Pritchard, J.
Proby, Lord
Rawlinson, Sir H.
Rebow, J. G.
Robartes, T. J. A.

Robertson, D.
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.
Russell, H.
Russell, F. W.
Russell, Sir W.
Salomons, Mr. Ald.
Samuda, J. D'A.
Samuelson, B.
Scott, Sir W.
Scrope, G. P.
Seely, C.
Seymour, H. D.
Sheridan, H. B.
Sheridan, R. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Staniland, M.
Stanley, hon. W. O.
Stansfeld, J.
Steel, J.
Stone, W. H.
Stuart, Col. Crichton-
Sullivan, E.
Sykes, Colonel W. H.
Synan, E. J.
Taylor, P. A.
Tite, W.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. H.
Trevelyan, G. O.
Verney, Sir H.
Vernon, H. F.
Villiers, rt. hon. C. P.
Vivian, H. H.
Waldegrave-Leslie, hn G
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.
Whitbread, S
White, J.
Whitworth, B.
Williamson, Sir H.
Winnington, Sir T. E.
Woods, H.
Wyvill, M.
Young, R.

TELLERS.

Brand, hon. H. B. W.
Adam, W. P.

MR. WALPOLE rose to propose the Amendment of which he had given notice, the effect of which would be to raise the occupation franchise in counties from £14 as proposed in the clause to £20, and said: Although my right hon. Friend the Chancellor of the Exchequer, on moving this clause of the Bill, took the unusual and somewhat irregular course of going into the general character of the measure, and of alluding to an Amendment which was not before the Committee, yet, with all his skill and all his ingenuity, his speech showed me how difficult a matter it is to deal with an ancient and complicated Constitution like ours, without reference to past debates and without regard to the principles on which that Constitution is founded. The right hon. Gentleman seems to me like a person who has pulled a most complicated and useful machine to pieces, with the object of repairing and amending it, and who attempts to put it together again, not according to the well-known and acknowledged principles which made it work so advantageously before, but according to some new plan by which he thinks it will work better in future. I think, however, that there are certain rules which we ought to adopt for our guidance in settling what the right hon. Gentleman calls the great question at issue in that part of the Bill which seeks to extend the franchise. We ought to observe certain rules laid down by eminent Members of this House, including my right hon. Friend himself. It is acting on those rules I shall venture to propose confidently the Amendment of which I have given notice. The hon. Member for Birmingham (Mr. Bright) told us a few days ago that what he desired to do in legislating on Parliamentary Reform was to draw that Reform upon the old and historic lines of the Constitution—a statement of which I entirely approve, and in which I entirely concur. My right hon. Friend the Secretary for the Colonies (Mr. Cardwell) told us the Government had framed their measure according to the principle recognized in the Reform Act of 1832. And the Chancellor of the Exchequer—echoing what I believe to be the common sentiment of both sides of the House—has said to-night that what we ought principally to aim at was the settlement of this question—by which he meant, I presume, a wise and effectual settlement, for, of course, no other kind of settlement will be of any use. Now, bearing all this in mind, I will venture to say that I think I can show that the Amendment of which I have given notice deserves every possible consideration at the hands of the Committee. This Amendment applies to county constituencies alone, and I am not going to follow my right hon. Friend into an irregular discussion, but shall rest my argument solely upon that franchise. Now, I doubt whether any Gentleman in this House can deny that the county franchise has always rested upon property, in distinction from the borough franchise, which has always rested upon occupation. According to the old lines of the Constitution, to which the hon. Member for Birmingham has so confidently appealed, there was no other principle recognized or known with regard to the county franchise, except the principle of property, the freeholders being almost the only persons who had votes for the counties. At the time of the Reform Act, however, other kinds of property had grown up with the growth of the wealth of the country, which were of little account in former times. These consisted chiefly of leaseholds and copyholds. Accordingly, therefore, the Reform Act, endeavouring to act upon the old lines of the Constitution with reference to the basis of the county franchise, added leaseholders and copyholders to the county constituencies. Another addition made by that Act has been called by my right hon. Friend an innovation. The £50 occupation franchise was added; but, in reality, this was not a departure from the old Constitution in respect of the basis of the county franchise being property, because the possession of the £50 occupation franchise implied the possession of capital and property. Nor was this all. The £50 occupier was a person intimately connected with the county and all its concerns. He was, as we all know, associated with the land of the county, acquainted with all the county affairs, and a contributor to the county rates. Therefore, his admission to the franchise at the time of the Reform Act was not a departure from the old lines of the Constitution, nor did Parliament thereby recede from the distinctive principle under which the line is drawn between the borough and county franchises. Let me tell my right hon. Friend that there was a good reason for this distinction, and it was this:—The two constituencies were not only distinct, but they were distinct because the characters of the constituents were distinct. The character of the rural population was much less active, much less stirring, and they were far less easily combined together for agitating purposes than the population of towns, being entirely devoted to their own business—the cultivation of the soil. The town population was the reverse of all this. They were more active and stirring, and could more easily be brought together by combinations, by means of which they could make their voices more fully heard, and their opinions more distinctly understood and appreciated. The reason, therefore, for keeping the two constituencies distinct is as clear, to my mind, as the fact that they were distinct. And I do not rely upon my own opinion solely, but I wish to call the attention of the House to the remarkable words of the most philosophical and of the most practical of our great statesmen in reference to this subject—Mr. Burke and the late Sir Robert Peel. The passage from Mr. Burke, which I wish to impress on the mind of my right hon. Friend the Chancellor of the Exchequer, is this—

> "Nothing is a due and adequate representation of a State that does not represent its ability as well as its property. But, as ability is a vigorous and active principle, and as property is sluggish, inert, and timid, it never can be safe from the invasions of ability, unless it be out of all proportion predominant in the representation. It must be represented, too, in great masses of accumulation, or it is not rightly represented."

The words of Sir Robert Peel are even more forcible. He made this remark with reference to the borough and county constituencies—

> "The influence of the press, whether it is for good or evil, tells more rapidly and contagiously on the aggregate societies of towns than on the inhabitants of country districts. Political unions and all the devices which by means of combination give to men acting in concert a moral force greater than their actual numbers tend to increase the influence of a manufacturing as compared with an agricultural population. Every consideration, then, derived from the nature of landed property, from its liability to the envy and rapacity of the many, from the position, habits, and characters of those who occupy it, enforce the policy and necessity of providing carefully for its protection."

I quote these two remarkable passages to show that whatever we do in regard to the county franchise we ought not to reduce the occupation franchise, which has more or less the character of the borough franchise, so low as to give it a predominating influence over the property franchise, which is the real franchise to be aimed at in the counties. Now, what does the present Bill do? Does the proposed clause add a greater proportion of occupation constituents than ought to be added to the counties? It is a very difficult thing to ascertain exactly what number of voters would be introduced into the counties by this clause. We know what they were by the Returns which have been placed on the table. By those Returns it appears that of the 545,000 electors on the register 115,000 voted in respect of the occupation franchise—so that the proportion of the occupation franchise, as compared with what I may call the property franchise—namely, that derived from copyholds, leaseholds, and freeholds — is about one-fifth, or perhaps a little more. The electoral statistics furnished by the Government enable us to ascertain how many occupation voters will be added by the measure now under discussion. The number of electors on the register for 1864-5 as occupying tenants was 116,860, the total number of electors being 542,633. The occupying tenants, therefore, formed between one-fourth and one-fifth of the whole number. But you are now adding 186,392 to the occupying franchise, or nearly 70,000 more than are on the register at this moment by reason of that qualification. The total number of these voters would be 303,252, which, compared with what would be the total number of county electors—namely, 729,425, would give to the former a proportion of more than one-third, though somewhat less than one-half. Whatever, therefore, may be your object in bringing forward this Bill, the consequence of it will be to entirely disarrange the proportion between those voters for counties who derive their suffrages from property qualifications and the voters who derive their's from the occupation franchise only. The consequence of this change, or I believe I may say of this total revolution in the county franchise, can hardly now be appreciated. Had it not been for the change which my right hon. Friend has intimated his intention of making in his own Bill by withdrawing the clauses relating to leaseholders, that proportion would have been still more aggravated, and, in point of fact, the county representation would have been handed over to a constituency the predominating number of which would have been of the class of a borough instead of the class of a county constituency. These are most important considerations and reasons why, if we proceed according to the old-established lines of the Constitution, we should pause before we make such a great alteration in what has always been the character of the county franchise in England. It is a misfortune that we have not more Returns than we have with reference to the counties, for the Returns we have contemplate almost every kind of occupation value, except that which my right hon. Friend has submitted to us as the basis of the county franchise. He has given us the numbers between £10 and £12, the increase between £12 and £15, the increase between £15 and £20, and the increase between £20 and £50; but he has not given us—except so far as we can make out by calculation—the number of the £14 occupiers. My first proposition is that you are entirely altering the character of the county constituency by the numbers you are bringing upon the register who do not represent property so much as they represent occupation, and who are therefore not of the class which has hitherto been the foundation of the county constituency. With respect to my right hon. Friend's main reason for proposing a £14 occupation franchise—namely, that he desired to settle the question—I put it to him and to the House whether it is possible to settle any question permanently, except upon a clear and intelligible basis. No arbitrary line could settle the question. One man will think £14 better than £15; another will think £15 better than £18; and a third will think neither so good as £10. As long as you are made to rest upon arbitrary lines you cannot avoid the difficulty in which my hon. and learned Friend the Attorney General found himself placed the other evening. Having to deal with the £10 franchise and finding no intelligible resting-place, my hon. and learned Friend saw no other recourse but to go on to household suffrage. That observation, coming from such a man, convinces me that to talk of settling the question, unless you can settle it upon some intelligible principle, is to talk—I say it with all respect—very idly, and to leave the whole matter open to future agitation. You will say, What is to be done? You have only one of two courses open for you. Speaking only of the county franchise, I assert, either you must say—as some contend you ought, with regard to the borough franchise of £10—that the number of years that have passed since the time of the Reform Bill have given a sort of prescriptive right to the occupation franchise of £50—or you must try to find some resting-place founded upon an intelligible principle. Can you not find that? Has not the Legislature given you the means of finding such a resting-place? There may be a difference between certain towns and the counties generally, but has not the Legislature prescribed that one of the duties devolving upon persons who occupy houses in towns, as distinguished from freeholders, leaseholders, and copyholders, is that they should be appointed to serve upon juries, and that their names should be placed upon the jury lists? That is the reason why I have proposed the Amendment in the form I have. Being bound to serve upon juries, being placed upon the jury list, householders would, in fact, bear a portion of the civil duties and obligations of the county, and that would be something like an intelligible ground on which to base your occupation franchise. My hon. Friend says, "If you do this—if you take the jury list as the basis of your county constituency, what will you do in the towns? Will you take the jury qualification, which is the household qualification, as the basis for the town franchise?" Let him answer me this question—will he take down the obligation of paying the house tax to all houses, and then say that the franchise shall go with the tax as well as with the jury qualification? Only in that case would the towns and the counties be upon a parallel. There is this additional advantage in the proposition I submit—that not only am I taking the jurors' qualification as a reasonable ground for reducing the occupation franchise, but I am taking the qualification which constitutes at the same time, as regards the house, the very basis upon which your taxation of householders proceeds. My proposition, therefore, is made upon two distinct and important principles—first, the connection of the county qualification with the civil duties and obligations which attach to the inhabitants of counties; and second, the connection of the county qualification with the taxation which the inhabitants of the counties are bound to pay. These two arguments seem to me to be amazingly strong for furnishing something like a permanent resting-place upon which you can stand without interfering with the great principle upon which the county franchise should always rest—namely, the giving of a predominating influence to property over the influence given to mere occupation. Long after Sir Robert Peel had consolidated the laws relating to juries, and with reference to a question similar to that now under consideration, he said—

> "It was with this object that, in framing the Jury Bill, I purposely called this class into increased action, and sought to familiarize them with the performance of civil duties, and to multiply their point of contact with the more intelligent inhabitants of towns. Granted that they are indisposed to innovation, that their disposition is to maintain things as they are, that they are governed by local ties and by personal attachments rather than by considerations of general politics, it is on that very account that I conjure you to extend their influence; they constitute the ballast of the vessel of the State. Beware how you heave it overboard under the impression that it is a useless incumbrance, occupying space that might be more profitably employed. It may at times retard the velocity of your movements; it may make you less obedient to the sudden impulse of shifting gales; but this, and this alone, it is that enables you to extend your canvas, and insures the steadiness of your course and the security of your navigation."

I submit that this passage shows, in a very strong and practical way, the immense importance of keeping up the distinction between borough and county constituencies, which you do not keep up if you pass this clause as it is. It is of immense importance, not only with reference to the constituencies, but also with reference to the representatives who are sent to Parliament. The character of Parliament depends upon the variety of classes and interests that are represented here—the character of the one class of representatives is somewhat different from that of the other; both are good in their way; and to make one unduly prominent over the other would be a positive detriment to a representative assembly like this. My fear is that if you go too far you will alter the character of the representation by giving to one class of representatives such an undue influence that all interests and classes will not be represented in this House. It is for that reason I venture to submit to the House the proposition which stands in my name on the paper. I cannot omit to notice one observation which fell from the Chancellor of the Exchequer. He said that one reason why he proposed a £14 occupation franchise was that he was under a virtual engagement with the Reform party to submit such a franchise, and that if he gave it up that engagement would be violated. I ask my right hon. Friend and the Government what is this compact that has been entered into between them and this party? With whom has that engagement been made? Nay, more; how will the Government secure the continuance of that engagement when new agitations are entered upon by the very parties who are now said to have entered into that engagement? That statement by my right hon. Friend astonished me more than anything I had heard for a long time. There was another argument which I heard with equal astonishment—for in his zeal to introduce upon the county register middle-class voters, whom we all wish to see possessing a proper and large influence in the affairs of this country, he sought to recommend the measure of the Government by telling us that it would diminish the influence of the working classes of the country. If my right hon. Friend is so earnest and sincere in his desire to place upon the register a larger number of the working classes, why does he confine that desire to boroughs and proclaim the advantage of not accomplishing the same result in counties? Does he intend to deprive the quiet and orderly class of working men connected with the land of that influence the extension of which in boroughs is, he says, the main object of his Bill? Sir, I hope that the reasons which I have ventured to offer will recommend my proposal to the favourable consideration of the House. My argument, put into a short compass, is this:—First of all, I say that according to the old lines of the Constitution, and according to the principles of the Reform Act, property ought to have a predominating influence in the county franchise. Secondly, I say that you should endeavour to get a resting-place when you introduce a new occupation franchise, in place of resting upon an arbitrary line, and I find that resting place in the jury franchise. Thirdly, I say that the jury franchise is identical with the point at which the house tax commences ; and if taxation and representation are still to go together, I can conceive no better resting-place than this as a permanent settlement of the county franchise question. For the very reasons, then, which my right hon. Friend has urged in favour of his own views, I think we ought to adopt my proposition. I beg him to reflect whether we have not gone as far as we ought to go in separating representation from taxation. At the time of the Reform Act there was not a £10 householder who was not bound to contribute to the rates. You have now removed that obligation from all those who compose the main body of the borough constituency, and you have also diminished the connection between taxation and representation by doing that which the present Bill will aggravate, though it does not apply to the county franchise — namely, by putting tenants whose landlords compound for their rates on the same level as those who pay rates. What you have to look to is the amount to which the occupation franchise should be reduced. I reduce it to a point at which civil duties are connected with the franchise, and where Imperial taxation must be borne by the person who possesses the franchise. Upon all these grounds, I beg to propose the substitution of the word £20 for £14. The question of rating will come on subsequently, because I thought it would be more convenient to the House to take the question on the value simply and then discuss the rating qualification afterwards.

Amendment proposed, in page 2, line 39, to leave out the word "fourteen," in order to insert the word "twenty."—(*Mr. Walpole.*)

Mr. C. P. VILLIERS : Sir, as far as I have understood the argument of the right hon. Gentleman the Member for the University (Mr. Walpole), he proposes the substitution of a £20 instead of a £14 franchise, because he is unwilling to depart from the ancient lines of the Constitution, and is very anxious to rest the franchise upon an intelligible basis. Now, I have listened with the utmost interest and attention to hear how it is he objects to a scheme which will not depart from the ancient lines of the Constitution. He has laid down a principle which I have no doubt is to be found in the books—the old principle that property should be represented in counties while numbers and residents should be represented in boroughs. But it is curious that the right hon. Gentleman should not have told the House of the extraordinary departure from that principle in the Bill in 1832. Surely, if he had been thinking of those times he would have remembered the argument used when the Marquess of Chandos proposed the violation of this old principle of the Constitution, and would not have forgotten that this proposal was supported by some of the most advanced Reformers then in the House. The reason which Mr. Hume gave for supporting it was because the Chandos clause creating a £50 occupation franchise was a recognition of the claim to vote in counties for other than real property ; and secondly, on the express ground that when the principle was once adopted it could not be allowed to rest there. Ever since that time there have been constant Motions founded upon that departure from the old constitutional principle, and pointing out that the limit there fixed was extravagantly high, and that there must be as many men qualified for the franchise below £50 as above that figure. My right hon. Friend says that that limit has been found to work well, and he is of opinion that as long as it exists you adhere to the old line of the Constitution. Why, then, does he not adhere to it ? He reduces the limit from £50 to £20, and thinks that the Constitution is still safe ; but carry it from £20 down to £14, and that is the departure from principle ! that is danger ! Well, we have heard what is the operation of the £50 tenant clause, because this has been declared by an authority to which the right hon. Gentleman will, I am sure, pay great deference. Lord Derby says the county representation is really determined by a few families who meet beforehand and decide which of their connections shall sit for the county. This, then, was the effect of the Chandos clause; and the power thus virtually monopolized by the great landed proprietors made people wish to reduce that amount. Sundry Motions were made to that effect; the hon. Member for East Surrey (Mr. Locke King) proposed that the £10 occupier should have a vote ; and since that time even the other side of the House have admitted the fairness of reducing the value of the county franchise. It is true that the right hon. Gentleman

(Mr. Walpole), with the right hon. Member for Oxfordshire (Mr. Henley), dissented from Lord Derby's Bill, but it was not on account of the reduction of the county franchise to £10—it was because an identity was introduced between the county and the borough qualification. [Mr. WALPOLE: No—to prevent the identity.] Then it was simply because the right hon. Gentleman had confidence in a lower franchise than one of £10 in boroughs. The £10 county franchise was a remarkable feature in Lord Derby's Bill, and recommended it very strongly for adoption. Referring to authority once again, the right hon. Gentleman must remember the statement made by his leader in this House—that many persons thought they ought not to reduce the franchise below £20, but that, having inquired into the matter very deliberately, he was bound to say that he had no reason to question the fitness of men with qualifications between £10 and £20, or to restrict the franchise to £20. The right hon. Gentleman (Mr. Disraeli) was attached to the Constitution, and would rest the franchise on a £10 qualification as a safe and intelligible basis. I confess that I do not understand how the limit of £20 is a more intelligible one. The right hon. Gentleman the Member for the University says that jurymen are chosen from among persons possessing that qualification; but it seems to me that that is not a good basis. It was taken in the time of George III., but has very much altered in its value since then, and so also has the intelligence of people who occupy property of that amount. If now that qualification had to be created, you would fix it at a much lower standard. There is no particular virtue in a limit of £20. The right hon. Gentleman said if a man was fit to be a juryman, he was fit to be a voter for the country. Well, but where quarter sessions are held in boroughs householders are fitted to be jurymen, and therefore there ought to be household suffrage in those boroughs. If there was any difficulty in getting jurymen, no doubt, people would say that a £10 qualification would be an intelligible one. The right hon. Gentleman is anxious to connect the right of voting in counties with the performance of some civil service. But the duties of a juryman are not the only civil service which a candidate for the county franchise may perform. There are other services which have been supposed by some to entitle to the franchise. I am sorry to deprive the right hon. Gentleman of the credit for originality. Mr. Windham proposed that every man who was public spirited enough to serve in the militia was entitled to vote. I think the right hon. Gentleman's standard is a little too high. He connects the service of a juryman with the liability to pay inhabited house duty. In short, he wants to restrict the franchise as much as possible. The inhabited house duty has been changed in our day several times, and as soon as it changes again the man would cease to be a voter. This condition seems objectionable, because it is so variable. A person having a £20 house is to be rated on that value. That is rather new for occupation in the county. The £50 occupier was not to be rated, but the £20 occupier was to be rated on that amount. The right hon. Gentleman, therefore, proposes a great restriction in that respect. I do not wish to go further into the matter; I only repeat that the right hon. Gentleman appears to have adopted the figure £20, because he believes it will limit the number of voters in counties in comparison with the figure £14. The £14 qualification will admit so many, and the £20 qualification will admit so many less. Has the right hon. Gentleman ever considered this matter in detail? Has he ever looked into any figures on the subject? I would earnestly recommend him to do so. If he succeeds in his present Amendment, he will exclude, I am told, precisely the class whose interests are identified with the agricultural body—namely, the tradesmen and shopkeepers with whom the squire, the clergyman, and the farmers deal, and whom they are most likely to influence. The proposed reduction of the county franchise would probably admit upwards of 100,000 voters, and the reduction from £20 to £14 would precisely be strengthening the agricultural interest in this House; indeed, the lower you go the more that is the case. I do not think the right hon. Gentleman has stated any valid objection to a £14 county qualification; he has given no intelligible reason for preferring the £20 to the £14 qualification—especially when we remember that the right hon. Gentleman himself voted for a £10 qualification in counties. [Mr. WALPOLE: No, I never did so.] Well, at least the right hon. Gentleman was connected with those who did. As regarded the Constitution, the inroad was made in 1832, for it was then the old principle was departed from, and with reference to the so-called intelligible basis of which the right hon. Gentleman spoke, it remains for him to show how it would not be much more intelligible to rest the franchise on the basis of the Irish qualification in counties, which has worked well, and which, so far as the franchise is concerned, will identify the two countries.

MR. HUNT thought the right hon. Gentleman (Mr. Villiers), as well as the Chancellor of the Exchequer, had wholly failed to show why the Government had fixed on £14 as the county qualification. The right hon. Gentleman the Chancellor of the Exchequer had departed from the usual course of proceedings when discussing the clauses of a Bill in Committee. On the question of the franchise, the right hon. Gentleman had ranged over the whole Bill before the House, and had discussed besides the question of boundaries and the expenses at elections, and he must say that had he taken that liberty he should have been called to order by some Member of the Government. He had not thought fit to interrupt the right hon. Gentleman, hoping he would in the end tell them why £14 had been fixed on as the basis of the county qualification. He could understand why £7 had been fixed on as giving the qualification in boroughs, because he believed there was one party in the Cabinet for £6 and another for £8, so they agreed to split the difference; but he never heard an intelligible reason for fixing on £14 as the county qualification. In some cases it was said, where juries had to assess damages, each juror put on paper what he thought the right amount to be given, the best arithmetician among them then added the various sums, dividing the amount by the number twelve, and the result represented the damages to be awarded. So in this case, he thought, each Member of the Cabinet had put down the figure he considered best as the county qualification; the different figures were added up, and the result being divided by the number of Cabinet Ministers present gave £14. No better reason, he believed, could be given for fixing on that number. The only shadow of a reason which had been given by the Chancellor of the Exchequer was that the proposal of the Government would assimilate the county franchise in England to that which prevailed in Ireland. Now, he denied that there was assimilation; but if there was, there was no reason for assimilation. He said there was no assimilation, because in the one case they had adopted a rating qualification, while in the other it was to be rental. The rating franchise, therefore, which the right hon. Gentleman condemned in England he had adopted in Ireland. The right hon. Gentleman opposite (Mr. Villiers) would say that a £12 rating was the same as a £14 rental. It was not the same thing, however, because the right hon. Gentleman would exclude the most important principle of rating. But did the Government always exclude that principle? He had a tell-tale book in his hand called "Electoral Returns." The information it gave with regard to counties was very scanty, but it showed that the Government had required returns to be made of all persons assessed at the "rateable" values of £10 and under £12, £12 and under £15, £15 and under £20, £20 and under £50. Now, if the Government were not going on the principle of rating, why did they require returns according to the rateable value? The conclusion which he came to was this—that the Government intended at first to have a rating franchise, but some change came o'er the spirit of their dream, they threw over the rating franchise, adopted rental, and so got statistics not applicable to their Bill. Some months ago the information which was wanted had been moved for by some hon. Friends of his. At first they were told it could not be had, because the persons who should furnish it would require remuneration. But that difficulty had now been got over, and they were told that in a few days they would have the Returns. He regretted that the Motion of his noble Friend (Lord Stanley) had not been carried; for, if the House had discussed the question of re-distribution of seats, first, they would have had time to receive the Returns, and would be in a better position to discuss the county franchise. The Chancellor of the Exchequer could not tell the House how many persons would be added to the county constituencies by the £14 franchise, or what proportion of that addition would be residents in towns or in the county. That was a question which deeply affected the decision which they ought to arrive at not only with regard to the franchise, but the re-distribution of seats. Now, it was quite clear from the structure of the Government Bill that the object was not so much to increase the county constituencies, to which he had no objection, as to increase them in a particular manner. It appeared that no one would be entitled to register as a county elector unless his house was of the value of £6 or upwards, and it was also required that the land or premises he occupied to make up the required value should not be held under two different landlords. He was aware that a similar provision existed now, but he considered it a great hardship. If a man held land to the annual value of £25 from one landlord and of £25 from another, why should he not be entitled to vote? If such a case had been overlooked in the Bill of 1832, why should it be overlooked now? By making it necessary, as this Bill did, that the house must be of a certain value, and that the premises must be held from the same landlord, they were only putting restrictions on the exercise of the franchise in the counties which they would not do in the case of the towns. The right hon. Gentleman (Mr. Villiers) taunted his right hon. Friend the Member for Cambridge University with having voted for the £10 county franchise of Lord Derby, and when that was denied, he said, "Well, if you did not do it, some of your colleagues did." But did not the right hon. Gentleman know that his right hon. Friend left his colleagues because he did not agree with them? The right hon. Gentleman might, perhaps, say that he (Mr. Hunt) also voted for the £10 county franchise. But he could state that he never did, and, as at present advised, he was not likely to do so. It was true, he voted against a certain insidious Resolution of Lord John Russell; but if the Bill of Lord Derby had arrived at the stage at which that of the Government had, he should have voted against the £10 county franchise. And he stated at the hustings, at the following election, his reasons. It was not that he thought a man in a county occupying £10 premises was less worthy of the franchise than one in a town; but he did not wish to see one and the same kind of franchise established both in town and country. And if it were objected that this would perpetuate an anomaly, his reply would be, "You must submit to such an anomaly, for it is good that we should have representation of different classes and different interests." Now, what would be the effect of this £14 franchise? Take, for example, the question of fire insurance, which had given the Chancellor of the Exchequer so much annoyance. At present the agricultural classes were not very much interested, because farm produce was exempted from the duty, and, therefore, on that question the Chancellor of the Exchequer got a good deal of support from that (the Opposition) side of the House. But suppose they were to have the "brick and mortar" qualification proposed by the Bill, would the right hon. Gentleman be able to impose or vary taxes in the same way as he did now if those taxes pressed upon all constituencies alike? He quite admitted he could give no good reason against reducing the county franchise to £14 on the ground of fitness; but he would ask, why did the Government stop at £14? If it were a question of fitness, he would answer for it that the man who lived in a £7 house in the country was superior to the man living in a £7 house in a town. Labourers in his parish paid mostly £2 a year for their houses, and a £7 house there was a very good house indeed. It was stated that the proposed £14 county franchise was very similar to the existing Irish county franchise; but the reason why a lower franchise had been established in Ireland than had been adopted in England was because the tillers of the soil would not have been reached, in consequence of these holdings in Ireland being very small, unless a lower franchise had been adopted there than in England. The holdings were so very small in Ireland that at the English figure there would scarcely be a county constituency. The argument of his right hon. Friend who moved the Amendment was that the county representation was a representation of property, and that principle was to a certain extent retained by the Amendment, as people paid direct taxation for houses of the annual value of £20. In the absence of statistics, it could not be known what addition a £20 county franchise would make to the constituency, but he should not care if it were to add four or five times the amount which it really would, so long as a distinction was maintained between borough voters and county voters in regard to the interests they represented. He did however object to the proposal of the Government, the effect of which would be to give advantage to the town residents, by granting them facilities at the same time that obstacles were thrown in the way of the rural occupants.

SIR EDWARD BULLER said, that as the right hon. Gentleman the Member for the University of Cambridge (Mr. Walpole) had moved an Amendment, fixing the county franchise at £20 instead of £14, he took it for granted that the right hon. Gentleman was in favour of a £20 franchise for counties; but if that were so he should like to ask him how he reconciled that view with what he regarded as the extreme importance of maintaining separate, under all circumstances, the urban and rural population; for in voting for a £20 franchise he must be aware that he was supporting a proposal which would have the effect of introducing into the county representation no inconsiderable number of the inhabitants of market towns. The hon. Member for Northamptonshire (Mr. Hunt) had made a speech, the tenor of which was in favour of a lower franchise than that of the Government, and yet he was going to vote for the Amendment.

MR. HUNT said, he had not stated that he was in favour of a lower franchise than £14, but that he could not understand why the Government, entertaining the views which they did, did not propose a lower amount.

SIR EDWARD BULLER: Hon. Members had heard a great deal about the principle of the representation of the land; but the English Constitution, he maintained, was originally based no more upon the principle of representing the land than it was upon an educational test. What was sought for and what was found by those who established it was independence as exemplified in a man with a free tenure, at liberty to give his vote in accordance with his political opinions. Entertaining those views, Parliament would not be departing widely, as was said, from the line of the Constitution by the adoption of either a £14 or a £20 franchise. For his own part he looked upon the former proposal as the more Conservative of the two, inasmuch as while the great majority of the houses in towns above £20 were inhabited by those who kept shops, the greater number of the £14 houses would, he thought, be found to be tenanted by small farmers, who would be more under the influence of the landlords. In expressing that opinion he would be understood as speaking not otherwise than with the greatest respect of the tenant farmers of this country, whom he regarded as men of high intelligence; but then if he were asked whether they were specially remarkable for that peculiarity which most entitled men to the franchise he must answer in the negative. He quite concurred in all that had fallen from the Chancellor of the Exchequer early in the evening, as to the effect of the Government proposition as a lowering of the franchise. The lowest franchise in counties was the 40*s*. freehold. Now, the 40*s*. freeholder was for the most part a man who lived very hard, who was much attached to his little freehold, and was exposed to great privations, and must be deemed, in his opinion, to occupy a lower position than those men who would be brought into our electoral system by a £14 franchise. And who were, he would ask, those tradesmen whom the proposal would include? They were neither a venal nor a drunken class; indeed, although he did not mean to speak of them as perfect, he must say he knew of no more moral class of persons than were, as a general rule, the country shopkeepers; they were most of them intelligent men, not open to corrupt influences, and not likely to accept bribes. It was only in close and compact boroughs, with small constituencies, that corruption most prevailed. The parties to whom he referred could not afford to be unprincipled; vice was too dear and character was too important; and they were as intelligent, honest, trustworthy, and safe a class as any other portion of the constituency. Any person who had canvassed a rural constituency must observe the difference between them and an urban constituency. In a rural district hardly a question was put to them, although, perhaps, some interest was expressed about the malt tax; but when he came to a town district the candidate found that the voters did not trouble him about matters in which their respective towns had separate interests, but about matters in which they had a common interest. They asked him what were his opinions upon finance, upon church rates, upon domestic or colonial policy. It was quite refreshing, after having canvassed a quiet, rural constituency, to find an urban constituency that showed so much intelligence in respect to public affairs. No class of men were more anxious for the preservation of public order than the country tradesmen, because they knew that if any outbreak took place, their shops would be the first objects of plunder. They also knew exactly how the population around them was thriving, and had, as it were, the pulse of the neighbourhood in their hands. He was sure they would bring with them a considerable degree of intelligence and independence to the county constituency. With regard to the apprehensions entertained of the enfranchisement of persons of that class, he wished to refer to the speech of the late Sir Robert Peel on the second reading of the Reform Act. That great man said he feared the result of the £10 franchise would be to throw the power of election almost entirely into the hands of that class which must necessarily be the least competent to form a sound opinion on political questions. Then Sir Robert Peel proceeded to enumerate some of the measures that were then popular with that class among which were the immediate abolition of taxes on industry and on the necessaries of life, the breaking up of the East India Company's monopoly, and the repeal of the Corn Laws. Since that period all these measures had been carried, Sir Robert Peel himself, to his immortal honour, having had a principal hand in passing them. But that distinguished statesman, in the same speech, said that triennial Parliaments and vote by ballot would also be among the changes demanded by the £10 voters. Now, he was happy to say that the good sense of that class had led them not to persist in demanding the adoption of triennial Parliaments. The last thing which Sir Robert Peel said they would require was the abolition of the traffic in the flesh and blood of the negro. These were the revolutionary measures which had been dreaded. They had since been carried, and the result was the peace and prosperity which they now saw in the country. Sir Robert Peel, on the same occasion, expressed a fear that some popularity-seeking Chancellor of the Exchequer might be forced by a democratic assembly to propose the repeal of taxes, the ultimate effect of which would be to shake confidence in the credit of the country, to paralyze commerce, derange industry, and imperil the high position which England held among the nations. He would not point out how these predictions had been falsified, or attempt to describe the beneficial effects of the financial policy of the present Chancellor of the Exchequer, who, instead of being anxious to sacrifice taxes to risk the credit of the country, was asking them to make large sacrifices for the reduction of the public debt, so as to relieve posterity. He would only say that if Sir Robert Peel was not to be trusted as a prophet, they should hesitate before they put faith in the minor prophets of the present day. The past was an encouragement for the future. Reserving to himself the right of suggesting Amendments in the Bill before them, he should support this clause and the measure generally, in the full conviction that by doing so they would contribute to the strength and stability of their institutions, and to the safety and welfare of the country.

MR. BERESFORD HOPE said, that as one of the constituents of his hon. Friend who had just sat down, he must humbly confess that he could not quite follow his discourse. His hon. Friend began by stating that the original county constituency of England—namely, the 40*s.* freeholders, seemed to have been created with the view of securing a totally independent body of voters who cared neither for the squire nor the parson, but who only voted according to their own opinions. No doubt, the 40*s.* freeholders in early times were a very respectable and independent constituency; but, starting from that point, his hon. Friend went on to defend the proposition of the Government by an argument which, as far as he could follow it, would lead to the conclusion that the £20 a year farmers might be independent, but would belong to that portion of the political organization of the day which the hon. Member for Westminster said gave such power to the side that was happy enough to enlist them. On the other hand, his hon. Friend maintained, as far as he could gather the effect of his reasoning, that the £14 tradesman was very moral, because, although he might sand his sugar and water his vinegar, he very rarely made his appearance before Sir James Wilde; that he was very civil as well as very moral; that he did not support the great lord who lived forty miles off, but supported the small squire close by, who dealt with him, found his 5*s.* for the blanket club, and his 2*s.* 6*d.* for the Odd Fellows. Thus, arguing in a circle, his hon. Friend came round to the conviction that because by the old Constitution of England the county constituency was organized on the principle of rough independence it should now be organized on the principle of civil subserviency. So he said he was for a £14 franchise. But it was to be hoped the hon. Gentleman did not think hon. Members hypocritical on that side of the House, or fighting in ambush, if they preferred a franchise of £20 for farmers and tenants who had something more to fall back upon than the fourteen-pounder. The hon. Gentleman had quoted Sir Robert Peel, and left the impression that, because thirty-five years ago there were many things to be set right and a Reform Bill was necessary for that purpose, it was necessary now to have another Reform Bill to set things wrong again. The hon. Gentleman reminded him of an old lady who required a course of medicine. The doctor, a friend of his, presented some pills, but with no great results. On further inquiry, it appeared that the lady, wanting a "comprehensive measure," reserved the pills, and then took them all at once. His hon. Friend wanted to follow the plan of the old lady and swallow the present and as many more nostrums as might be proposed. For himself, he wished to see the borough constituency strong and respected, and desired the working men of England should have their position in the county franchise also, as the owners of small freeholds. The Chancellor of the Exchequer argued with his usual vigour and amplitude of phrase that the proposal of the Reform Bill of six years ago, of reserving to borough freeholders the right to vote for their freeholds, was an innovation on the Constitution. Whether that was a wise or unwise proposal he would not then inquire, but as a matter of principle he would assert that such a measure was a return to the old lines of the Constitution. In the middle ages the constitutional changes which were now the concern of Parliament were effected by *privilegium*—namely, by means of royal charters, and not by enactments. No doubt this would now seem strange, still there was no shutting our eyes to the fact that such was then the Constitution of England; and that those who desired to grasp the growth of our institutions must master the details of the changes produced in the middle ages, and down, indeed, to 1688 by Royal grant. He had himself tested the question by moving for a Return which had recently been printed, and which showed that there are existing no less than twenty counties of cities and counties of towns in which the freeholders as such still vote for the city or the borough. Our ancestors, when they found cities like Norwich growing to be manufacturing centres, or cities like Bristol or Exeter growing to be seaports, invested them with high civic privileges, made each of these places a county and constituency of itself, and gave the freeholders the whole privilege of the franchise. This method of enfranchisement might have been a less complete Constitution than our present one whereby changes must be initiated in Parliament itself, but still it was the Constitution, and this old Constitution laid down the principle that the civic freeholder ought to have a vote in the town where his freehold was, and not in the county—the very principle which the Chancellor of the Exchequer denounced. He did not say that this principle could now be pushed through the dense mass of flesh and blood arrayed against it, but those who taunted the late Government for having made an unconstitutional proposal could not themselves have studied the old Constitution of England in a discriminating and philosophic spirit.

Sir FRANCIS CROSSLEY said, he could assure the hon. Member for Northamptonshire (Mr. Hunt) that the surprise on the Ministerial side of the House was very great when the Chancellor of the Exchequer announced so high a franchise for counties as £14, because all the Reform Bills since 1852, including that of the right hon. Gentleman (Mr. Disraeli), proposed a county franchise of £10 instead of £14. He was also surprised that the right hon. Gentleman the Member for Cambridge University (Mr. Walpole), who had been a Member of Lord Derby's Government, should think that £20 rating, which meant a £25 rental, could be satisfactory. It was generally understood that in 1859 the right hon. Gentleman and his Colleague the Member for Oxfordshire (Mr. Henley) had withdrawn from Lord Derby's Government, because they objected to the uniformity of the franchise for counties and boroughs, and that they were in favour of a lower franchise in boroughs than was proposed by the Reform Bill of 1859. It was no doubt desirable to settle this question; but he appealed to hon. Members opposite whether a £20 rating franchise could at all settle it after a £10 county franchise had been proposed over and over again. [An hon. Member: Would a £14 franchise settle it?] He thought it would. It had been asked why the clause was clogged with so many provisoes? and the answer was that in the neighbourhood of many towns where the land was not built upon and was occupied as milk-farms, &c., it was divided into as many £10 occupations as possible, and persons were placed on the register and claimed the right to vote who paid the rates and taxes, indeed, but had the money returned to them, and had no more to do with the tenancy than if they lived 100 miles off. He would remind the House that for six years he had represented the whole of the West Riding of Yorkshire, the largest county constituency in the kingdom, and that since it had been divided he had represented its Northern Division, which was now one of the largest county constituencies, and he thought that under those circumstances he should be credited with some knowledge of the feelings of the people of that part of the country. At the risk, then, of receiving another reprimand from the hon. Member for Galway (Mr. Gregory) who had said he never rose but he lectured the House, he would assert that, in his opinion, the electors of the West Riding, both Conservative and Liberal, were not at all afraid of a £14 county franchise. On the contrary, many who were afraid of a £7 borough franchise looked to the £14 county franchise as a corrective, because it would be a "lateral extension" that would admit, not working men, but a large number of the middle classes, and would act as a counterpoise to the extension in boroughs. For his part, having regard to the fact that £10 had always been proposed as the sum to which the county franchise should be reduced, he viewed the proposal to fix it at £14 with favour because it was a reasonable compromise. He hoped the House would not accept the Amendment before them.

MR. LIDDELL said, he had looked for stronger reasons in support of the assertion that a £14 county franchise would put a term to agitation upon the subject than had been offered by the hon. Baronet (Sir Francis Crossley.) His only argument appeared to be that £14 was a compromise. He presumed, therefore, that some such compromise had been made between the Government and their supporters. If he could think that a £14 franchise would introduce for the most part the residents in small towns he might, perhaps, consider it more favourably than he did; but, knowing something of large and populous counties, his objection to it was that it would throw the county representation into the hands of the residents of large towns, which were already adequately represented, and which already possessed county influence to the extent of a third of the whole county representation. Surely that was a fair share of county influence for the large towns to possess. At all events, he was not prepared to add to it to the extent proposed by the Government. A £20 franchise, however, would not entirely swamp what had been called the rural element. Much had been said upon the subject of anomalies, and he was bound to confess that one had perplexed him greatly. He very much desired to hear what reasons could be advanced in support of the enormous preponderance of political power possessed by the boroughs. That was a great anomaly in our Constitution whatever test might be applied; whether they tested by population, by wealth, or by the growth of wealth; the counties would be found to have superior claims for representation, and yet they only possessed 32½ per cent of the representation of the country, while the boroughs had 67½ per cent. He supposed this proposed addition of 25 Members and 200,000 constituents to the counties would be regarded as a sort of remedy; but his reply was that the proposal was simply to create new borough constituencies, in order to add them to the representation of the counties. The twenty-five new seats which were to be given to the counties were to be conferred upon counties which were an agregate of borough influence, and nothing more or less. In the twenty-five divisions of counties upon which the Bill proposed to confer an additional Member each, the present number of electors was 246,000. Of that number the borough freeholders numbered 43,593. Under the present Bill the £14 county voters proposed would add 126,000 to the county constituencies, which were five-eighths of the whole new county constituency which would be resident in those five divisions of counties. Now, he contended that that state of things actually demanded the increase of the county representation beyond what was proposed under this Bill; otherwise, they would not be doing anything to redress the anomaly which they had been complaining of hitherto—namely, the inadequacy of the county representation as compared with the borough representation. His great objection to this Bill was that it proposed to continue and rather to increase that great anomaly in the preponderance of the town interest over the county interest. And in that view he was confirmed by the words of the Chancellor of the Exchequer in the early part of that evening, when he told them that the great bulk of the new £14 voters would be householders resident in the immediate neighbourhoods of large towns. If he wanted another argument in favour of the £20 qualification over the £14 proposed, he should find it in the language of the Chancellor of the Exchequer, when he said: "We are diminishing the influence of the labouring classes in counties." Now, considering how eloquently the right hon. Gentleman urged the claims of the working classes to increased representation, he (Mr. Liddell) confessed he was amazed at hearing such words from the Chancellor of the Exchequer. Let them consider who those borough freeholders were whose influence, according to the right hon. Gentleman, would be thus diminished. They were men who, by their provident habits and industry, had been enabled by means of building societies to purchase their freehold houses. Now he (Mr. Liddell) objected to any measure tending to diminish the influence of such men. There was no class he should be more glad to welcome within the pale of the Constitution than that one, and he objected to their influence being swamped by the £14 voters which this Bill proposed to create. The hon. Baronet the Member for North Staffordshire (Sir Edward Buller) had talked about the dependence of tenant farmers, and asserted that they were generally driven to the poll by the influence of their landlords. Now there never was a greater misrepresentation of facts than such a statement. He had lived amongst that class during a great portion of his life, and had learned to respect them highly for their probity and independence, and he would tell the hon. Baronet that any one who thought that he could dictate to the tenant farmer of England what course he should pursue, either in respect to husbandry or politics, would find himself remarkably mistaken. He did not know a more independent class. It was true that they generally supported the views of their landlords—but why? Simply because their interests as well as politics were identical, and each party knew that they must stand or fall together. He would ask the hon. Gentleman opposite whether the interests of the factory operatives were identical with those of their employers? Well, he hoped that they were, but he did not think they were. The manufacturing classes had not been able to conciliate their workmen so as to make them feel that their interests were identical. ["No, no!"] Masters and men lived unhappily, he thought, in an atmosphere of antagonism and disunion. ["No, no!"] At any rate, he thought they would act wisely if they were to teach those whom they employed that their interests were identical with those of their employers. The constituency he represented was not open to the reproach of being homogeneous and consisting of nobody but wealthy landlords and tenant farmers, for there was hardly an interest in the country which was not to be found in it. Yet they felt that their interests were identical with their employers, and they concurred generally in their political views. The county constituencies generally were rapidly developing into this condition. On their behalf he asked the Government not to destroy their independence by giving a preponderance of power into the hands of a single class who were connected by interest, position, and residence with the great towns of this country.

Mr. PEASE said, that as the representative of a thoroughly county constituency, comprising between 7,000 and 8,000 voters, and a population numbering some 200,000, without a single borough in that division of the county (South Durham), and as a new Member, he hoped he might claim the indulgence of the Committee. The simple question under consideration appeared to be this—were they to have a £14 or a £20 occupancy qualification for counties? There appeared to be a great diversity of opinion among hon. Gentlemen opposite; but having studied the question attentively, he had come to the conclusion that, as far as the balance of parties was concerned, the Government proposition would have little effect in the return of Members to that House. The right hon. Gentleman the Member for Buckinghamshire, in introducing his measure of 1859 to the House, stated that he considered the difference between a £10 and a £20 occupancy qualification would only amount to 100,000 electors. The Chancellor of the Exchequer stated that his £14 qualification would add 64,000 county electors in the whole of the kingdom, and that that addition would not come from the working classes. Now he (Mr. Pease) joined issue with the right hon. Gentleman on that point. It would introduce, as far as his district was concerned, what he might call the upper crust of the working classes—namely, those who were receiving incomes of from £150 to £200 a year. He knew no reason why such a class should be kept out of the privilege of voting. Why should they be kept out of the franchise for another thirty years, or until another sweeping Reform Bill should be pressed upon the Legislature? If £20 were to be substituted for £14 he contended that a great injustice would be done to a great number of these men. He had ever been living amid the working men, and was able to speak of their character and habits. He had seen them eagerly avail themselves of the education which Parliament had offered them—of that which the Ecclesiastical Commissioners had laid before them—as well as the instruction presented to them by the Dissenting bodies and the Roman Catholics. The results were a very general improvement in the working classes. He could point to many villages in the North of England where, but a few years ago, it was necessary to send into them some extra policemen every Saturday evening. He had now been informed by the inspectors of police, that for the last two years they had had no occasion to send into those villages an extra policeman, and in some of them they had not had a drunken man to lock up for several months together. He himself knew a town where the public-houses had been recently reduced from the number of sixteen to nine—not through any exertion of the philanthropists, but from the mere falling off of the demand. At his own election he had seen the working man giving him his services without the hope of fee or reward. Knowing those facts he confessed himself at a loss to understand the charges of venality, corruption, and violence which a right hon. Gentleman in that House stated to be the attributes of the working men of this country. He denied the charge *in toto*. Knowing their character from personal observation he had the highest respect for them. The right hon. Gentleman the Member for Buckinghamshire stated in 1859 that there was quite as much loyalty to be found amongst the £10 as the £20 occupiers. The right hon. Gentleman the Member for Stamford (Sir Stafford Northcote) concurred in the same opinion. The right hon. Gentleman the Member for the University of Dublin (Mr. Whiteside) on the same occasion said that the principle of a £10 franchise had been twice affirmed by that House, and he doubted whether any measure that did not assert that principle would have a chance of the assent of Parliament. He (Mr. Pease) was not a strong party man, but when he found so moderate a measure as the present opposed by an advocate of a £20 qualification he was quite at a loss to understand either the argument or the consistency of the right hon. Gentleman opposite. The present proposition was a moderate one, and though he (Mr. Pease) was too young to turn prophet, nevertheless, he was as convinced as he was of his presence in that House, that if it were rejected the next would be a £10 qualification in counties and household suffrage in boroughs. He confessed that he had listened with some surprise to the denunciations and gloomy anticipations of the right hon. Gentleman the Member for Calne (Mr. Lowe), and he was led to ask himself whether in the case of the right hon. Gentleman

> "The sunset of life lent him mystical lore,
> And coming events cast their shadows before."

But when he noticed the vigour of the right hon. Gentleman's language and the brilliancy of his wit, he came to the conclusion that the right hon. Gentleman could hardly have arrived at that time of life when he could have acquired the prophetic vision; and he (Mr. Pease) came back to his own former conviction that the more they enlarged the basis from which that House was returned, as long as the elective franchise was confined to the intelligence of the country, the greater stability would they give to the power of the Throne and of the law, and the greater respect and permanence would they ensure to the decrees of the Imperial Parliament.

MR. ADDERLEY said, the point upon which the House was invited to express an opinion had been somewhat misunderstood. The question really to be decided was, whether they would fix on £14 as the proper county franchise for the future—he ought really to say for the present, since the Chancellor of the Exchequer gave them clearly to understand that the arrangement was only of a temporary character. For himself, he was for striking out that figure and replacing it by a higher one. The hon. Gentleman who had just sat down (Mr. Pease) said that there were many £14 occupiers fit for the franchise; that was also the argument of his hon. Colleague (Sir Edward Buller) in the representation of North Staffordshire. Now he (Mr. Adderley) did not dispute that point in the abstract. But the point to be considered was not whether a £14 franchise was good in itself, but whether they should adopt it without restoring the distinction which had originally existed between the borough constituencies and the county constituencies, and whether an enormous mass of £14 occupiers in the towns should be introduced to overbear the freeholders in the counties. He (Mr. Adderley) was prepared to support the Amendment of the right hon. Gentleman the Member for the University of Cambridge, although not for exactly the same reasons which had been advanced by the right hon. Gentleman in its favour. He confessed that he had not been able quite to appreciate the force of the antiquarian distinction contended for by the right hon. Gentleman, who seemed to think that the occupiers represented the element of change, whereas the freeholders represented the element of permanence. He asserted, as between occupiers and freeholders, a distinction rather existing between town and country. He (Mr. Adderley), on the contrary, believed that the £14 occupiers consisted substantially of the same class as the 40*s*., and, indeed, in many cases they were the same individuals. He would go further, and say that the 40*s*. freeholder often belonged to a lower class than the £14 occupiers, and included a large number of working men. These were the men whose existence was unknown to the Chancellor of the Exchequer at the time he draughted his Bill, though they had since turned out to number a full quarter of the constituency. [The CHANCELLOR of the EXCHEQUER: 20 per cent.] He had already given the right hon. Gentleman some statistics which had proved perfectly accurate, and he was ready to furnish additional figures in support of them if required. The Chancellor of the Exchequer, he thought, would find it hard to maintain by historical arguments the position which he had laid down in the earlier part of the evening about the freehold qualification running through the counties, towns, and all. He asserted it to have been the rule of our representation that all freeholders, wherever residing, should be represented by county Members, and all occupiers by borough Members. The fact was, that areas had always been represented, and their representatives chosen by persons living within these areas; and no justification consequently existed for freeholders living in boroughs taking part in county elections. The objections raised under that head to the Bill of 1859 had been extremely weak, and were ten times more so now that the Government had proposed and abandoned the copyhold and leasehold franchise. The plea was no longer historical but arbitrary. But the right hon. Member for Cambridge University set up a good argument as between town and country. Not merely in this country, but in every country in the world, there was an antagonism between the interests of town and country—one favoured the principle of change, the other the principle of permanence, and it was upon the counteraction of these conflicting interests, and not by allowing either to neutralize the other, that the safety and stability of the country mainly depended. The proposition of a £14 franchise for the counties, without restricting the towns to their own elections, would simply result in making the constituencies in most of the Midland counties consist to the extent of two-thirds of town voters, and giving up to the towns the choice of the representatives of all. It was on this account that such anxiety had been exhibited by hon. Members to ascertain beforehand the character of the second portion of the Government scheme. He threw back in the teeth of the hon. Member for Birmingham and the Chancellor of the Exchequer the taunt that they were endeavouring to obstruct the Bill; the plan proposed in the early part of that evening by the noble Lord the Member for King's Lynn, so far from impeding, would have greatly assisted the progress of the measure, for had it been adopted they would have known the real nature of the case with which they had to deal. But as the Bill stood the first part had no definite meaning without the second, and portions of the scheme were put in the front of the discussion, so as to screen that on which the meaning of the whole depended. And he now offered to the Chancellor of the Exchequer—who taunted them with having in 1859 proposed a £10 county franchise—that he would himself propose that same limit of £10, provided that the right hon. Gentleman would promise to adopt as the second portion of his Bill the provisions of the Government measure of 1859. It altogether depended on the second part of the Bill whether the £10 county franchise was a retrograde step or a step in advance. The effect of any proposal on that subject must depend upon three points—whether a large portion of these voters were to be the inhabitants of unrepresented towns; whether they were to be, in a great proportion, residents in the suburbs of large represented towns, such as Birmingham, where the un-Parliamentary suburb constituted half the population; and whether the constituencies were to be reduced as to areas, or enlarged to such an extent that no moderately rich candidate could deal with them, and heaped with additional representatives in proportion to their population. Till these points were settled it was impossible to discuss the question of the franchise abstractedly, and he was obliged to assume—perhaps in opposition to what might eventually happen to be the case—either that the Bill would not pass at all or else would pass *totidem verbis*, as now proposed. The hon. Member for Birmingham (Mr. Bright) had plainly threatened the House with this result, that the first half of the Bill might be passed and sent to the other House, and the second half dropped altogether. ["No, no!"] Such certainly had been the impression as to his hopes and opinions created by his language. The hon. Member had entirely misrepresented his noble Friend the Member for King's Lynn, when he spoke of him as saying that the enfranchising clauses would be easily dealt with and easily understood. What he (Lord Stanley) said was that they would be easily dealt with if they were made to be easily understood, but that not being capable of being understood by themselves, it was impossible to deal with them properly in the first instance. The Chancellor of the Exchequer absolutely admitted the whole point of the proposition of the noble Lord the Member for King's Lynn in one sentence which fell from him, for he said—

> "I am willing to allow that it is very possible my plan for revising the boundaries of boroughs may not be the best; I may be able to offer you a better and more effectual mode of dealing with the boundaries."

If he saw that better and more effectual mode it was quite possible he might support the £14 franchise, but he could not think for one moment of taking any such proposition in the dark, and trust to the Chancellor of the Exchequer's possible subsequent discovery. While it was not known what the right hon. Gentleman was going to do, it was impossible, on the faith of his going to do something (though what that something was he did not himself yet know) to vote for his £14 franchise upon trust. The hon. Member for Birmingham had made a similar admission; for he had admitted that the very large existing areas ought to be reduced.

MR. BRIGHT said, that his statement was that he had never been against a further division of the counties.

MR. ADDERLEY said, that the natural conclusion was that if the hon. Member for Birmingham was not opposed to a further division of counties he would support a proposition which would have the effect of making such a division. If the hon. Member would guarantee that such a clause should be introduced in the second part of the Bill he (Mr. Adderley) should take a different view of the £14 franchise; but as long as Members were kept in the dark as to what the second part of the Bill was to be, as to bringing suburbs within towns, dividing areas, and giving unrepresented towns separate representation, the Chancellor of the Exchequer must excuse him from saying that by resisting the Amendment proposed by the noble Lord the Member for King's Lynn the right hon. Gentleman had taken the most effectual mode possible of obstructing the progress of his own measure, because it was really necessary to know what the second part would be, before they could give any rational judgment upon the first part. For his part he was not ready to allow a £14 franchise upon the terms of the second part of the Bill being postponed, and therefore he should vote for the omission of the figure £14 without committing himself as to the precise figure which it would be best to substitute for it.

SIR EDWARD BULLER explained that what he had said was that the tenant farmers were an intelligent race of men, but that it would be a courageous assertion in any one to maintain that they were an independent race.

MR. BANKS STANHOPE said, that Members were placed in a peculiar position that evening, because they learnt that the second portion of the Bill was not to be passed in the form in which it was introduced. All they could see was what the Bill was not to be—they had no idea of what it was to be—nor even whether there was to be a distribution Bill at all. Then with regard to the portion of the Bill which related to the franchise they were also in a great difficulty, arising from the fact that they possessed no information whatever which they could confidently take as a basis for legislation. He had ventured some months ago to point out to the House that, as far as he had seen the Returns, no information was given upon which they could form a satisfactory opinion or give a conscientious vote. The result was the spectacle of the blind leading the blind. Before altering the franchise it was, at all events, advisable that they should know what the component parts of the existing franchise were; but, in referring to the Electoral Returns, he had lately discovered that there was an enormous gap which it was impossible for him to supply. There were at present 542,000 persons on the county register, but there was no document which showed what were the component parts of this body—on the contrary, by examining the Returns it would be found that there was an enormous gap which could not be filled up in any way. Of these 542,000 voters, 116,000 were owners and occupiers between £20 and £50, and 155,000 were occupiers above £50, giving a total of 372,000, and leaving a balance of 170,000 totally unaccounted for. It was clear, however, from the Returns that they were not owners and occupiers above £50, nor between £10 and £50, and therefore they must be either owners and occupiers below £10, or owners and occupiers who lived in boroughs, and who were not mentioned in the Returns. Assuming these 170,000 to be owners and occupiers below £10, what then became of the fly in the pot of jam — or something of that sort. If these 170,000 were freeholders renting houses below £10, he would ask the hon. Member for Birmingham whether the working men of the country were not to a great degree represented in the counties. But supposing, on the other hand, that by some mysterious combination of circumstances these 170,000 lived in boroughs, in what position would they be with the proposed enormous increase resulting from the adoption of the £14 franchise? With these figures unexplained, and the new addition to the franchise being totally inexplicable, and without knowing precisely what the Re-distribution of Seats Bill was to be, he could not consent to vote for this £14 franchise. Obviously the original intention of the Government was to have a rating franchise for the counties, for all their Returns were based on that principle, they had Returns of a £10 rating, a £12 rating, a £15 rating, and a £20 rating. By a £12 rating they learnt that 240,000 new voters would be admitted, but they were not informed where these 240,000 came from, or to what class they belonged. If the 170,000 possible freeholders in boroughs combined with the majority of the 240,000 new voters the result would be the swamping of all the freeholders and occupiers above £50, and such a combination would also have the effect of swamping all between £20 and £50. And yet the men whose opinions were to be thus overruled were inferior in intelligence and property to no class in Her Majesty's dominions. If they took the 240,000 wh would be admitted to the county franchise on the £12 rating, and add those to the 170,000, they would find that the two together would totally swamp all the freeholders between £50 and £60, and between £20 and £50. He regretted very much that the President of the Poor Law Board had not put on more steam, and produced the Returns which had been asked for by himself and his hon. Friend the Member for Northamptonshire (Sir Rainald Knightley). It would be very desirable to know how much of the property in counties the £12 rating occupiers possessed; how much the £15 occupiers, and so on. It was acknowledged that the second part of the Bill would not pass in its present shape. How could the Government suppose that their scheme could effect a settlement for even a short time when so many towns with large populations would be left unrepresented? It was a point of the utmost interest and importance that they should clearly ascertain what effect upon the present constituency would be produced by the new constituency to be created under that Bill; but this was not yet known. Another difficulty, with which the Bill did not deal, was the case of the population of the many large and flourishing towns, which, if this measure passed, would be left very much in the same position that they were in before. Some of these towns had 10,000, 20,000, or 30,000 inhabitants, and it was difficult to understand how Gentlemen who professed the utmost anxiety to admit to the franchise all who were entitled to it, should yet consent to the continued exclusion of those deserving inhabitants of large unrepresented towns, whose claims were unquestionable and unquestioned. What would be the position of the inhabitants of places like Doncaster and West Bromwich, and many others of equal size and importance which he could name? Their right to the possession of the franchise was clear, and so was the injustice of excluding them from it under a Bill brought in for the purpose that Bill had been brought in for. Could any one suppose that the question would be settled, again, while such enormous outlying populations as those that were clustered beyond the boundaries of Rochdale, for instance, or the Tower Hamlets or Lambeth, were taken no account of under the Bill? Those persons had no borough votes, nor could they possibly have county ones conferred upon them, except they were prepared to swamp the county constituency. He had been amused at the description given by the hon. Member for Birmingham some time ago of the successful working of a co-operative society at Rochdale; but he was rather astonished to find that the secretary and other leading men in that society had no votes in the borough. The House must assume that persons who had saved so much money could live in £10 houses; but in the Electoral Returns he perceived that the number of the working classes on the register in Rochdale was sixty-eight; and at the foot of the page on which that information was given there was this note—

> "With reference to the number of working classes on the register, it is stated that the borough is so circumscribed that many of the better class of artizans reside outside the boundary. Many of the houses in the borough are built with small rooms and can be let at low rentals, affording separate apartments for the occupiers, while a similar house with larger rooms would command such a rental as would confer the franchise."

Now, in what position were they going to place those artizans who lived outside the borough of Rochdale? Suppose they resided in £14 houses, or in £10 houses—which would soon go up to £14—they would get votes for the counties. But what was to be done with those who resided outside the boundary in houses of from £7 to £14? The men who were content to live in the bad houses within the boundary would have votes if they paid £7, or any rent above £7; while the better class of artizans who were not content to live in bad houses, but who could not afford to pay £14, would have no vote at all. Thus under this Bill, the well-conducted, deserving, and superior artizans, were placed in a worse position, as regarded the franchise, than the inferior artizans who occupied the £7 houses within the borough. Was this a satisfactory arrangement, or was it likely to be a permanent one? By the way the Government had acted in respect of Parliamentary Reform they had lost the confidence of his side of the House, and they had not got the confidence even of their own political supporters. What was the talk of hon. Gentlemen on the Ministerial side, when they went outside that House? How many of his friends who sat on the Ministerial side said, "But it is settled that the Bill cannot go on; it is clear that the Bill cannot be proceeded with." ["Oh, oh!" *and* "No, no!"] He had many friends among the Whig Members of that House, and did the Gentlemen who now cried "No, no!" mean to tell him that they had never heard the sayings which he had just repeated? Why they must know that it was quite an ordinary occurrence to hear Whig Members expressing themselves in that way. ["No, no!" *and* "Hear, hear!"] If the system of grouping which the Government had proposed was to be given up, as it must be, on what system of grouping was the House to proceed? They were not told that. The Government were very much to blame. They had behaved in a wrong manner to the House and to the country by endeavouring to force the House to give an opinion on the Franchise Bill, before their whole scheme of Reform was before Parliament; they had behaved mischievously in endeavouring to compel the House to pronounce an opinion on the merits of a proposal which entirely depended on the other portions of the Bill, which they were not now going on with, and which every one knew could not pass. He would not consent to the £14 proposal, but he should not at present give an opinion as to what the county franchise ought to be, nor bind himself to any vote which he might give after the re-distribution scheme was really before them, because by the latter measure the working of the franchise might be very materially altered.

SIR GEORGE GREY: I agree with the hon. Gentleman who has just sat down (Mr. Banks Stanhope) that the House is placed in an extraordinary position with regard to this measure. The Franchise Bill has been before the House for the last three months, and the Bill for the Re-distribution of Seats has been before them for some weeks; but up to this time it has been found impossible to get a vote on the principle of either of these Bills. The whole of the discussions which have taken place have been raised on Motions of a dilatory and evasive character. They avoid what they believe to be the disagreeable necessity of saying "Aye" or "No" either upon the principle of the Bills or upon any one of the proposals which have been put before the House in the form of Amendments upon those Bills. After the scene I have witnessed to-night—after the manner in which the attempt to obstruct the progress of the Bill was defeated by a decisive majority—I should have thought that there would not have been so soon another attempt at delay, and that the time had arrived when some definite issue might have been taken. Nothing could be fairer than the issue between the Government and the right hon. Gentleman the Member for the University of Cambridge. The right hon. Gentleman made the reasonable proposal that, instead of reducing the county franchise to £14, it should not be reduced lower than £20. But the right hon. Gentleman the Member for Staffordshire (Mr. Adderley) and the hon. Gentleman who last addressed the House endeavour to wriggle out of that issue. They say they will vote against the reduction of the county franchise to £14, but that they are not prepared themselves to substitute, instead of the £14, any definite sum, such as £20, £30, or even £40; nay, hon. Gentlemen who may vote with them to omit the words £14 from the Bill will have no security at all that they will assent to any reduction whatever in the county franchise. The right hon. Gentleman the Member for Staffordshire stated most distinctly that he refused to pledge himself to vote for the £20 franchise proposed by the right hon. Member for the University of Cambridge as a substitute for the £14 franchise proposed in the Bill. Another peculiarity I have noticed in this debate is that no hon. Member has ventured to state that the persons who occupy a House and land in the counties to the value of £14 are unfit to be intrusted with the county franchise. They do not venture to deny that persons occupying property of that description belong to the middle classes, or, as the hon. Member for Durham (Mr. Pease) stated to-night, to "the upper stratum" of the working classes. But it is said that the number of persons occupying property of that value is so great, although the precise number has not been ascertained, that the existing constituencies would be entirely swamped by the urban population of large manufacturing towns. I wish we could have obtained some accurate information as to the precise number of the urban population in the county of Lincoln who have an occupation rental of £14 and a rating rental of £12, as I am at a loss to know whence the numbers are to come who, in the event of the Bill passing, are to disturb the seat of the hon. Member for North Lincolnshire (Mr. Banks Stanhope.) It is probable that a large number of that class have votes already under other qualifications. It was not easy to calculate as to those whose rating was £12 and whose occupation was £14; but as far as we can form an opinion, we take the number of persons of the class in all the counties of England to be about 160,000 or 170,000. Of course, in counties like that of South Lancashire, Yorkshire, and Cheshire, where there is a mixed population, it is almost impossible to draw a sharp line of demarcation between the urban and the rural populations, and to say what proportion of the urban population would, in the event of the reduction of the franchise to a £14 franchise, have a vote for the counties. I think hon. Gentlemen opposite need not be greatly alarmed at the admission of the urban population having a £14 occupation franchise under the Bill. The new voters would be unequally distributed; in some cases there would be a large increase of voters and in others comparatively few; in many cases the addition would consist of shopkeepers and others dependent on the agricultural interest, and I believe that the extension of the franchise would in very many cases throw additional power into the hands of the landlords and the agricultural interest. I now come to the principles upon which the right hon. Gentleman the Member for the University of Cambridge has founded his Motion. He desires in the first place that voters in counties should have the same qualification as must be possessed by jurors. But let me remind the right hon. Gentleman that he does not carry out his argument legitimately to its proper conclusion, because the qualification for jurors is not exactly that which he stated it to be. For instance, the qualification for jurors in Middlesex is a £30 rating rental, while in every other county it is a £20 rating rental, which is equivalent to a £25 occupation rental. Therefore, the argument of the right hon. Gentleman, as a matter of principle, falls to the ground. The right hon. Gentleman, again, urges as an objection to the Government Bill an argument which was formerly used with great effect by Lord Russell in this House, that there is an essential difference between the borough and the county qualifications, the former being founded on occupation, the latter on property—he urges against this Bill that it proposes to make the county qualification too much of an occupation instead of a property qualification. But who was the first to disturb that principle? The change from property to occupation franchise in counties did not originate with hon. Members on this side of the House. It was originated in the year 1832 by the Chandos Clause, under which a large number of people were admitted to vote for counties by virtue of an occupation franchise. The Bill introduced by Lord Derby carried the change still further. The hon. Member for Macclesfield (Mr. Egerton) said we had no right to refer to that Bill, because it was not now before the House; but surely we are at liberty to tell hon. Gentlemen opposite that every argument brought forward by their leaders against the Bill introduced by Her Majesty's Government tells with still greater force against the Bill introduced by Lord Derby, and supported by hon. Gentlemen opposite. Lord Derby's Bill began by striking out of the franchise 100,000 of the 500,000 who possessed a freehold franchise for the counties, and then it proceeded to add to the county constituency all those who had not a £14 but a £10 occupation rental. By this means the freeholders in counties would have been entirely swamped. I do not mean to say that the right hon. Gentleman is responsible for this, because I know that the right hon. Gentleman left the Government of Lord Derby on the question; but the Bill brought forward by the Government of the noble Earl assimilated the borough and the county franchise. The right hon. Gentleman says that it is desirable to preserve a distinction between the characters of the county and the borough Members. But what did Lord Derby's Bill propose on this subject? Why, it proposed to make the county and the borough Members absolutely identical in point of character and constituency. ["No!"] It may be disagreeable to hon. Gentlemen opposite to be reminded of these things, but I feel bound to recall these circumstances when we are accused of disregarding the interests and endangering the institutions of the country. Let me remind hon. Members opposite that their own leaders, and that they themselves as a party, not only proposed to do what we are about to do, but that they went a great deal further in the same direction. But the right hon. Gentleman said it was not necessary that in every case that process should be adopted, but that if it were shown that any particular borough had largely outgrown its Parliamentary limits, it might be possible to include outlying districts within the Parliamentary borough. Wherever it is practicable we think that the best limit for the Parliamentary borough would be the municipal boundaries; but it is impossible in all cases to draw a sharp line between the rural population and the town population. As to the suggestion that every town of about 5,000 inhabitants should be included in some Parliamentary borough, it could not possibly be carried into effect, but still, when we get to that part of the Bill, there is no reason why hon. Gentlemen opposite should not make the proposal. When we get to that part of the Bill such a proposition may be fairly entertained; but the immediate question is now is there any real objection to persons having an occupation of £14 being admitted to the county franchise? And here let me say one word as to the charge made by the right hon. Gentleman the Member for the University of Cambridge against my right hon. Friend the Chancellor of the Exchequer. The right hon. Gentleman supposed that the Chancellor of the Exchequer said that he had entered into a compact or engagement with that portion of the Liberal party who were strenuous for Reform to the effect that there should be a £14 franchise for counties and a £7 franchise for boroughs; and that if the House rejected those figures that compact or engagement would be at an end, and that they would be at liberty to propose any other figures.

MR. WALPOLE: The words, which I took down at the time, were, "The virtual engagement between the Government and the Reforming party will be at an end."

THE CHANCELLOR OF THE EXCHEQUER rose to explain, but there being loud cries of "Order!" resumed his seat.

SIR GEORGE GREY: I am quite sure that those words were not used by my right hon. Friend. At all events, I was sitting by his side, and I did not hear him utter them. What I understood him to state, and which is the fact, was that we had proposed, on our own responsibility, and without any previous concert or private engagement or compact with any party, what we thought it was our duty to propose, and that the party who are designated as "advanced Reformers" had, when the Bill was proposed, without any previous knowledge or understanding, thought it was an honest attempt to settle the question, and had given in their adhesion to the Bill as it stood, and without any secret compact or engagement declared their determination to support it. Such being the case, my right hon. Friend said that engagement on their part might be at an end if the proposed county and borough franchise were departed from, and that it would be then open to them to propose any other arrangement for the settlement of this question. My right hon. Friend stated that this question ought to be settled, if possible, on a basis which would give satisfaction to those interested in it. We think that by the proposal we have made a fair and reasonable prospect is afforded of obtaining a satisfactory settlement; and, as the conduct of those who advocated a larger measure of Reform confirms us in that opinion, we deprecate any attempt to put off the question to a future time.

The CHANCELLOR of the EXCHEQUER: I should like to ask the right hon. Gentleman, whose friends would not permit me to speak ["Oh, oh!" *from the Opposition*], what were the words which the right hon. Gentleman took down.

Mr. WALPOLE: The words I have are these:—"The virtual engagement with the Reforming party will be at an end."

The CHANCELLOR of the EXCHEQUER: My right hon. Friend will perceive that he is wrong in his construction of the words he has quoted—those words contain no mention whatever of an engagement or contract on the part of the Government. There was no compact with the Government. What I spoke of was the virtual compact and engagement with Parliament and the public.

Mr. DISRAELI: It is not desirable that so very important a question as this should be decided by chance expressions made by Gentlemen on either side of the House. Our business is to do that which is best for the country, and not to engage in personal controversies about comparatively small points. With regard to what I have heard from the right hon. Gentleman the Secretary of State, I may remark that it is really no answer to my right hon. Friend the Member for the University of Cambridge to throw at his head Lord Derby's Reform Bill. He was not answerable for that. Again, on the other hand, it is no answer to us to throw at our heads the views and opinions of my right hon. Friend the Member for the University of Cambridge. We are not answerable for them. But the Secretary of State has endeavoured to answer the great body of Gentlemen on this side of the House by quoting the views of my right hon. Friend the Member for the University of Cambridge, and confuting those views by quoting against him the provisions of Lord Derby's Bill. It must have been obvious that the ingenious remarks of the right hon. Gentleman the Secretary of State really had nothing whatever to do with this question. And although I am perfectly willing, if the subject were interesting to the House, to vindicate the policy and provisions of the Bill which I brought forward in Lord Derby's Government, what we now have to do is to decide on the policy best suited to the wants and exigencies of the present time. We have to decide what is necessary now, and we ought not to enter into all these recriminations. There were unsuccessful Reform Bills before that of Lord Derby, and we might as well bring forward them and show that the propositions of the present measure are not perfectly consistent with those Bills. But this I will say, that the proposition made on the part of the Government of Lord Derby with regard to the county franchise was not made on the sole condition which has been referred to in this discussion—namely, that the freeholders in boroughs should vote for the borough in which their property qualification was situated. The House was told over and over again that the propositions we made must be taken as a whole and as one; and avowedly the chief condition of our proposing that the qualification for the counties should be £10 was that there should be no lower franchise for the boroughs. Whether our view was right or wrong, that was distinctly stated, and it was understood that if the question of the county franchise were entered into, it must be entered into with reference to the other qualifications. But I must refer to the actual Bill before us. What we want, or at least what I want — and I believe I express the views of all the sensible men in the House—is a *bonâ fide* franchise for counties. The moment we say that those who live in a county should exercise the franchise with regard to their property and interests in that county, and should not be interfered with by persons who have no interest in the county, but who possess qualifications for exercising votes for other places—the moment we say this we are told that we want to expel from the counties the whole of their urban character and to confine the county constituencies to farmers and labourers. There is no ground for these absurd and monstrous accusations of the Government. The right hon. Gentleman the Secretary of State has to-night repeated the charge—What I want to impress on the Committee is that before settling what franchise is proper for the counties we should clearly understand what the counties are. The Secretary of State said something about a proposal having been made to give a Member to every town that has 5,000 inhabitants. Why, no human being ever made such a proposition. But what I want to impress upon the Committee is this, that before they settle what is the proper franchise for counties they should clearly understand what the counties mean; because it is quite clear to me, not only from the speeches that we have heard during the last three months from the Treasury Bench, but from the speech which has just been delivered by the Secretary of State, that the Government have not an idea at this moment what the population of the counties is. For I must remind the Committee that if you entirely throw out all the population of the unrepresented towns up to 5,000, to which the Secretary of State has just been referring, you still have in the counties 500 unrepresented towns with a population under 5,000; and irespective of those 500 towns you have in the counties a scattered, or, as it is styled in the scientific language of statistics, a village population which is equal in amount to all the population of the represented towns. We hear a great deal of the immense population of the great cities, of Manchester, Leeds, Birmingham, Sheffield, and other places; but it should be borne in mind that the population of all those great cities, and of all the represented towns together, does not exceed the village population of England, that is the population irrespective of the unrepresented towns with 5,000 inhabitants and the 500 other towns having less than 5,000 inhabitants. What, therefore, is more absurd than those statements by the Secretary of State to which we have just listened, that if any arrangement such as he intimated about restricting the exercise of the franchise by freeholders in towns, and other points of that kind, which are, comparatively speaking, small matters, were adopted, we should really have a county constituency consisting almost solely of an agricultural population, without any urban element whatever in it? It is not the fact. Those who attempt to settle this question with general notions of that kind are acting perfectly in the dark, and are attempting to arrange matters with which it is quite impossible that they can cope satisfactorily, because they are not sufficiently acquainted with the circumstances with which they are presuming to deal. Well, Sir, I contend that in dealing with the population of counties you have, first of all, to obtain a tolerably accurate idea of what the general character of that county population is; and I say that that being the case you will find that half the population of the nation is in the counties of England, and that moiety of the population ought surely to be secured a fair and legitimate enjoyment of the franchise if you invest them with that great privilege We go on night after night, and are told that we are the representatives of farmers and farm labourers. Grave—very grave — Secretaries of State tell us this. But what is the fact? I will give my own instance—for perhaps in Committee one may mention so familiar an instance as one's own experience. I have the honour of being the representative of a constituency which can be fairly described as a completely rural constituency, because in the county of Buckingham every town is represented. Well, now, what are the facts of the case? Why, in a constituency exceeding 6,000 the number of voters on the register under the £50 qualification are only 1,200—that is to say, they are only a fifth in a perfectly rural constituency. Who are the other four-fifths? The freeholders. And where do these freeholders live? Why, they constitute a part of this great village population and of those small towns with a population under 5,000, which are never even taken into consideration by the right hon. Gentleman opposite. They are scattered among what composes half the English nation, and we are certainly not unreasonable in asking for the population of the counties, that if they are invested with the franchise they shall have the privilege of exercising that franchise in defence of their own property, their own industry, and their own interests, and that they shall not be interfered with by comparative strangers who have no sympathy with that property and that industry. That is a point, I say, upon which we ought to have a most distinct understanding, and it is no answer to tell us that in Lord Derby's Bill this was not done, or was done very imperfectly. What we have to do now is, that we shall settle the question completely and satisfactorily. The question of the boundaries of towns ought to be fairly and completely settled by any Ministry that attempts to conclude this question. Sir, the Chancellor of the Exchequer night after night has made admissions of the justice of our claims; but he couples those admissions with an elaborate description of the difficulty of satisfying them. But that, Sir, is no answer. No doubt it is difficult; but it is one of those questions which a Government that presumes to deal with a question of this important character—namely, the distribution of political power in the State—ought to and must encounter. We have a right to expect that the question of boundaries shall be completely and satisfactorily settled.

Well, then, I may be told that the Government of Lord Derby did not at all encounter in as large a spirit as they might have done the question of the unrepresented towns. But, then, it is some years since the Government of Lord Derby existed. Hon. Gentlemen must not forget that the Census of 1861 has been since taken, and that we know a great deal more than we did before of the condition of the country—we know much more about the amount of population, and the manner in which that population is employed, than we did or could know in the years 1858 and 1859. And are we not to profit by that increased information which we have now at our disposal! We know that there are a number of very considerable towns which have sprung up in England—towns with a much larger population than is given in the Census of 1861—and therefore it is absolutely necessary at a moment like the present, when we are attempting to settle the amount and character of the county franchise, we should have a clear conception how, generally speaking, political power is to be distributed in this country. The Government, I admit, when they brought forward their Bill for the Re-distribution of Seats, did offer to the House a clear and distinct programme of the mode in which they thought the claims of the counties in that respect ought to be met. It was most unsatisfactory—nothing could be more unsatisfactory—still it was clear and definite. But the Government, night after night, have given up every part of that programme, and, if I could infer anything clearly from the speech of the Secretary of State in the matter, the whole affair is now *in nubibus.* There is not a question respecting the direct representation of large bodies of the people not now represented that is not completely unsettled and thrown upon the table for discussion. We have no plan on the part of the Government to guide us; we have no means by which we can arrive in the least degree at what the views of the Government are; and until we have some idea of that I confess myself totally incapable of entering into the question, as to whether the franchise for counties should be £50 or £30, or £14 or £10. I am perfectly ready to support a £10 qualification for counties, if it is a *bonâ fide* qualification. If the inhabitants of the counties, whatever may be their pursuits and calling—if that moiety of the English nation which is described by the Secretary of State as a collection of farmers and farm labourers—if that moiety of the English nation are to be permitted to enjoy their franchises without interference from strange elements, and from bodies which really have distinct interests of their own, often directly represented in these towns—if all that were fairly arranged I should be the last person in the world who would shrink from a large and liberal settlement of the question. But if the boundaries of the represented towns are not in any way to be settled, if the great industrial communities which have arisen in this country since the last Reform Bill are not to be directly represented in this House, you may decide upon a county franchise, I do not care whether it is £10 or £14, or £20, which may end in giving a representation of that half of the English nation which will not be a fair and just representation of its property, its feelings, its industry or its interests—for that is the question before us; and I think the speech of the Secretary of State was a very strong argument in favour of the Amendment which my noble Friend the Member for King's Lynn moved this evening. I think that it is utterly impossible to deal with this question, except in a factious, hurried way, until we know what the Government are going to do, particularly with regard to the question of boundaries. I say it is impossible to deal with it except in a factious and hurried way, unless some plan is before us. ["Oh, oh!"] Hon. Gentlemen opposite sneer at these observations, but those who sneer will find out in a year's time that they are perfectly true. I maintain that you cannot satisfactorily settle the amount of the county franchise until you know what the Government are going to do with the large unrepresented towns. As far as the speech of the Secretary of State goes we have a right to assume that the Government are going to do nothing. We have no proposition before us. The only allusion made to this subject by the Secretary of State is absolutely absurd. He has assumed that persons in this House wish to enfranchise every unrepresented town that has a population of 5,000. I never neard of such a proposal; on the contrary, there are many towns with 5,000 inhabitants and more that have naturally grown up out of the industry and the interests of the counties in which they are placed, and they are naturally and properly represented by county Members. But there are large towns and considerable communities which, as I believe, ought to have distinct representation, and, if they have not, they necessarily prevent a legitimate representation of the county populations. There are places, for instance, with flourishing manufactures; and what we object to is that, in addition to these prosperous manufactures, they should be also manufactories of county votes. That is what we object to, and we wish to see the counties fairly represented. The population of the counties does not, as has been assumed, consist merely of farmers and of farm labourers. I showed recently that the farmers and farm labourers numbered about 2,000,000; and if you leave out of the account the unrepresented towns with 5,000 population and the 500 small towns under 5,000, you still have in the counties a population equal to that of all the great represented towns. I say that, under these circumstances, the county constituencies have a right to have the franchise with which they are invested for the defence of their own property and their own industry free from such interference as I have already noticed. Half a northern town, as much connected with the other moiety as Westminster is with London, when the day for electing a Knight of the Shire arrives, can march into the county and vote for the Members for the county, although in every possible point of view—in the investment of their capital, in their industry, in their political opinions, and in their municipal sentiments—they are entirely in accordance with the rest of the town, which itself has the privilege of sending Members to Parliament. In many cases a borough is directly represented here by two Members, and yet half of its population, because it is not within the Parliamentary borough, will ask for the power of influencing at the same time the return of county Members. That is unjust; that is not political justice; and, not being so, it must end in political disaster. That is all we say. If the Government would come forward with a distinct proposal to secure to the population of the counties the fair exercise of their suffrage, I have no doubt that any proposition which they made for reducing the franchise would be listened to with the utmost consideration, but they have made no effort of this kind. If under existing circumstances you reduce the franchise in counties, leave unrepresented all these large towns, with distinctive interests of their own which ought to be represented, and do not in a complete manner deal with the Parliamentary boundaries of represented towns, whatever figure you may fix upon for the county franchise the change will end only in disappointment and disaster.

THE CHANCELLOR OF THE EXCHEQUER said: Having already addressed the Committee at considerable length in the earlier part of the evening, I shall only detain it a short time now. We are approaching a division of very great importance, and one to the issue of which I do not conceal that we look with great anxiety. The character of this measure, which in our judgment is capable of forming a satisfactory settlement of a great constitutional question, is to a very considerable degree involved in this decision. I, therefore, take the liberty of noticing one or two things with respect to the course of this debate. As far as I have followed the debate, I have not heard any one deny that the persons whom it is proposed to enfranchise in virtue of a £14 occupation in counties are, taken as a body, fit for the exercise of the franchise. I beg to observe that that is a fact of the most vital importance. The right hon. Gentleman the Member for Buckinghamshire, much to his credit, has upon former occasions deprecated the nicely calculated less or more of this or that particular number, and has said distinctly, "I look at the fitness of those whom you propose to enfranchise." I beg the Committee to observe the acceptance and promulgation of that principle from a source of high authority, and to notice the fact which I venture to state, subject to correction, that no one has denied in debate this evening the fitness of the persons whom we propose to enfranchise. Observe, the objections taken are two, and those who take them appear to move on entirely distinct lines of action. There is the objection which the right hon. Gentleman the Member for Buckinghamshire has repeated—I do not mean in terms, but substantially—in concurrence with most of those who had preceded him on his own side of the House, including the Members for Staffordshire and Lincolnshire. He said, "Before you settle the franchise for counties you must clearly understand what the counties mean:" and again, he said, "We must know what the Government intend to do with reference to the large unrepresented towns." I would observe that if we do this we are in danger of arguing in a circle. The demand of the right hon. Gentleman would be a perfectly fair one, provided the business of the re-distribution of seats were one the Crown was to settle by its prerogative. He would then be entitled to require of us that we should state in the minutest manner our intentions. But the question is not what we are going to do; it is what the House of Commons is going to do after considering our proposals and those of others, and using its best endeavours to arrive at a right general result. I confess I was surprised at the argument of the right hon. Member for North Staffordshire (Mr. Adderley), who said it was totally impossible for him to say aught about the county franchise until the questions of the boundaries of boroughs and of unrepresented towns were settled—forgetting that in 1859 he supported a Bill that dealt with the county franchise in a clause anterior to any clause dealing with the question of boundaries. That which he now finds is a mountain was then a mole-hill; he made no difficulty then in swallowing a camel where he cannot now swallow a gnat. The House cannot legislate upon all the parts of this measure at one and the same moment. If everybody is to make the objection upon each proposal that the other proposals have not yet been settled, no progress can be made. What is the meaning of the various opportunities given to us by stages upon Bills except that, as we must necessarily deal with some things in detail, and yet must judge them in the whole, we may settle them as we best can in Committee, and then that on the report and on the third reading Members may move Amendments or the rejection of that with which they are not content? I would point out that upon this question of the county representation the right hon. Gentleman entirely departs from all the old lines of the Constitution, and sets up a distinction between urban and rural interests—a purely modern invention. The question divides itself into two particulars. He says we have done nothing that is satisfactory—I think we have sacrificed a constitutional principle—that is, we have sacrificed the principle of extending to leaseholds the right of voting for counties in respect of freeholds in boroughs. The question of the unrepresented towns appears to me, after all, as one of no great magnitude. I have already intimated my opinion that it may be well to proceed somewhat further in the direction of increasing the number of towns to be enfranchised; but it would be absurd to say that any of those wholesale operations in counties which the right hon. Gentleman seems to contemplate could in that way be effected. It is quite impossible for us to give countenance to his idea of massing 80,000 or 90,000 people in several places and giving them a Member; but we are prepared to consider in a fair spirit the increase in the number of represented towns; and if we did not the House would call us to account. With regard to the question of boundaries, do not let it be supposed we have abandoned the plan which we have suggested. We are firmly convinced that a good arrangement for the extension of the municipal boundary from time to time to the natural and just limits of a town is the best basis of a Parliamentary boundary. At the same time we admit that, if you cannot provide for a sufficiently rapid extension of the municipal boundary, you have a fair claim to ask for extension of the Parliamentary boundary. That, again, is a matter we may deal with at the proper time; but it would be most unjust to those classes of the community who are fit for enfranchisement if, on account of difficulties of this kind, which are, after all, party difficulties, we were to say to a large portion of our fellow-countrymen, "We admit your fitness for the franchise, but we deny you the exercise of it." I have not the least intention of imputing to the right hon. Member for the University of Cambridge any inaccuracy in the reporting of my words, yet I feel that they were as I stated—that they could not convey the meaning that there had been any compact between the Government and any body of Gentlemen in this House. [MR. WHITESIDE: The Reform party.] The Reform party or any other party. There has been no compact, understanding, engagement, or anything else between anybody and the Government; and I spoke simply of those engagements which the Government are understood to make when in the face of Parliament and of the public, at an important juncture, they announce their intention to pursue a certain course. The right hon. Gentleman's plan is simply this—I cannot see anything in the nature of a stopping-place in the proposal of the Government, anything which can secure us against the perpetual reproduction of projects for the lowering of the franchise. Now, my answer is first. The £20 figure will be no more a stopping-place than the £14 figure; if anything, it will be less so. Then, again, my right hon. Friend does not give us the jury franchise—not even the county jury franchise. The county jury franchise, as in practice distinctly understood and acted upon, is a rated franchise of £20 and £30 respectively. He does not propose that—he proposes a clear annual value franchise.

MR. WALPOLE: The second part of my Amendment is in these words, "on which he has been rated."

THE CHANCELLOR OF THE EXCHEQUER: Does my right hon. Friend then really mean to propose a rated franchise—that is, a franchise the test of which is to be the number of pounds on which his rates are charged?

MR. WALPOLE: I say that the rating shall be as contained in the Jury Act. The words are "on which he has been rated or assessed to the poor rate, or to theinhabited house duty."

THE CHANCELLOR OF THE EXCHEQUER: My right hon. Friend is doubtless aware that he does not fully copy the exact words of the Jury Act; but I now understand him distinctly to say that in that respect he does give the jury franchise—a rated franchise. But, then, it should be understood that this is a proposition to raise the occupation franchise from £14 to £23 or £24. ["No!" "Hear!"] Well, I really am most anxious that we should not unnecessarily complicate this matter by questions of words. My right hon. Friend states it to be a rated franchise—if not, it is not the jury franchise. I do not know a worse basis for the franchise than a rating to the inhabited house duty—it is both casual and unsatisfactory. I, for one, and my Colleagues, entirely decline to recognize the analogy of the jury franchise; because, if we recognize it for counties we shall be drawn into it for the towns. The effect, therefore, of recognizing that principle will be to land us in household suffrage—upon this principle, that the household qualification is the qualification for jurymen in all those boroughs which have Quarter Sessions. I have very few more words to say. We have proposed a plan for the reconstruction of the franchise with the earnest intention of making it a complete plan. I think that there is a reason why the £14 franchise affords a stopping-place—I agree in the desire to find one—and it is this, that as nearly as possible it describes the point at which generally speaking we may be said to have completed the enfranchisement of the middle class. The enfranchisement of the lower class, except in narrow limits, now exists through the 40*s.* freeholders: no one proposes to raise that; and it seems to me there is no better ground we could take than the selection of a figure, irrespective of the fact that it is confirmed by its well-working in Ireland, which presents the prospect of permanence because it completes what may fairly be said to be the enfranchisement of the middle class in counties. The county representation, as the right hon. Gentleman the Member for Buckinghamshire has said, is one great member of the free constitutional system of England. The clause in which we propose to deal with it is consequently one great capital member of the Bill. The proposal of my right hon. Friend essentially mars and maims that clause, and on that ground I earnestly entreat the House to decline to entertain the proposal.

MR. HENLEY: I will not occupy the House long, but I hope I may be allowed to say a few words on this proposal. I have listened with the greatest attention to all that has been said by the Chancellor of the Exchequer; for he, and he alone, has attempted to give anything like reason in favour of the £14 franchise for counties. It would seem for the moment we all, even the most advanced Reformers, agree in one thing—that what is done now should afford a reasonable prospect of settlement. Well, then, the right hon. Gentleman stated as the first ground for the £14 franchise that the House had assented to the £10 franchise. That seemed to me a very odd ground to begin with, for I do not agree with him that the House ever did assent to a £10 franchise. The fact, I think, was, that a Bill was read a second time in which the £10 figure was contained; but, if I do not forget, many most influential Members of the House said at that time that they only voted for the Bill on the principle of reducing the county franchise from £50. What, then, is the security we are likely to have on this ground? The right hon. Gentleman seemed to have an opinion that what were called the advanced Reformers would accept the £14 as a settlement. He stated most distinctly that he had no agreement, no compact, and no means of knowing anything beyond what was patent to all mankind. But what is patent to all mankind has been this, that at every public meeting held in favour of Reform by the advanced Liberals the Resolutions invariably were to accept the Government Bill, not as a settlement, but as a step in the right direction, and as an instalment. Every Member from that section of the House except one of the Members for the county of York re-echoed very much the same sentiment, and spoke of £6 and £10 as more fitting figures if they could be obtained. The only other ground laid down by the Chancellor of the Exchequer was that the £14 would be equivalent to the £12 rating franchise in Ireland, and as that had worked so well we might consider it would be a settlement of the question. But, then, they may alter the franchise in Ireland—it is proposed to alter it. ["No!"] Surely money's worth in Ireland is not precisely similar to what it is in this country. I very much question whether a £14 rental in Ireland represents the same sum or the same person as in England. The Chancellor of the Exchequer said that no one had asserted that a £14 occupier is unfit for the franchise. But that is not the question. The question is whether this particular amount will bring in such a certain large number of occupiers having the franchise as will outnumber the property qualification in the counties. The right hon. Gentleman quoted what had formerly been said by some one, that the ten-pounder was a loyal man; but the poorest man is often more loyal than a great many who have many pounds. I do not put much weight on that. But some figures have been quoted to-night by my right hon. Friend which show that the occupation franchise, even according to the imperfect figures before us, will embrace three-sevenths of the whole county voters, and therefore it becomes a very serious question whether it will not overweigh the property qualification in counties. I am inclined to think it will. I will now say a few words on the proposal of my right hon. Friend the Member for the University of Cambridge. As I understand the proposal of my right hon. Friend it is this:—He thinks it is well to attach taxation in some way or other to the franchise. The Government are getting rid of that principle. They are cutting the cable almost completely. They are separating rating from the suffrage, though rating used to be the old foundation for household suffrage—the old scot-and-lot voter who had the franchise in respect of taxes or rates paid for a house, and before that the pot-wallopper in respect of hearth tax. My right hon. Friend proposes two things. He says a man assessed to the house tax, which now commences at £20, ought to have a vote. I agree with him. The next thing is the jury franchise, which need not be composed of a house alone, but may be composed of a house and land, and an occupying franchise rated to the poor to the amount of £20. That brings together two persons who ought to have votes for the county. Whether the jury franchise is taken at the gross estimated rental or rateable value I cannot offhand pretend to say, but it is an occupying franchise; a man must occupy, and reside, and be rated to the amount of £20. And if he is assessed in the shape of Imperial taxation to the amount of £20, that is an alternative description of franchise. That will limit the number, and will introduce some 30,000 or 40,000 persons less than those who would be admitted under the £14 franchise. I believe that will preserve a fairer proportion between the occupying and the property franchise and the plan of Government, and therefore I shall cordially support the proposition of my right hon. Friend.

Question put, "That the word 'fourteen' stand part of the Clause."

The Committee *divided*:—Ayes 297; Noes 283: Majority 14.

AYES.

Acland, T. D.
Adair, H. E.
Akroyd, E.
Allen, W. S.
Amberley, Viscount
Anstruther, Sir R.
Antrobus, E.
Armstrong, R.
Ayrton, A. S.
Aytoun, R. S.
Bagwell, J.
Baines, E.
Barclay, A. C.
Baring, hon. T. G.
Barnes, T.
Barron, Sir H. W.
Barry, C. R.
Barry, G. R.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, T.
Beaumont, H. F.
Beaumont, W. B.
Berkeley, hon. H. F.
Blake, J. A.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowyer, Sir G.
Brady, J.
Brecknock, Earl of
Bright, Sir C. T.
Bright, J.
Briscoe, J. I.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir E. M.
Butler, C. S.
Buxton, C.
Buxton, Sir T. F.
Calcraft, J. H. M.
Calthorpe, hon. F. H. W. G.
Campbell, R.
Candlish, J.
Cardwell, rt. hon. E.
Carnegie, hon. C.
Castlerosse, Viscount
Cavendish, Lord E.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chambers, M.
Chambers, T.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clinton, Lord E. P.
Cogan, W. H. F.
Colebrooke, Sir T. E.
Coleridge, J. D.
Collier, Sir R. P.
Colthurst, Sir. G. C.
Colvile, C. R.
Corbally, M. E.
Cowen, J.
Cowper, rt. hon. W. F.
Craufurd, E. H. J.
Crawford, R. W.
Crosland, Colonel T. P.
Crossley, Sir F.
Dalglish, R.
Davie, Sir H. R. F.
Dawson, hon. Capt. V.
Denman, hon. G.
Dering, Sir E. C.
Devereux, R. J.
Dilke, Sir W.
Dillon, J. B.
Dillwyn, L. L.
Doulton, F.
Duff, M. E. G.
Dundas, F.
Dundas, rt. hon. Sir D.
Dunlop, A. M.
Edwards, C.
Eliot, Lord
Ellice, E.
Enfield, Viscount
Erskine, Vice-Adm. J. E
Evans, T. W.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Fildes, J.
Finlay, A. S.
FitzGerald, Lord O. A.
FitzPatrick, rt. hon. J. W.
Foljambe, F. J. S.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Gaselee, Serjeant S.
Gavin, Major
Gibson, rt. hon. T. M.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. G.
Goldsmid, Sir F. H.
Goldsmid, J.
Gower, hon. F. L.
Goschen, rt. hon. G. J.
Graham, W.
Greenall, G.
Grenfell, H. R.
Greville, A. W. F.
Greville, Colonel F.
Gray, Sir J.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Grosvenor, Capt. R. W.
Grove, T. F.
Gurney, S.
Hadfield, G.
Hamilton, E. W. T.
Hanbury, R. C.
Hankey, T.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Hay, Lord J.
Hay, Lord W. M.
Hayter, Captain A. D.
Headlam, rt. hon. T. E.
Henderson, J.
Heneage, E.
Herbert, H. A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holden, I.
Holland, E.
Howard, hon. C. W. G.
Howard, Lord E.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
Hutt, rt. hon. Sir W.
Ingham, R.
James, E.
Jardine, R.
Jervoise, Sir J. C.
Kearsley, Captain R.
Kennedy, T.
King, hon. P. J. L.
Kinglake, A. W.
Kinglake, J. A.
Kingscote, Colonel
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E
Laing, S.
Layard, A. H.
Lamont, J.
Lawrence, W.
Lawson, rt. hon. J. A.
Leatham, W. H.
Lee, W.
Legh, Major C.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Locke, J.
Lusk, A.
MacEvoy, E.
Mackinnon, Capt. L. B.
Mackinnon, W. A.
M‘Laren, D.
Maguire, J. F.
Mainwaring, T.
Marjoribanks, D. C.
Marshall, W.
Martin, C. W.
Martin, P. W.
Matheson, A.
Matheson, Sir J.
Milbank, F. A.
Mill, J. S.
Miller, W.
Mills, J. R.
Milton, Viscount
Mitchell, A.
Mitchell, T. A.
Moffatt, G.
Moncrieff, rt. hon. J.
Monk, C. J.
Monsell, rt. hon. W.
Moore, C.
More, R. J.
Morris, W.
Morrison, W.
Murphy, N. D.
Neate, C.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
O'Donoghue, The
Ogilvy, Sir J.
Oliphant, L.
O'Loghlen, Sir C. M.
Onslow, G.
O'Reilly, M. W.
Otway, A. J.
Owen, Sir H. O.
Padmore, R.
Palmer, Sir R.
Pease, J. W.
Peel, rt. hon. Sir R.
Peel, A. W.
Peel, J.
Pelham, Lord
Peto, Sir S. M.
Philips, R. N.
Pim, J.
Platt, J.
Pollard-Urquhart, W.
Potter, E.
Potter, T. B.
Power, Sir J.
Price, R. G.
Price, W. P.
Pryse, E. L.
Pritchard, J.
Proby, Lord
Rawlinson, Sir H.
Rebow, J. G.
Robartes, T. J. A.
Robertson, D.
Rothschild, Baron M. de
Rothschild, N. M. de
Russell, A.
Russell, H.
Russell, F. W.
Russell, Sir W.
St. Aubyn, J.
Salomons, Mr. Ald.
Samuda, J. D'A.
Samuelson, B.
Scholefield, W.
Scott, Sir W.
Scrope, G. P.
Seely, C.
Seymour, H. D.
Shafto, R. D.
Sheridan, H. B.
Sheridan, R. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. A.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Staniland, M.
Stanley, hon. W. O.
Stansfeld, J.
Steel, J.
Stone, W. H.
Stuart, Col. Crichton-
Sullivan, E.
Synan, E. J.
Talbot, C. R. M.
Taylor, P. A.
Tite, W.
Torrens, W. T. M‘C.
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vivian, Capt. hn. J. C. W.
Waldegrave-Leslie, hn. G
Warner, E.
Watkin, E. W.
Weguelin, T. M.
Western, Sir T. B.
Whalley, G. H.
Whatman, J.

Whitbread, S.
White, J.
Whitworth, B.
Wickham, H. W.
Williamson, Sir H.
Winnington, Sir T. E.
Woods, H.
Wyld, J.
Wyvill, M.
Young, R.

TELLERS.

Brand, hon. H. B. W.
Adam, W. P.

NOES.

Adderley, rt. hon. C. B.
Annesley, hon. Col. H.
Anson, hon. Major
Archdall, Captain M.
Arkwright, R.
Baggallay, R.
Bagge, W.
Bagnall, C.
Bailey, Sir J. R.
Baillie, H. J.
Baring, H. B.
Baring, T.
Barnett, H.
Barrow, W. H.
Barttelot, Colonel
Bateson, Sir T.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bective, Earl of
Beecroft, G. S.
Bentinck, G. C.
Benyon, R.
Beresford, Capt. D. W. P.
Bernard, hon. Col. H. B.
Biddulph, Col. R. M.
Biddulph, M.
Bingham, Lord
Booth, Sir R. G.
Bourne, Colonel
Bovill, W.
Bridges, Sir B. W.
Bromley, W. D.
Brooks, R.
Browne, Lord J. T.
Bruce, Lord E.
Bruce, Major C.
Bruce, Sir H. H.
Bruen, H.
Buckley, E.
Bulkeley, Sir R.
Burghley, Lord
Burrell, Sir P.
Butler-Johnstone, H. A.
Cairns, Sir H. M'C.
Campbell, A. H.
Capper, C.
Carington, hon. C. R.
Cartwright, Colonel
Cave, S.
Cecil, Lord E. H. B. G.
Cholmeley, Sir M. J.
Clinton, Lord A. P.
Clive, G.
Clive, Capt. hon. G. W.
Cobbold, J. C.
Cochrane, A. D. R. W. B.
Cole, hon. J. L.
Conolly, T.
Courtenay, Lord
Cooper, E. H.
Cox, W. T.
Cranbourne, Viscount
Cubitt, G.
Curzon, Viscount
Cust, hon. C. H.
Dalkeith, Earl of
Dawson, R. P.
Dick, F.
Dickson, Major A. G.
Disraeli, rt. hon. B.
Dowdeswell, W. E.
Du Cane, C.
Duncombe, hon. W. E.
Dunkellin, Lord
Dunne, General
Du Pre, C. G.
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Earle, R. A.
Eaton, H. W.
Eckersley, N.
Edwards, Colonel
Egerton, Sir P. G.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Elcho, Lord
Fane, Lieut.-Col. H. H.
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Fergusson, Sir J.
Fitzwilliam, hn. C. W. W.
Floyer, J.
Forde, Colonel
Fort, R.
Freshfield, C. K.
Gallwey, Sir W. P.
Galway, Viscount
Gaskell, J. M.
George, J.
Getty, S. G.
Gilpin, Colonel
Goddard, A. L.
Goldney, G.
Gooch, D.
Gore, J. R. O.
Gore, W. R. O.
Gorst, J. E.
Grant, A.
Graves, S. R.
Greene, E.
Gregory, W. H.
Gray, Lieut.-Colonel
Grey, hon. T. de
Griffith, C. D.
Grosvenor, Earl
Grosvenor, Lord R.
Gurney, R.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, I. T.
Hamilton, Viscount
Hardy, G.
Hardy, J.
Hartopp, E. B.
Hay, Sir J. C. D.
Heathcote, hon. G. H.
Heathcote, Sir W.
Henley, rt. hon. J. W.
Henniker, Lord
Herbert, hon. P. E.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Hogg, Lt.-Col. J. M.
Holford, R. S.
Holmesdale, Viscount
Hood, Sir A. A.
Hope, A. J. B. B.
Hornby, W. H.
Horsfall, T. B.
Hotham, Lord
Howes, E.
Hubbard, J. G.
Huddleston, J. W.
Humphery, W. H.
Hunt, G. W.
Innes, A. C.
Jervis, Captain
Jolliffe, rt. hn. Sir W. G. H.
Jolliffe, H. H.
Jones, D.
Kekewich, S. T.
Kelk, J.
Kelly, Sir F.
Kendall, N.
Kennard, R. W.
Ker, D. S.
King, J. K.
King, J. G.
Knight, F. W.
Knightley, Sir R.
Knox, Colonel
Knox, hon. Major S.
Lacon, Sir E.
Laird, J.
Langton, W. G.
Lascelles, hon. E. W.
Leader, N. P.
Lechmere, Sir E. A. H.
Lefroy, A.
Lennox, Lord G. G.
Lennox, Lord H. G.
Leslie, C. P.
Liddell, hon. H. G.
Lindsay, hon. Colonel C.
Lindsay, Colonel R. L.
Lopes, Sir M.
Lowe, rt. hon. R.
Lowther, Captain
Lowther, J.
Lytton, rt. hn. Sir E. L. B.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Manners, Lord G. J.
Marsh, M. H.
Meller, W.
Miller, S. B.
Miller, T. J.
Montagu, Lord R.
Montgomery, Sir G.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Mowbray, rt. hon. J. R
Naas, Lord
Neeld, Sir J.
Newdegate, C. N.
Noel, hon. G. J.
North, Colonel
Northcote, Sir S. H.
O'Neill, E.
Packe, C. W.
Packe, Colonel
Pakington, rt. hon. Sir J.
Palk, Sir L.
Parker, Major W.
Patten, Colonel W.
Paull, H.
Peel, rt. hon. General
Pennant, hon. Colonel
Percy, Mjr-Gen. Lord H.
Philips, G. L.
Portman, hon. W. H. B.
Powell, F. S.
Read, C. S.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, J.
Royston, Viscount
Russell, Sir C.
Sandford, G. M. W.
Saunderson, E.
Schreiber, C.
Sclater-Booth, G.
Scott, Lord H.
Scourfield, J. H.
Selwin, H. J.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, S. G.
Smollett, P. B.
Somerset, Colonel
Stanhope, J. B.
Stanley, Lord
Stanley, hon. F.
Stirling-Maxwell, Sir W.
Stronge, Sir J. M.
Stuart, Lieut.-Col. W.
Stucley, Sir G. S.
Sturt, H. G.
Sturt, Lieut.-Col. N.
Surtees, F.
Surtees, H. E.
Sykes, C.
Thorold, Sir J. H.
Thynne, Lord H. F.
Tollemache, J.
Tomline, G.
Torrens, R.
Tottenham, Lt.-Col. C. G.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Turner, C.
Tyrone, Earl of
Vandeleur, Colonel
Verner, E. W.
Vernon, H. F.
Walcott, Admiral
Walker, Major G. G.
Walrond, J. W.
Walsh, A.
Walsh, Sir J.
Waterhouse, S.
Welby, W. E.
Whiteside, rt. hon. J.

Whitmore, H.
Williams, Colonel
Williams, F. M.
Wise, H. C.
Woodd, B. T.
Wyndham, hon. H.
Wyndham, hon. P.
Wynn, Sir W. W.
Wynn, C. W. W.
Wynne, W. R. M.
Yorke, J. R.

TELLERS.
Walpole, rt. hon. S. H.
Taylor, Colonel

VISCOUNT CRANBOURNE: I move that the Chairman do report Progress.

THE CHANCELLOR OF THE EXCHEQUER: As there is other matter of importance in this clause, and at this hour of night (nearly half past twelve), we offer no resistance to the Motion. [*Cries of* " When, when ? "]

THE CHANCELLOR OF THE EXCHEQUER: This day. [*Cries of* "Monday, Monday!" *from the Opposition, and* "This day! this day!" *from the Ministerial Benches.*]

MR. DODSON: The Motion now before the Committee is that I do report Progress. It is for the House to settle on what day the Committee will be resumed.

Motion *agreed to.*

House *resumed.*

MR. SPEAKER inquired on what day it was the pleasure of the House that the Committee should sit again.

THE CHANCELLOR OF THE EXCHEQUER: This day. [*Renewed cries of* " Monday ! " *from the Opposition.*]

Motion made, and Question proposed, "That this House will this day [Friday] again resolve itself into the said Committee."—(*Mr. Chancellor of the Exchequer.*)

VISCOUNT ROYSTON moved that the Committee sit again on Monday.

Amendment proposed, to leave out the words "this day," in order to insert the words "upon Monday next,"—(*Viscount Royston,*)—instead thereof.

Question proposed, "That the words 'this day' stand part of the Question."

THE CHANCELLOR OF THE EXCHEQUER said, that he had, though he hoped not unduly, pressed private and independent Members to give way on one or two occasions, but it would not be necessary to do so now. The Government were responsible for the conduct of business on Fridays, subject to certain rules of the House. Independent Members, as it was perfectly well known, had a right to make their own Motions upon the Order of the Day for going into Committee of Supply. After the Committee of Supply was over the Government were responsible for the business of the night; and on referring to the paper of business for to-morrow he perceived that the Notices of Motion on going into Committee of Supply were not of a character to occupy any great length of time, and, that being so, the Government, as far as depended on them, would employ the remaining time in making progress with the Reform Bill.

MR. DISRAELI said, that the proposition of the Chancellor of the Exchequer did not interfere with the privileges of private Members on the Friday night. The Motion for going into Committee of Supply would be made, and then hon. Gentlemen could bring forward their Motions; and afterwards, it would be unreasonable to interfere with the fair privilege of the Government. He was quite certain that the Chancellor of the Exchequer would not propose to proceed with the Reform Bill at any very late hour.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Committee to sit again *To-morrow.*

TRANSUBSTANTIATION, &c., DECLARATION ABOLITION BILL.

(*Sir Colman O'Loghlen, Sir John Gray, Mr. Cogan.*)

[BILL 82.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Sir Colman O'Loghlen.*)

MR. WHITESIDE appealed to the House and the Government not to press so important a measure at that late hour (a quarter before one o'clock).

SIR COLMAN O'LOGHLEN said, the principle of the measure having been affirmed by the House, he must press his Motion.

MR. WHITESIDE then moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Whiteside.*)

The House *divided:*—Ayes 46; Noes 46:—And the numbers being equal, Mr. Speaker stated that, as at this late hour one-half the House were indisposed to proceed with the discussion of the Bill, he should best discharge his duty by declaring himself with the Ayes.

Debate *adjourned* till *To-morrow.*

FINSBURY ESTATE BILL.

(*Mr. Ayrton, Mr. Locke.*)

[BILL 97.] SECOND READING.

Order for Second Reading read.

MR. AYRTON moved the second reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Ayrton.*)

MR. BRUCE took occasion to say that, although he should not at that late hour of the night oppose the Motion, his hon. and learned Friend must not be allowed to labour under the impression that the Bill would be permitted to pass through Committee without considerable alteration.

Notice taken, that 40 Members were not present; House counted, and 40 Members not being present,

House adjourned at One o'clock.

INDEX

TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CLXXXIII.

THIRD VOLUME OF THE SESSION 1866.

EXPLANATION OF THE ABBREVIATIONS.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

ABINGDON, Earl of
Selling and Hawking Goods on Sunday, 3R. 1673

ACLAND, Mr. T. D., *Devon, N.*
Cattle Plague, 363
Compulsory Church Rate Abolition, Leave, 634
Elective Franchise, 2R. 1542
Representation of the People, Comm. 1724
Supply—Charity Commission, 201;—Clergy, North America, 724;—Agricultural Statistics, 837

ADDERLEY, Right Hon. C. B., *Staffordshire, N.*
British North American Provinces, Confederation of the, 259
Elective Franchise, 2R. 1526
Representation of the People, Comm. 1824; *cl.* 4, 2102, 2105

Admiralty Court (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Ordered after short debate *May* 1, 280
Read 1°* *May* 2 [Bill 133]

ADVOCATE, The Lord (Right Hon. J. Moncreiff), *Edinburgh*
Cattle Plague, 1688
Glebe Lands (Scotland), 2R. 333
Lotteries for Charitable Purposes, 670; Explanation, 874
Lunacy Acts (Scotland) Amendment, Comm. *add. cl.* 842, 843; Preamble, 844
Representation of the People, Comm. 1759
Representation of the People (Scotland), Leave, 517
Scotland — Edinburgh Annuity Tax, Select Comm. moved for, 231;—Sheriffs' Substitute, 361;—Poor Law, 472

Agnew, Sir A., *Wigtonshire*
Cholera, The—Emigration Agents, 960
Glebe Lands (Scotland), 2R. 332
Isle of Man—Rinderpest in the, 2037

Akroyd, Mr. E., *Halifax*
Monetary Crisis — Bank Rate of Interest, 1439

Annesley, Lieut.-Col. Hon. H., *Cavan Co.*
Army—Medical Officers, Motion for Papers, 595

Annuities—Exchequer Bills
Question, Sir Stafford Northcote; Answer, Mr. Childers *June* 7, 2036

Anson, Hon. Major, A. H. A., *Lichfield*
Representation of the People, Comm. 1360

Anstruther, Sir R., *Fifeshire*
Army—Medical Officers, Motion for Papers, 585, 592, 598
Cattle Plague, 1688
Scotland—Postal Arrangements in Fifeshire, Res. 774

Argyll, Duke of (Lord Privy Seal)
Law of Capital Punishment Amendment, 2R. 252
Selling and Hawking Goods on Sunday, Comm. 944; 3R. 1678

Arkwright, Mr. R., *Leominster*
Re-distribution of Seats, 2R. 915

Armagh, Archbishop of
Ireland—Established Church, Motion for Returns, 435

Armstrong, Mr. Serjeant R., *Sligo*
Admiralty Court, Ireland, Leave, 281
Ireland—Marriages, 5;—Oyster Fisheries, 453

Army
Artillery—Guns and Gun-Cotton—Question, Sir George Stuckley; Answer, The Marquess of Hartington *June* 7, 2036
Brigade of Guards — Medical Officers of, Address for Papers (*Sir Robert Anstruther*) *May* 8, 585; after debate, Motion agreed to
Crawley, Colonel, Court Martial on, Question, Colonel Percy Herbert; Answer, Mr. Headlam *June* 1, 1690
Hong Kong—Troops at, Question, Mr. Locke; Answer, The Marquess of Hartington *May* 11, 768
Militia Pensions, Question, Mr. Freville-Surtees; Answer, The Marquess of Hartington *May* 8, 583 — *War Office Commission*, Question, The O'Donoghue; Answer, The Marquess of Hartington *May* 11, 770
Musketry Instruction, Question, Sir Charles Russell; Answer, The Marquess of Hartington *May* 11, 817

[*cont.*

Army—cont.
Norwich Barracks, Question, Mr. Warner; Answer, The Marquess of Hartington *June* 4, 1794
Royal Gun Factory, Question, Sir John Hay; Answer, The Marquess of Hartington, *May* 24, 1197
Sandhurst College, Question, Major Jervis; Answer, The Marquess of Hartington *May* 28, 1311
War Office Warrants, Question, Mr. O'Reilly; Answer, The Marquess of Hartington *May* 10, 669

Army and Navy — Medical Officers in the
Question, Colonel North; Answer, The Marquess of Hartington *May* 8, 583

Art Bill [H.L.] (*The Lord Stanley of Alderley*)
l. Read 3^{a}* *April* 20
Royal Assent *April* 30 [29 *Vict.* c. 16]

Art Union Laws
Select Committee nominated *April* 30

Attorney General, The (Sir Roundell Palmer), *Richmond*
Bankruptcy Law Amendment, 2R. 673, 708
Bribery at Elections, Res. 1457
Convicts' Property, Comm. 427
Crown Lands, Comm. *cl.* 6; Amendt. 426; *cl.* 7, *ib.*
Edmunds, Mr., Proceedings against, 768
Elective Franchise, 2R. 1523
Marriage with a Deceased Wife's Sister, 2R. 321
Patents, Specification of, 961
Real Estate Intestacy, 2R. 1989
Reigate Election, Motion for a Joint Address, 278
Representation of the People, Comm. 1335, 1650

Attorneys and Solicitors (Ireland), 1866, Bill [H.L.] (*The Lord Chelmsford*)
l. Moved, "That the House do now resolve itself into a Committee" *May* 14, 852; after debate, agreed to
Report* *May* 15
Read 3^{a}* *May* 17
Royal Assent *August* 6 [29 & 30 *Vict.* c. 84]

Australia—The Ministerial "Dead Lock" in Victoria
Question, Lord Robert Montagu; Answer, Mr. Cardwell *May* 24, 1197

Austria, Prussia, and Italy
Observations, Mr. Darby Griffith; Reply, Mr. White *May* 4, 473; Question, Earl Cadogan; Answer, The Earl of Clarendon *May* 8, 569
Gastein Convention, The, Question, Mr. Watkin; Answer, Mr. Layard *May* 31, 1553
Immunity of Merchant Ships, Question, Mr. Gregory; Answer, Mr. Layard *May* 31, 1551

Ayrton, Mr. A. S., *Tower Hamlets*
Bankruptcy Law Amendment, 2R. 701
Commons (Metropolis), 2R. Adj. moved, 1281, 1282, 1288
Courts of Justice, The New, 1182
Crown Lands, Comm. 423; *cl.* 26, 426; 3R. Amendt. 921
Elections (Returning Officers), 2R. 1289
Finsbury Estate, 2R. 2135
Imperial Gas Company, 2R. 582
Ireland—Cholera in Cork Harbour, 360
London Gas, 3R. Amendt. 1434
Metropolis Water Supply, Comm. moved for, 615
Metropolitan Board of Works, Commission moved for, 1959
Nottingham Writ, 430, 433
Representation of the People, Comm. 1946
Supply—Houses of Parliament, 196;—Charity Commission, 201;—Quarantine Establishment, 203
Ways and Means—Financial Statement, Comm. Res. 1, 415; Res. 7, 550

Aytoun, Mr. R. S., *Kirkcaldy*
Scotland—Postal Arrangements in Fifeshire, Res. 775

Bagnall, Mr. C., *Whitby*
Holderness Embankment, &c. 2R. 1974
Representation of the People, Comm. 1366

Bagwell, Mr. J., *Clonmel*
Hop Trade, Comm. 213
Ireland—Suspension of the Habeas Corpus Act, 456
Tenure and Improvement of Land (Ireland), 2R. Adj. moved, 1123

Baillie, Mr. H. J., *Inverness-shire*
Continental Affairs, State of, 483
Ireland—Chief Justice Lefroy, 356
Navy—The "Bellerophon," 1437
Representation of the People, 166, 170
Representation of the People (Scotland), Leave, 527
Supply—University of London, 185

Baines, Mr. E., *Leeds*
Compulsory Church Rate Abolition, Leave, 633
Indemnity Bill, 871
Representation of the People, 2R. 56

Ballard, Emily Jane—Case of
Question, Mr. Sherriff; Answer, Sir George Grey *May* 2, 283

Ballot, The
Question, Mr. Monk; Answer, Mr. Berkeley *May* 11, 770

Banbury Election
House informed, that the Committee had determined, That Bernhard Samuelson, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Banbury. And the said determination was ordered to be entered in the Journals of this House. House further informed, That the Committee had agreed to the following Resolution:—That Bernhard Samuelson, esquire, was not disqualified to be elected and returned to sit in Parliament by reason of his being an alien *April* 30, 159

Bandon, Earl of
Tenure (Ireland), 2R. 753

Bangor, Viscount
Post Office Clerks, 765

Bank of England—Rate of Interest—Issue of Notes—See *Monetary Crisis*

Bankruptcy Law Amendment, &c., Bill
(*Mr. Attorney General, Mr. Solicitor General, Sir G. Grey*)
c. Moved, "That the Bill be now read 2°" (*Mr. Attorney General*), 673; after long debate, Read 2° *May* 10 [Bill 106]

Baring, Hon. T. G. (Secretary to the Admiralty), *Penryn & Falmouth*
Dockyard Voters, Disfranchisement of, 482
Navy—Commodore De Courcey, 1145;—The "Bellerophon," 1437; — Chaplain of the "Black Prince," 1441
North America—Armed Ships on the Coast of, 1940
Spain and Chile—War between, 985
Supply—University of London, 189

Baring, Mr. T., *Huntingdon*
Spain and Chile—War between, 984

Barnett, Mr. H., *Woodstock*
Bankruptcy Law Amendment, 2R. 700
Convicts' Property, Comm. 431
Representation of the People, Comm. 1368
Supply—Printing and Stationery, 208

Barron, Sir H. W., *Waterford City*
Ireland—Suspension of the Habeas Corpus Act, Res. 457;—Medical Officers, Res. 1953
Representation of the People (Ireland), Leave, 540

Barrow, Mr. W. H., *Nottinghamshire, S.*
Real Estate Intestacy, 2R. 2007
Representation of the People, Comm. 1335

Barttelot, Colonel W. B., *Sussex, W.*
Representation of the People, Comm. 1392
Ways and Means—Financial Statement, Comm. Res. 1, 416

Bateson, Sir T., *Devizes*
Reform Bills, The, 1796
Representation of the People, Comm. 1850

Bath, Marquess of
Selling and Hawking Goods on Sunday, 3R. 1680

Baxter, Mr. W. E., *Montrose, &c.*
  Bridgwater Election, 1797
  Representation of the People, Comm. 1598
  Scotland—Poor Law, 472
  Totnes Election, Motion for a Joint Address, 264, 269

Bazley, Mr. T., *Manchester*
  Bank Charter Act, Suspension of the, 840
  Bankruptcy Law Amendment, 2R. 706
  Monetary Crisis—Panic in the City, 772

Beach, Sir M. E. Hicks-, *Gloucestershire, E.*
  Convicts' Property, Comm. 429
  Representation of the People, 2R. 53

Beach, Mr. W. W. B., *Hants, N.*
  Cattle Plague—Forage for the Army, 1689, 1690
  Crown Lands, Comm. *cl.* 4, 425
  Marriages (Sydmonton), Leave, 1475

Belfast Constabulary Bill
(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Ordered; read 1°* *May* 14 [Bill 159]
  Read 2°* *May* 17
  Committee*; Report *May* 28
  Read 3°* *May* 30
l. Read 1ª* (*The Lord Dufferin*) *May* 31 (No. 133)

Belmore, Earl of
  Poor Persons' Burial (Ireland), Commons Amendts. 1791
  Railways, Finance of, 869
  Record of Title (Ireland) Act, &c. Motion for Returns, 3
  Tenure (Ireland), 2R. 755

Belper, Lord
  Exchequer and Audit Departments, 2R. 1682
  Law of Capital Punishment Amendment, 2R. 256

Bentinck, Mr. G. Cavendish, *Whitehaven*
  Courts of Justice, The New, 180, 1178
  Fellows of Colleges Declaration, 3R. 2018
  National Gallery Enlargement, 2R. 741
  Supply—University of London, 191, 192;—Chapter House, Westminster, 193, 194;—Quarantine Establishment, 203, 206;—Public Education, 721; Adj. moved, 722;—Governors of Colonies, 724, 726;—Orange River Territory, 727, 728;—Suppression of Slave Trade, 733, 739;—Ancient Laws, &c. (Ireland), 835

Berkeley, Hon. F. H. F., *Bristol*
  Ballot, The, 770

Biddulph, Mr. M., *Herefordshire*
  Monetary Crisis—Panic in the City, 772

Blake, Mr. J. A., *Waterford City*
  Ireland—Suspension of the Habeas Corpus Act, Res. 445

Bonham-Carter, Mr. J., *Winchester*
  Cattle Inspectors, Payment of, 771

Bouverie, Right Hon. E. P., *Kilmarnock, &c.*
  Crown Lands, Comm. 427
  Fellows of Colleges Declaration, 3R. 2008, 2011
  Lunacy Acts (Scotland) Amendment, Comm. *add. cl.* 842, 843
  Re-distribution of Seats, Leave, 508
  Reigate Election, Motion for a Joint Address, 277
  Representation of the People, 167; Comm. Res. 1319, 1320, 1945
  Totnes Election, Motion for a Joint Address, 260
  Whitsuntide Recess, 484

Bowyer, Sir G., *Dundalk*
  Bribery at Elections, Res. 1471
  Courts of Justice, The New, 1178
  Exchequer and Audit Departments, Consid. *cl.* 4, 422
  Ireland—The Irish Bench, 805

Brady, Mr. J., *Leitrim Co.*
  Army—Medical Officers, Motion for Papers, 588
  Imperial Gas Company, 2R. 582
  Ireland—Irish Society, Motion for Papers, 609;—Medical Officers, Res. 1955
  Reigate Election, Motion for a Joint Address, 276
  Representation of the People (Ireland), Leave, 539
  Supply—Quarantine Establishment, 206;—Probate and Divorce, &c. Courts, 210;—Metropolitan Police, 211, 212
  Totnes Election, Motion for a Joint Address, 268

Bridges, Sir B. W., *Kent, E.*
  Manchester, Sheffield and Lincolnshire Railway, Consid. *add. cl.* 1939
  Supply—Lunacy Commission, &c. 200;—Charity Commission, 202

Bridgwater Election
  Motion, "That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of a Burgess to serve in this Present Parliament for the borough of Bridgwater, in the room of Henry Westropp, esquire, whose election has been determined to be void" (*Colonel Taylor*) *May* 31, 1666
  Amendt. to leave out "That" and add "an humble Address be presented to Her Majesty, &c." (*Sir Harry Verney*); after short debate, Question, "That the words, &c.;" A. 123, N. 12; M. 111; main Question agreed to
  Question, Sir Harry Verney; Answer, Mr. Baxter *June* 4, 1797

Bright, Mr. J., *Birmingham*
  Compulsory Church Rate Abolition, Leave, 635
  Elective Franchise, 2R. 1511, 1523
  Real Estate Intestacy, 2R. 1992, 2003
  Representation of the People, 2R. 16, 17, 83; Comm. 1339; *cl.* 4, 2063, 2105

British North American Provinces, Confederation of the
Question, Mr. Adderley; Answer, Mr. Cardwell *May* 1, 259

Brougham, Lord
Law of Capital Punishment Amendment, Comm. 2021

Browne, Lord J. T., *Mayo Co.*
Ireland—Oyster Fisheries, 441;—Re-valuation of Property, 669;—Cattle Plague, 965

Bruce, Rt. Hon. H. A., *Merthyr Tydvil*
Cattle Inspectors, Payment of, 771
Cattle Plague, The, 1049;—Rinderpest in the Isle of Man, 2037
Cholera, The—Emigration Agents, 960, 987;—at Liverpool, 1147
Education—The Revised Code, 1794
Finsbury Estate, 2R. 2136
Veterinary Surgeons, 2R. 656

Bruce, Sir H. H., *Coleraine*
Ireland—Irish Society, Motion for Papers, 607

Bruce, Mr. C. L. Cumming-, *Elgin & Nairnshire*
Scotland—Sheriffs' Substitute, 361

Bryan, Mr. G. L., *Kilkenny Co.*
Ireland—Chief Justice Lefroy, 353, 358;—The Irish Bench, 778, 785, 794

Buccleuch, Duke of
Crown Lands, 2R. 2025

Buller, Sir E. M., *Staffordshire, N.*
National Debt, Comm. Res. 556
Representation of the People, Comm. *cl.* 4, 2090, 2091, 2106

Burials in Burghs (Scotland) Bill
(*Mr. Baxter, Mr. Carnegie*)
c. Ordered; read 1° * *May* 2 [Bill 132]
Read 2° * *May* 9
Committee *; Report *May* 10
Read 3° * *May* 11
l. Read 1ª * (*The Earl of Airlie*) *May* 14
Read 2ª * *June* 5 (No. 112)
Committee *; Report *June* 7

Burrell, Sir P., *New Shoreham*
Fenian Conspiracy, Comm. moved for, Adj. moved, 1696

Business of the House
Question, Mr. Laing; Answer, Mr. Hubbard *May* 24, 1199

Butler-Johnstone, Mr. H. A., *Canterbury*
Representation of the People, 2R. 31

Buxton, Mr. C., *Surrey, E.*
Bribery at Elections, Res. 1445
Caterham Junction, Collision at the, 1439
Commons (Metropolis), 2R. 1287
Marriage with a Deceased Wife's Sister, 2R. 311
Reigate Election, Motion for a Joint Address, 275

Cadogan, Earl
Austria, Prussia, and Italy, 569, 572

Cairns, Sir H. M., *Belfast*
Court of Chancery (Ireland), 2R. 927
Ireland—Tenants' Improvements, 769;—The Irish Bench, 783;—National Education, Comm. moved for, 1029
Re-distribution of Seats, Leave, 512
Reform Bills, The, 1795
Representation of the People, Comm. 1328, 1402; Adj. moved, 1666, 1697, 1762
Representation of the People (Ireland), Leave, 534

Candlish, Mr. J., *Sunderland*
Compulsory Church Rate Abolition, Leave, 627
Holderness Embankment, &c. 2R. 1975
Representation of the People, Comm. 1624
Supply—Quarantine Establishment, 204;—Metropolitan Police, 212;—Clergy, North America, 724;—Orange River Territory, 727;—Embassies, &c. 735;—Non-conforming, &c. Ministers, 833

Canterbury, Archbishop of
Education, Minute of Council on—The Conscience Clause, 847, 850
Selling and Hawking Goods on Sunday, 2R. 343

Cardigan, Earl of
Law of Capital Punishment Amendment, 2R. 256

Cardwell, Right Hon. E. (Secretary of State for the Colonies), *Oxford City*
Australia—Ministerial "Dead Lock" in Victoria, 1197
British North American Provinces, Confederation of the, 259
Colonial Bishops, Leave, 1032, 1198
Jamaica—The Commission, 364;—Bill of Indemnity, 873
Re-distribution of Seats, 2R. 901
Representation of the People, Comm. 1404, 1946
Supply—Governors of Colonies, 724, 726;—Justices, West Indies, 726;—Western Coast of Africa, 727;—St. Helena, *ib.*;—Orange River Territory, *ib.* 728;—Labuan, *ib.*;—Emigration, 729, 730;—Special Missions, 736
United States and Canada—The Reciprocity Treaty, 1177

Carlisle, Bishop of
Selling and Hawking Goods on Sunday, Comm. 940

CARNARVON, Earl of
  Cholera among German Emigrants, Motion for Papers, 950, 954
  Criminals Imprisoned for Life, Motion for Returns, 344
  Education, Minute of Council on—The Conscience Clause, 851
  Metropolitan Workhouse Infirmaries, 1143
  Prosecution Expenses, 2R. 478

Carriage and Deposit of Dangerous Goods Bill (*Mr. Milner Gibson, Mr. Monsell*)
c. Resolution in Committee; Bill ordered* *May* 29
  Read 1° * *May* 30 [Bill 168]

Caterham Junction, Collision at the
  Question, Mr. Buxton; Answer, Mr. Milner Gibson *May* 29, 1439

Cattle Assurance Bill (*The Lord President*)
l. Read 2ª * *May* 17 (No. 83)
  Committee*; Report *May* 18
  Read 3ª * *May* 28
  Royal Assent *June* 11 [29 *Vict.* c. 34]

Cattle Disease
  Cattle Inspectors, Payment of, Observations, Mr. Bonham-Carter; Reply, Mr. H. A. Bruce *May* 11, 771
  Cattle, Sales of, at Markets and Fairs, Question, Mr. Read; Answer, Sir George Grey *May* 10, 672; Question, Mr. Read; Answer, Sir George Grey *May* 18, 1144
  Cattle, Slaughter of, Question, Mr. Read; Answer, Sir George Grey *May* 3, 360; Question, Lord Robert Montagu; Answer, Sir George Grey *May* 4, 437; Question, Sir William Stirling-Maxwell; Answer, Sir George Grey *May* 11, 812
  Cattle Disease in the Isle of Man, Question, Sir Andrew Agnew; Answer, Mr. Bruce *June* 7, 2037
  Dutch Cattle, Importation of, Question, Mr. Harvey Lewis; Answer, Sir George Grey *April* 27, 5
  Forage for the Army, Question, Mr. Beach; Answer, Mr. Headlam *June* 1, 1689
  Prevention Act, Question, Mr. Cheetham; Answer, Sir George Grey *May* 1, 259
  Questions (various), Question, Mr. Acland; Answer, Sir George Grey *May* 3, 363; Question, Sir Jervoise Jervoise; Answer, Mr. H. A. Bruce *May* 17, 1049; Question, Mr. Gore Langton; Answer, Sir George Grey *June* 1, 1686

CAVE, Mr. S., *New Shoreham*
  Clerks to Justices, 2R. 648
  Mines Assessment, Leave, 279
  National Debt, 486

CAVENDISH, Lord F. C., *Yorkshire, W.R.—N.*
  Representation of the People, Comm. 1611

CECIL, Lord E. H. B. G., *Essex, S.*
  Post Office Savings Banks and Annuity Offices, 777, 1438

CHAMBERS, Mr. M., *Devonport*
  Elective Franchise, 2R. 1543

CHAMBERS, Mr. T., *Marylebone*
  Compulsory Church Rate Abolition, Leave, 629
  Marriage with a Deceased Wife's Sister, 2R. 284, 327

CHANCELLOR, The LORD (Lord Cranworth)
  Attorneys and Solicitors (Ireland), Comm. 852, 856
  Criminals Imprisoned for Life, Motion for Returns, 349
  Crown Lands, 2R. 2026
  Law of Capital Punishment Amendment, 2R. 232, 258; Comm. *cl.* 4, 1545, 1548, 1550, 2020
  Pensions, Comm. 1936
  Princess Mary of Cambridge, Marriage of, Message from the Queen, 1933
  Selling and Hawking Goods on Sunday, Comm. *cl.* 2, Amendt. 947; 3R. 1142, 1673

CHANCELLOR of the EXCHEQUER (Right Hon. W. E. Gladstone), *Lancashire, S.*
  Adjournment of the House, 965, 1150
  Bank Charter Act, Suspension of the, 841
  Business, Order of, 1314, 1317
  Compulsory Church Rate Abolition, Leave, 619, 634, 1150, 1553, 1941
  Congress, The Proposed, 1200;—Abandonment of, 1947
  Courts of Justice, The New, 1184
  Crown Lands, 3R. 924
  Customs and Inland Revenue, 2R. 1127, 1130, 1216, 1219; Comm. *cl.* 1, 1408
  Dockyard Voters, 1184
  Elective Franchise, 2R. Amendt. 1477, 1485
  Electoral Statistics, 874
  Hop Trade, Comm. *cl* 2, 213
  Ireland—National Education, 1030;—Medical Officers, Res. 1949
  Monetary Crisis—Panic in the City, 772;—Bank Advances, 1050, 1148;—Bank rate of Interest, 1440
  National Debt, 440, 441, 485, 486; Comm. Res. 555, 558, 562
  Post Office Savings Banks, Annuity and Insurance Offices, 1438
  Princess Mary of Cambridge—Queen's Message, 2038
  Real Estate Intestacy, 2R. 2007
  Re-distribution of Seats, Leave, 486, 514; 2R. 920, 1437
  Reform Bills, The, 1795, 1796
  Representation of the People 2R. 45, 46, 113; Explanation, 163, 166, 167, 170, 172; Comm. 1321, 1347, 1397; Adj. moved, 1406, 1644, 1718, 1720, 1768, 1871, 1917; Res. 1942, 1944, 1945, 1946; Preamble, Amendt. 2042; *cl.* 3, 2042; *cl.* 4, 2042, 2068, 2103, 2114, 2115, 2122, 2125, 2133
  Representation of the People (Ireland), 584
  Representation of the People (Scotland), 584

[*cont.*

CHANCELLOR of the EXCHEQUER—*cont.*
Supply—University of London, 190, 193;—Chapter House, Westminster, 194;—Public Education, 722;—Bermudas, 722;—Clergy, North America, 723, 724;—Governors of Colonies, 725;—Justices, West Indies, 727
Tenure and Improvement of Land (Ireland), 2R. 1123, 1126
Terminable Annuities, 1201; 2R. 1220, 1245
Transubstantiation, &c. Declaration Abolition, 2R. 640
Voting Papers, 1793
Ways and Means—Financial Statement, Comm. Res. 1, 365, 411, 417, 420, 545; Res. 7, 549; Res. 9, 555
Whitsuntide Recess, 484, 485

Charitable Trusts Deeds Enrolment Bill [H.L.] (*The Lord Chancellor*)
l. Presented; read 1^{a} * *June* 7 (No. 146)

CHEETHAM, Mr. J., *Salford*
Cattle Diseases Prevention Act, 259

CHELMSFORD, Lord
Attorneys and Solicitors (Ireland), Comm. 853
Court of Queen's Bench (Ireland)—Lord Chief Justice Lefroy, Explanation, 744
Crown Lands, 2R. 2026
India — Court of Small Causes (Bombay), Motion for Papers, 1290, 1300, 1303, 1304, 1308
Pensions, Comm. 1936
Prosecution Expenses, 2R. 477, 478
Selling and Hawking Goods on Sunday, 2R. 335; Comm. 479, 480, 481, 937; *cl.* 2, 946, 948; *cl.* 4, 948; *cl.* 9, 949; Report, 1038, 1043, 1048

Cheltenham Election
House informed, that the Committee had determined, That Charles Schreiber, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Cheltenham. And the said Determination was ordered to be entered in the Journals of this House. House further informed of certain Resolutions of the Committee *May* 7, 482

CHILDERS, Mr. H. C. E. (Secretary to the Treasury), *Pontefract*
Annuities—Exchequer Bills, 2036
Crown Lands, Comm. 425; *cl.* 4, 426, 427
Customs and Inland Revenue, 2R. 1127
Duchy of Cornwall, 962
Exchequer and Audit Departments, Consid. *cl.* 4, 421
Fishery Piers and Harbours (Ireland), 2R. 739
Ireland—The Constabulary, 484;—Ordnance Survey, 1554;—Medical Officers, Res. 1955
Labouring Classes' Dwellings (Ireland), 2R. 740
Poor Relief at Plymouth, 1147
Records of Great Britain and Ireland, 1192
Saturday Half Holiday, 173, 177
Scotland—Postal Arrangements in Fifeshire, 775
Solicitor to the Treasury, 2R. 844
[*cont.*

CHILDERS, Mr. H. C. E.—*cont.*
Supply—University of London, 187, 193;—Holyhead and Port Patrick Harbours, 195;—Public Buildings (Ireland), 195;—New Record Buildings, Dublin, 196;—Queen's University (Ireland) Buildings, 196;—Ulster Canal, 196;—Houses of Parliament, 197;—Office of Woods, &c. 198;—Poor Law Commission, 198;—Copyhold, Tithe, and Inclosure Commission, 199;—Audit Office, 199;—Lunacy Commission, &c. 200;—Superintendents of Roads, South Wales, 200;—Registrars of Friendly Societies, 201;—Charity Commission, 202;—Quarantine Establishment, 203, 204, 205, 206;—Printing and Stationery, 207, 208;—Probate and Divorce, &c. Courts, 209, 210;—Public Education, 722;—Clergy, North America, 723;—Captured Negroes, 732, 733;—Special Missions, 737, 738; Adj. moved, 739;—Non-conforming, &c. Ministers, 832, 833;—Patent Law Expenses, 834;—Inspector of Corn Returns, 834;—Ancient Laws, &c. (Ireland), 835;—Flax Cultivation (Ireland), 836;—Civil Contingencies, 839, 840; Report, 842
Terminable Annuities, 2R. 1269, 1271
Ways and Means—Financial Statement, Comm. Res. 1, 412

China
Chinese Visitors, Question, Colonel Sykes; Answer, Mr. Layard *May* 31, 1552
Rebels in, Amendt. on Committee of Supply *May* 11, To leave out "That" and add "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House Copies of the Official Notification and Address of Consul Meadows at Newchang to the Foreign Community, dated the 4th October 1865, respecting the danger to life and property from the proximity of rebels; also of the Official Notification and Address of Consul Medhurst of Hankow to the foreign community, dated 21st January 1866, to devise measures against an expected attack from a body of revolted Imperial Troops, and the advance of the Nienfee rebels" (*Colonel Sykes*), 814; after short debate, Question, "That the words, &c." put, and agreed to

Cholera, The
Question, Mr. Sandford; Answer, Mr. H. A. Bruce *May* 15, 986—*at Liverpool,* Question, Mr. Laird; Answer, Mr. H. A. Bruce *May* 18, 1146
Cork Harbour, Cholera in, Observations, Mr. Maguire; Reply, Sir George Grey *May* 3, 358—*Quarantine,* Question, Mr. Maguire; Answer, Sir George Grey *May* 4, 436
Emigration Agents, Question, Sir Andrew Agnew; Answer, Mr. H. A. Bruce *May* 15, 960
German Emigrants, Cholera among, Motion for Papers (*The Earl of Carnarvon*) *May* 15, 950; after short debate, Motion agreed to

Church Rates
Question, Lord John Manners; Answer, Mr. Hardcastle *May* 4, 438

Church Temporalities Acts (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Ordered* *May* 1
Read 1° * *May* 2 [Bill 134]

Civil Service, Saturday Half-Holiday for the
Question, Mr. O'Reilly; Answer, Mr. Childers *April* 30, 172

CLANCARTY, Earl of
Tenure (Ireland), 2R. 753

CLANRICARDE, Marquess of
Ireland—Cattle Disease, 928;—Fenian Conspiracy, 1672
Private Bills — Standing Order No. 184, Amendt. 1781, 1791
Railways, Finance of, 865
Record of Title (Ireland) Act, Motion for Returns, 1
Selling and Hawking Goods on Sunday, 3R. Adj. moved, 1142
Tenure (Ireland), 2R. 745, 752, 755, 764

CLARENDON, Earl of (Secretary of State for Foreign Affairs)
Austria, Prussia, and Italy, 571, 572, 577
Congress of Paris, Explanation, 1921
Europe—State of, 1133
Persia—Nestorians in, 565
Schools, Public, 2R. 1408, 1415; Comm. *cl.* 4, 1924; *cl.* 5, 1926, 1928; *cl.* 16, 1929; *cl.* 17, 1930; Amendt. 1932; *cl.* 21, 1933

CLAY, Mr. J., *Kingston-upon-Hull*
Elective Franchise, 2R. 1483, 1485, 1486
Holderness Embankment, &c. 2R. 1971, 1972
Representation of the People, Comm. 1325

Clerks to Justices Bill
(*Mr. Colvile, Sir Henry Hoare*)
c. Moved, "That the Bill be now read 2°" (*Mr. Colvile*) *May* 9, 644
Amendt. to leave out "now" and add "upon this day six months" (*Mr. Goldney*); after short debate, Question, "That 'now,' &c." put, and negatived; words added; main Question agreed to; Bill put off for six months

CLEVELAND, Duke of
Private Bills—Standing Order No. 184, 1790
Selling and Hawking Goods on Sunday, 3R. 1139

CLIVE, Mr. G., *Hereford*
Elective Franchise, 2R. 1493

COCHRANE, Mr. A. D. Baillie, *Honiton*
Business, Order of, 1312
Metropolitan Board of Works, Commission moved for, 1955
Public Boards and Metropolitan Improvements, Commission moved for, 1194
Representation of the People, Comm. 1404, 1405, 1731

[*cont.*

COCHRANE, Mr. A. D. Baillie—*cont.*
Spain and Chile—War between, 983
Supply—University of London, 189

COGAN, Mr. W. H. F., *Kildare Co.*
Ireland—Chief Justice Lefroy, 355
Representation of the People (Ireland), Leave, 537
Supply—Non-conforming, &c. Ministers, 833
Transubstantiation, &c. Declaration Abolition, 2R. 636

COLEBROOKE, Sir T. E., *Lanarkshire*
Lunacy Acts (Scotland) Amendment, Comm. *add. cl.* 843
Representation of the People (Scotland), Leave, 524

COLERIDGE, Mr. J. D., *Exeter*
Marriage with a Deceased Wife's Sister, 2R. 317
Representation of the People, Comm. 1858

COLLIER, Sir R. P., *see* SOLICITOR GENERAL, The

Colonial Bishoprics Bill
Question, Mr. Walpole; Answer, Mr. Cardwell *May* 24, 1198

Colonial Bishops Bill
(*Mr. Secretary Cardwell, Mr. Attorney General, Mr. W. E. Forster*)
c. Ordered, after debate; read 1° *May* 15, 1032 [Bill 160]

COLVILE, Mr. C. R., *Derbyshire, S.*
Clerks to Justices, 2R. 644, 654
Mines Assessment, Leave, 279

Commons (Metropolis) Bill
Question, Sir William Jolliffe; Answer, Mr. Cowper *May* 7, 483

Commons (Metropolis) Bill
(*Mr. Cowper, Mr. Childers*)
c. Moved, "That the Bill be now read 2°" (*Mr. Cowper*) *May* 24, 1278 [Bill 84]
Moved, "That the debate be now adjourned" (*Mr. Ayrton*); after short debate, Motion withdrawn
Amendt. to leave out "That" and add "it is inexpedient to transfer the duty with which the Metropolitan Board is by Law invested to an irresponsible Board, having power to incur expenditure and to charge the same on the ratepayers of the Metropolis; but it is desirable to amend the Inclosure Acts so as to enable the Metropolitan Board and local authorities in towns, with the aid of the Inclosure Commissioners, to acquire, by purchase or gift, rights in Commons, in order that the same may be kept open for the recreation of the inhabitants of the Metropolis and such towns" (*Mr. Ayrton*); Question, "That the words, &c.;" after debate, Amendt. withdrawn; main Question agreed to; Bill committed to a Select Committee; Instruction to the Committee *May* 24, 1288
Select Committee nominated *June* 4, 1920

Companies' Act (1862) Amendment Bill
(*Mr. M. Gibson, Mr. Monsell, Mr. Brand*)
c. Considered in Committee; Bill ordered * *May* 3
Read 1° * *May* 7 [Bill 139]
Read 2° * *May* 14
Committee *; Report *May* 17
Read 3° * *May* 24
l. Read 1ª * (*The Lord Stanley of Alderley*) *May* 28 (No. 124)
Read 2ª * *May* 31
Moved, "That the House do now resolve itself into a Committee" (*The Lord Stanley of Alderley*) *June* 7, 2028
Amendt. to leave out ("now") and insert ("this day three months") (*Earl Grey*); after debate, on Question, "That ('now,') &c.;" Cont. 14, Not-Cont. 17; M. 3; resolved in the negative, and House to be in Committee this day three months; Division List, Cont. and Not-Cont. 2035

Compulsory Church Rate Abolition Bill
(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. M. Gibson, Mr. Attorney General*)
c. Motion for Leave (*Mr. Chancellor of the Exchequer*); Bill ordered, after long debate; read 1° *May* 8, 619 [Bill 143]

Compulsory Church Rate Abolition Bill
Question, Lord John Manners; Answer, The Chancellor of the Exchequer *May* 18, 1150; Question, Mr. Freville-Surtees; Answer, The Chancellor of the Exchequer *May* 31, 1553; Question, Viscount Galway; Answer, The Chancellor of the Exchequer *June* 5, 1941

Congress
European Affairs, Congress on, Question, Mr. Sandford; Answer, Mr. Layard *May* 18, 1149
Congress, The Proposed, Question, Mr. Disraeli; Answer, The Chancellor of the Exchequer *May* 24, 1199
Abandonment of the, Question, General Peel; Answer, The Chancellor of the Exchequer *June* 5, 1947; Personal Explanation, The Earl of Clarendon *June* 5, 1921

Consecration of Churchyards Bill [H.L.]
(*The Lord Redesdale*)
Presented; read 1ª * *May* 3 (No. 97)

Contagious Diseases Prevention Bill
(*Lord Clarence Paget, Mr. Childers*)
Considered * *April* 27 [Bill 117]
Read 3° * *April* 30
l. Read 1ª * (*The Duke of Somerset*) *May* 1
Read 2ª * *May* 7 (No. 95)
Committee * *May* 14
Report * *May* 15
Read 3ª * *May* 17
Royal Assent *June* 11 [29 *Vict*. c. 35]

Convicts' Property Bill
(*Mr. Attorney General, Sir G. Grey*)
c. Committee; after short debate reported *May* 3, 427
Read 3° * *May* 14 [Bill 105]
l. Read 1ª * *May* 15 (No. 116)

Corry, Right Hon. H. T. L., *Tyrone Co.*
Representation of the People (Ireland), Leave 539
Supply—Non-conforming, &c. Ministers, 832

County Assessments Bill
(*Mr. Knatchbull-Hugessen, Sir George Grey*)
c. Ordered * *June* 5
Read 1° * *June* 6 [Bill 179]

Court of Chancery (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Order read, for resuming Adjourned Debate on Question, "That the Bill be now read 2°" *May* 9, 657
Motion, "That the debate be now adjourned" (*Mr. Whiteside*); Motion withdrawn; Question again proposed, "That the Bill be now read 2°;" Amendt. to leave out 'now,' and add "upon this day six months" (*Mr. Whiteside*); Question, "That 'now, &c.;" after long debate, Debate adjourned
Debate [9th May] resumed *May* 14, 927; after short debate, Question agreed to; main Question agreed to; Bill read 2° [Bill 19]

Courts of Justice, The New
Question, Mr. Bentinck; Answer, Mr. Cowper *April* 30, 180; *May* 8, 1178

Cowen, Mr. J., *Newcastle-upon-Tyne*
Bankruptcy Law Amendment, 2R. 707

Cowper, Right Hon. W. F. (Chief Commissioner of Works), *Hertford*
Commons (Metropolis), 483; 2R. 1278, 1281, 1287
Imperial Gas Company, 2R. 581
Law Courts, The New, 181, 183, 184, 1180
Metropolis—Gas Works, Victoria Park, 362; —Hyde Park, 1149, 1686
Metropolitan Board of Works, Commission moved for, 1963
National Gallery, The, 963
National Gallery Enlargement, 2R. 741
Supply—University of London, 184, 185, 188, 189, 192;—Chapter House, Westminster, 193

Cranbourne, Viscount, *Stamford*
Elective Franchise, 2R. 1520
Electoral Statistics, 873
National Debt, Comm. Res. 557
Representation of the People, 2R. 6, 16; Comm. 1945; *cl*. 4, Adj. moved, 2133

Cranworth, Lord *see* Chancellor, The Lord

Crawford, Mr. R. W., *London*
Bankruptcy Law Amendment, 2R. 705
Exchequer and Audit Departments, Consid. *cl.* 4, 422
India—Tenure of Land, Res. 716
Supply—Metropolitan Police, 211

Criminals—Imprisonment for Life
Motion for Returns (*The Earl of Carnarvon*) *May* 3, 344; after short debate, Motion withdrawn

Crossland, Colonel T. P., *Huddersfield*
Representation of the People, Comm. 1341, 1342

Crossley, Sir F., *Yorkshire, W.R.—N.*
National Debt, Comm. Res. 559
Representation of the People, Comm. *cl.* 4, 2096
Ways and Means, Comm. Res. 7, 549

Crown Lands Bill
(*Mr. Chancellor of the Exchequer, Mr. Childers*)
c. Committee; after short debate reported *May* 3, 423
Moved, "That the Bill be now read 3°" (*Mr. Chancellor of the Exchequer*) *May* 14, 921; Amendt. to leave out from "be" and add "re-committed in respect of Clause 27" (*Mr. Ayrton*); after short debate, Question, "That the words, &c." agreed to; main Question agreed to; Read 3° and passed
l. Read 1ª* (*The Lord President*) *May* 15, Moved, "That the Bill be now read 2ª" (*The Lord President*) *June* 7, 2021
Read 2ª after long debate, and referred to a Select Committee; List of the Committee, 2028 (No. 114)

Cubitt, Mr. G., *Surrey, W.*
Compulsory Church Rate Abolition, Leave, 634

Curragh of Kildare Bill
(*Mr. Childers, Mr. Chichester Fortescue, Mr. Attorney General for Ireland*)
c. Ordered; read 1°* *May* 3 [Bill 136]

Customs and Inland Revenue Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Childers*)
c. Moved, "That the Bill be now read 2°" (*Mr. Chancellor of the Exchequer*) *May* 17, 1126; after debate, Motion and original Question withdrawn; second reading deferred
Moved, "That the Bill be now read 2°" (*Mr. Chancellor of the Exchequer*) *May* 24, 1202
Amendt. to leave out from "That" and add "it is inexpedient to retain, as part of the Inland Revenue for the service of the year, the present Duties on Fire and Marine Insurances, which are unjust in their incidence on property, and injurious to the national industry" (*Mr. Hubbard*); after debate, Question, "That the words, &c." put, and agreed to; main Question agreed to; Read 2° [Bill 145]
[*cont.*

Customs and Inland Revenue Bill—cont.
Committee; Report *May* 28, 1407
Read 3°* *May* 31
l. Read 1ª* (*The Lord President*) *June* 1 (No. 137)

Customs Duties (Isle of Man) Bill
(*The Lord Stanley of Alderley*)
l. Read 2ª* *May* 1 (No. 82)
Committee*; Report *May* 3
Read 3ª* *May* 4
Royal Assent *May* 18 [29 *Vict.* c. 23]

Dalhousie, Earl of
Selling and Hawking Goods on Sunday, 3R. 1676

Danubian Principalities
Question, Mr. Darby Griffith; Answer, Mr. Layard *May* 28, 1311

Dawson, Mr. R. Peel, *Londonderry Co.*
Army—Medical Officers, Motion for Papers, 588
Ireland—Marriages, 5;—Irish Society, Motion for Papers, 608;—Medical Officers, Res. 1948
Representation of the People (Ireland), Leave, 537

Dean Forest (Walmore and the Bearce Commons) Bill
(*Mr. Childers, Mr. William Cowper*)
c. Ordered* *April* 27
Read 1°* *April* 30 [Bill 129]
Read 2°* *May* 10, and referred to a Select Committee; List of the Committee, 1289

De Grey and Ripon, Earl (Secretary of State for India)
India—Military Funds, 743, 744;—Court of Small Causes (Bombay), Motion for Papers, 1302, 1304

Denison, Right Hon. J. E., *see* Speaker, The

Denman, Hon. G., *Tiverton*
Clerks to Justices, 2R. 651
Elective Franchise, 2R. 1500, 1510
Spain and Chile—War between, 985

Derby, Earl of
Austria, Prussia, and Italy, 576
Crown Lands, 2R. 2027
Labouring Classes' Dwellings, 2R. 567
Metropolitan Railway (Additional Powers), 2R. 1771
Prosecution Expenses, 2R. 478
Qualification for Offices Abolition, Comm. 258
Schools, Public, 2R. 1413, 1416, 1431, 1432, 1433; Comm. *cl.* 4, 1924; *cl.* 21, 1932, 1933
Tenure (Ireland), 2R. 759

De Ros, Lord
Law of Capital Punishment Amendment, 2R. 251

Devon, Earl of
Schools, Public, Comm. *cl.* 5, Amendt. 1928

Devonport Election
House informed, that the Committee had determined, That John Fleming, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Devonport. That William Ferrand, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Devonport. That the last Election for the Borough of Devonport is a void Election; and the said Determinations were ordered to be entered in the Journals of this House: House further informed of certain Resolutions of the Committee *May* 9, 643

Dickson, Major A. G., *Dover*
Army — Musketry Instruction, 823; — The Crawley Court Martial, 1690

Dillon, Mr. J. B., *Tipperary Co.*
Ireland—Ordnance Survey, 1554
Tenure and Improvement of Land (Ireland), 2R. 1097, 1098

Disraeli, Right Hon. B., *Buckinghamshire*
Congress, The Proposed, 1199, 1200
Customs and Inland Revenue, 2R. 1128
Electoral Statistics, 4
Monetary Crisis—Panic in the City, 772
National Debt, 485
Princess Mary of Cambridge—Queen's Message, 2041
Re-distribution of Seats, Leave, 507; 2R. 874
Representation of the People, 2R. 74; Comm. 1341, 1397, 1668, 1762, 1876, 1884, 1900; *cl.* 4, 2115, 2134

Divorce and Matrimonial Causes Bill [H.L.] (*The Lord Chancellor*)
c. Committee *; Report *May* 10
Read 3° * *May* 17 [Bill 102]

Dockyard Extensions Act Amendment Bill (*The Duke of Somerset*)
. Read 2ª * *May* 7 (No. 56)
Committee *; Report *May* 8
Read 3ª * *May* 11
Royal Assent *May* 18 [29 *Vict.* c. 27]

Dockyard Voters, Disfranchisement of
Question, Mr. Monk; Answer, Mr. Baring *May* 7, 482

Dodson, Mr. J. G. (Chairman of the Committees of Ways and Means:—sat as Deputy Speaker on several occasions), *Sussex, E.*
Hop Trade, Comm. 213; Consid. Amendt. 844, 845
Imperial Gas Company, 2R. 582
London Gas, 3R. 1436
Manchester, Sheffield, and Lincolnshire Railway, Consid. *add. cl.* 1939
National Debt, Comm. Res. 557
Representation of the People, Comm. *cl.* 4, 2133
Supply—Special Missions, 737

Dogs Bill
(*Sir C. O'Loghlen, Mr. Lusk, Mr. Stacpoole*)
c. Ordered * *June* 5
Read 1° * *June* 6 [Bill 181]

Drainage and Improvement of Lands (Ireland) Bill (*The Lord Dufferin*)
l. Read 1ª * *April* 27 (No. 90)
Read 2ª * *May* 4
Committee *; Report *May* 7
Read 3ª * *May* 8
Royal Assent *May* 18 [29 *Vict.* c. 26]

Drainage Maintenance (Ireland) Bill
(*Mr. Childers, Mr. Attorney General for Ireland*)
c. Read 2° * *May* 3 [Bill 113]
Committee *; Report *May* 7 [Bill 95]
Read 3° * *May* 11
l. Read 1ª * (*The Lord Dufferin*) *May* 14
Read 2ª * *June* 1 (No. 113)

Du Cane, Mr. C., *Essex, N.*
Fisheries, English and French, 363
Representation of the People, Comm. 1615

Duchy of Cornwall
Question, Sir Lawrence Palk; Answer, Mr. Childers *May* 15, 962

Dufferin, Lord (Under Secretary of State for War)
Ireland—Fenian Conspiracy, 1671
Poor Persons' Burial (Ireland), Commons Amendts. 1792
Record of Title (Ireland) Acts, &c. Motion for Returns, 3
Tenure (Ireland), 2R. 749

Duncombe, Vice-Admiral Hon. A., *Yorkshire, E.R.*
Whitsuntide Recess, 485

Duncombe, Hon. W. E., *Yorkshire, N.R.*
Customs and Inland Revenue, 2R. 1127
Representation of the People, 2R. 69

Dundas, Rt. Hon. Sir D., *Sutherlandshire*
Representation of the People (Scotland), Leave, 527

Dunkellin, Lord, *Galway Co.*
Army—Medical Officers, Motion for Papers, 596

Dunne, Major-Gen. F. P., *Queen's Co.*
Court of Chancery (Ireland), 2R. 665
Fishery Piers and Harbours (Ireland), 2R. 739
Ireland—The Militia, 177, 180;—Deep Sea Fisheries, 361;—Medical Officers, Res. 1953
Labouring Classes' Dwellings (Ireland), 2R. 746
Records of Great Britain and Ireland, 1187
Representation of the People (Ireland), Leave, 537

[*cont.*

Dunne, Major-General F. P.—*cont.*
Supply—University of London, 191, 192, 193;—Chapter House, Westminster, 193;—Holyhead and Portpatrick Harbours, 195;—Public Buildings (Ireland), 195;—New Record Buildings, Dublin, 196;—Quarantine Establishment, 203, 205;—Printing and Stationery, 208;—Probate and Divorce, &c. Courts, 210, 211;—Orange River Territory, 727;—Labuan, 728;—Services in China, Japan, &c. 734;—Ancient Laws, &c. (Ireland), 835;—Civil Contingencies, 840

Dunsany, Lord
Ireland—Fenian Conspiracy, 1669
Spain and Chile—War between, 959
Tenure (Ireland), 2R. 755

Dutch Cattle, Importation of
Question, Mr. Harvey Lewis; Answer, Sir George Grey *April* 27, 5

Dutton, Hon. R. H., *Cirencester*
Re-distribution of Seats, 2R. 919
Reigate Election, Motion a for Joint Address, 276

Earle, Mr. R. A., *Maldon*
Representation of the People, Comm. 1406

East India Military, &c. Funds Transfer Bill (*The Earl de Grey*)
Royal Assent *April* 30 [29 *Vict.* c. 18]

Ecclesiastical Commission Bill
l. Select Committee nominated; List of the Committee *May* 4, 435

Ecclesiastical Leases (Isle of Man) Bill (*The Earl of Chichester*)
l. Read 2ª* *May* 28 (No. 68)
Committee* *May* 31 (No. 134)
Report* *June* 4
Read 3ª* *June* 5
Royal Assent *August* 10 [29 & 30 *Vict.* c. 111]

Edinburgh Annuity Tax Abolition Act (1860), *and Canongate Annuity Tax Act*
c. Select Committee appointed *April* 30; Committee nominated *May* 11, 846

Education, Minute of Council on
The Conscience Clause, Question, The Archbishop of Canterbury; Answer, Earl Granville *May* 14, 847
The Revised Code, Question, Mr. Powell; Answer, Mr. Bruce *June* 4, 1794

Edwards, Colonel H., *Beverley*
Holderness Embankment, &c. 2R. 1974
Spain and Chile—War between, 969, 978
Totnes Election, Motion for a Joint Address, 267, 268

Egerton Lord
Metropolitan Railway (Additional Powers), 2R. 1771

Egerton, Hon. A. F., *Lancashire, S.*
Representation of the People, Comm. 1870

Egerton, Mr. E. C., *Macclesfield*
Representation of the People, Comm. *cl.* 4, 2061, 2064

Egypt, Vice Royalty of
Question, Mr. Gregory; Answer, Mr. Layard *May* 31, 1550

Elcho, Lord, *Haddingtonshire*
Army—Musketry Instruction, 820, 823
Reform Bills, The, 1794
Representation of the People, Comm. 1767, 1914

Elections, Corrupt Practices at
Question, Sir Harry Verney; Answer, Sir George Grey *May* 3, 363
Motion, "That it is the opinion of this House that any person found by a Royal Commission to have been guilty of offering or giving a bribe to any elector, in order to induce him to vote, or to abstain from voting, or on account of his having voted or abstained from voting for any candidate at an election of a Knight of the Shire or Burgess to serve in Parliament, should thenceforth and for ever be disqualified from exercising the Electoral Franchise or from sitting in Parliament" (*Mr. Hussey Vivian*) *May* 29, 1441; after long debate, Motion withdrawn

Elections (Returning Officers) Bill (*Mr. Goldsmid, Mr. Huddleston, The O'Conor Don*)
c. Ordered; read 1º* *May* 17 [Bill 161]
Moved, "That the Bill be now read 2º" (*Mr. Goldsmid*) *May* 24, 1288; Read 2º after short debate

Elective Franchise Bill
c. Moved, "That the Bill be now read 2º" (*Mr. Clay*) *May* 30, 1477
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Chancellor of the Exchequer*); Question, "That 'now,' &c.;" after long debate, debate adjourned

Electoral Statistics
Petition of Electors of Rochdale, Mr. Disraeli *April* 27, 4; Question, Viscount Cranbourne; Answer, The Chancellor of the Exchequer *May* 14, 873

Ellenborough, Earl of
Attorneys and Solicitors (Ireland), Comm. 856
India—Military Funds, 743, 744;—Court of Small Causes (Bombay), Motion for Papers, 1306
Schools, Public, Comm. 1923; *cl.* 5, Amendt. 1924; *cl.* 16, Amendt. 1929
Selling and Hawking Goods on Sunday, Report, 1045

Esmonde, Mr. J., *Waterford Co.*
Ireland—National Education, Comm. moved for, 1031
Labouring Classes' Dwellings (Ireland), 2R. 741
Representation of the People (Ireland), Leave, 541
Supply—Flax Cultivation (Ireland), 836;—Agricultural Statistics, 839
Tenure and Improvement of Land (Ireland), Leave, 230; 2R. 1122

Europe, State of
Question, Mr. Alderman Salomons; Answer, Mr. Layard *May* 7, 483; Question, Viscount Stratford de Redcliffe; Answer, The Earl of Clarendon *May* 18, 1131

"*European,*" *Loss of the*
Question, Mr. Graves; Answer, Mr. Milner Gibson *May* 15, 960

Evans, Mr. T. W., *Derbyshire, S.*
Clerks to Justices, 2R. 649

Eversley, Viscount
Crown Lands, 2R. 2027

Ewart, Mr. W., *Dumfries, &c.*
Elective Franchise, 2R. 1494
Real Estate Intestacy, 2R. 2006

Exchequer and Audit Departments Bill
(*Mr. Chancellor of the Exchequer, Mr. Childers*)
c. Considered as amended *May* 3, 421
Read 3° * *May* 8 [Bill 3]
l. Read 1ª * (*The Lord President*) *May* 11
Moved, "That the Bill be now read 2ª" (*The Lord President*) *June* 1, 1682; Read 2ª after short debate (No. 108)

Exchequer Bills and Bonds Bill
(*The Lord Stanley of Alderley*)
l. Read 2ª * *May* 3 (No. 58)
Committee *; Report *May* 4
Read 3ª * *May* 7
Royal Assent *May* 18 [29 *Vict.* c. 25]

Exchequer, Chancellor of the, *see* Chancellor of the Exchequer.

Fawcett, Mr. H., *Brighton*
Fellows of Colleges Declaration, 3R. 2015
Terminable Annuities, 2R. 1265

Fellows of Colleges Declaration Bill
(*Mr. Bouverie, Mr. Dudley Fortescue*)
c. Moved, "That the Bill be now read 3°" (*Mr. Bouverie*) *June* 6, 2008; Amendt. to leave out "now" and add "upon this day six months" (*Mr. Gathorne Hardy*); Question, "That 'now' &c.;" after long debate, debate adjourned [Bill 26]

Fenian Conspiracy, The
Motion for a Select Committee (*Mr. Whalley*) *June* 1, 1692; Motion withdrawn—*Army, &c.,* Motion for a Return (*Mr. Whalley*) *June* 5, 1969

Fergusson, Sir J. Bart., *Ayrshire*
Edmunds, Mr., Proceedings against, 767, 768
Glebe Lands (Scotland), 2R. 330
Indian Army, Grievances of the, 767
Lunacy Acts (Scotland) Amendment, Preamble, 844
Representation of the People, 167; Comm, 1917
Representation of the People (Scotland), Leave, 521

Finsbury Estate Bill
(*Mr. Ayrton, Mr. Locke*)
c. Moved, "That the Bill be now read 2°" (*Mr. Ayrton*) *June* 7, 2135

Fisheries, English and French
Question, Mr. Du Cane; Answer, Mr. Milner Gibson *May* 3, 363

Fishery Piers and Harbours (Ireland) Bill
(*Mr. Childers, Mr. Chichester Fortescue, Mr. Attorney General for Ireland*)
c. Moved, "That the Bill be now read 2°" *May* 10, 739; after short debate, Bill read 2°
Committee *; R.P. *May* 11 [Bill 93]
Committee *; Report *May* 24
Read 3° * *May* 28
l. Read 1ª * (*The Lord Dufferin*) *May* 29 (No. 130)

Fishery Piers and Harbours (Ireland) [*Grants, &c.*]
Resolution in Committee *May* 17, 1130

Floyer, Mr. J., *Dorsetshire*
Supply—Agricultural Statistics, 838

Forster, Mr. W. E. (Under Secretary of State for the Colonies) *Bradford*
Supply—Clergy, North America, 723;—Governors of Colonies, 724;—Justices, West Indies, 727

Fortescue, Earl
Metropolitan Workhouse Infirmaries, 1143
Railways, Finance of, 868
Schools, Public, 2R. 1429

Fortescue, Right Hon. Chichester S. (Chief Secretary for Ireland), *Louth Co.*
Fishery Piers and Harbours (Ireland), 2R. 740
Ireland—Official Oaths, 160;—The Militia, 179;—Deep Sea Fisheries, 362;—Suspension of the Habeas Corpus Act, 461;—Re-valuation of Property, 670;—Land Improvement, 671; — County Prisons, 671; — The Irish Bench, 782;—Cattle Plague, 964, 965, 1053, 1687, 1689;—National Education, Comm. moved for, 1002; — Medical Officers, Res. 1954;—Militia and the Fenians, 2037
Irish Society, Motion for Papers, 607
Labouring Classes' Dwellings (Ireland), 2R. 740
Representation of the People (Ireland), Leave, 529, 534, 536, 537, 542

[*cont.*

FORTESCUE, Right Hon. Chichester S.—*cont.*
Supply—Flax Cultivation (Ireland), 835
Tenure and Improvement of Land (Ireland), Leave, 214
Transubstantiation, &c. Declaration Abolition, 2R. 639

FRESHFIELD, Mr. C. K., *Dover*
Bankruptcy Law Amendment, 2R. 703

Galway Town Election
House informed, that the Committee had determined, That Michael Morris, esquire, is duly elected a Burgess to serve in this present Parliament for the Town or Borough of Galway. That Sir Rowland Blennerhasset, baronet, is duly elected a Burgess to serve in this present Parliament for the town or Borough of Galway; and the said Determinations were ordered to be entered in the Journals of this House: House further informed of certain Resolutions of the Committee *May* 14, 871

GALWAY, Viscount, *Retford* (*East*)
Compulsory Church Rates Abolition, 1941
Holderness Embankment, &c. 2R. 1972

Gas Supply, London
Question, Mr. T. J. Miller; Answer, Sir George Grey *June* 1, 1691

General Police and Improvement (Scotland) Act (1862) Amendment Bill
(*Sir J. Fergusson, Mr. H. Baillie*)
c. Ordered; read 1° * *May* 31 [Bill 171]

GEORGE, Mr. J., *Wexford Co.*
Ireland—The Irish Bench, 808
Labouring Classes' Dwellings (Ireland), 2R. 741
Tenure and Improvement of Land (Ireland), Leave, 228

GIBSON, Rt. Hon. T. M. (President of the Board of Trade), *Ashton-under-Lyne*
Caterham Junction, Collision at the, 1439
"European," Loss of the, 960
Fisheries, English and French, 363
Glonoin or Glycerine Oil, 1146
Harbours of Refuge, 1436
Holderness Embankment, &c. 2R. 1973
Merchant Ships, Loss of, 771
Railway Clauses, 1691
Representation of the People, Comm. 1343
Shipwrecks in Torbay, 468
Supply — Agricultural Statistics, 836, 837, 838

GLADSTONE, Right Hon. W. E., *see* CHANCELLOR of the EXCHEQUER

Glebe Lands (Scotland) Bill
(*Sir J. Fergusson, Major Walker, Mr. M'Lagan*)
c. Moved, "That the Bill be now read 2°" (*Sir James Fergusson*) *May* 2, 330; Read 2° after short debate [Bill 115]
[*cont.*

Glebe Lands (*Scotland*) *Bill*—cont.
Committee *; Report *May* 28 [Bill 165]
Committee * (*on re-comm.*); Report *May* 31
Read 3° * *June* 1
l. Read 1ᵃ * (*The Marquess of Abercorn*) *June* 4 (No. 139)

Glonoin or Glycerine Oil
Question, Mr. Graves; Answer, Mr. Milner Gibson *May* 18, 1146

GOLDNEY, Mr. G., *Chippenham*
Boroughs, Boundaries of, 470
Clerks to Justices, 2R. Amendt. 646
Manchester, Sheffield, and Lincolnshire Railway, Consid. *add. cl.* 1939
Real Estate Intestacy, 2R. 1988
Supply—Poor Law Commission, 198;—Copyhold, Tithe, and Inclosure Commission, 199; —Charity Commission, 201, 202;—Printing and Stationery, 207;—Late Insolvent Debtors Court, 209;—Probate and Divorce, &c. Courts, Adj. moved, 209;—Agricultural Statistics, 836, 837

GOLDSMID, Mr. J. *Honiton*
Elections (Returning Officers), 2R. 1288
Representation of the People, Comm. 1554
Supply—University of London, 187

GOSCHEN, Right Hon. G. J. (Chancellor of the Duchy of Lancaster), *London*
Elective Franchise, 2R. 1497
Representation of the People, Comm. 1560

Grand Juries Presentment (Ireland) Bill
(*Mr. Esmonde, Mr. Serjeant Armstrong*)
c. Committee * (*on re-comm.*) *May* 1 [Bill 89]
Report * *May* 3
Read 3° * *May* 14
l. Read 1ᵃ * (*The Marquess of Abercorn*) *May* 15 (No. 115)

GRANT, Mr. A., *Kidderminster*
Representation of the People, 2R. 42, 45

GRANVILLE, Earl (Lord President of the Council)
Cattle Disease (Ireland), 928
Cholera among German Emigrants, Motion for Papers, 952, 955
Crown Lands, 2R. 2022, 2027
Education, Minute of Council on—The Conscience Clause, 849
Exchequer and Audit Departments, 2R. 1683
Metropolitan Workhouse Infirmaries, 1142
New Forest, Motion for Returns, 1685, 1793
Private Bills—Standing Order No. 184, 1790
Royal Academy—Burlington House, 1036
Selling and Hawking Goods on Sunday, Comm. 480; *cl.* 9, 949
Tenure (Ireland), 2R. 763

GRAVES, Mr. S. R., *Liverpool*
"European," Loss of the, 960
Glonoin or Glycerine Oil, 1146
Navy—Commodore De Courcey, 1145
Spain and Chile—War between, 972

Great Yarmouth Election, Motion for a Joint Address
Moved, That an humble Address be presented to Her Majesty, praying for the appointment of Wyndham Slade, esquire, Augustus Keppel Stephenson, esquire, and George Russell, esquire, as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Great Yarmouth (*Mr. Mowbray*) *May* 1, 269; after debate, Motion agreed to
Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto (*Mr. Mowbray*)

Greene, Mr. E., *Bury St. Edmunds*
Hop Trade, Consid. 845

Gregory, Mr. W. H., *Galway Co.*
Austria, Prussia, and Italy—Immunity of Merchant Ships, 1551
Egypt—Viceroyalty of, 1550
Fishery Piers and Harbours (Ireland), 2R. 740
Ireland—Cattle Plague, 964;—National Education, Comm. moved for, 1017
Reigate Election, Motion for a Joint Address, 277

Grenfell, Mr. H. R., *Stoke-upon-Trent*
Representation of the People, Comm. 1830

Greville, Colonel F. S., *Longford Co.*
Ireland—The Constabulary, 484
Supply—Non-conforming, &c. Ministers, 829
Tenure and Improvement of Land (Ireland), Leave, 225

Grey, Earl
Austria, Prussia, and Italy, 574
Companies' Act (1862) Amendment, Comm. Amendt. 2033
Criminals Imprisoned for Life, Motion for Returns, 349
Lancaster Election, Commission moved for, Amendt. 1418
Law of Capital Punishment Amendment, Comm. *cl.* 4, Amendt. 1545, 1548
Private Bills—Standing Order No. 184, 1786
Selling and Hawking Goods on Sunday, Report, 1046; 3R. 1142
Tenure (Ireland), 2R. 763

Grey, Right Hon. Sir G. (Secretary of State for the Home Department), *Morpeth*
Boroughs, Boundaries of, 471
Bribery at Elections, Res. 1470
Bridgwater Election, New Writ, 1668
Cattle Diseases Prevention Act, 259
Cattle Plague—Importation of Dutch Cattle, 5;—Slaughter of Cattle, 360, 364, 438;—Sale of Cattle at Markets and Fairs, 673, 1145;—Compensation for Slaughtered Cattle, 814, 1686, 1688
Coal Fields of the United Kingdom, 672
Corrupt Practices at Elections, 363
Gas Supply, London, 1691
Indemnity Bill, 872
Ireland—Cholera in Cork Harbour, 359, 360, 436, 437;—Irish Society, Motion for Papers, 608;—The Irish Bench, 792, 801, 802
[*cont.*

Grey, Right Hon. Sir G.—*cont.*
Marriage with a Deceased Wife's Sister, 2R. 307
Metropolis, Traffic in the, 161, 162
Metropolis Water Supply, Comm. moved for, 618
Metropolitan Board of Works, Commission moved for, 1963, 1968
Municipal Boroughs in Somersetshire, 353
Oaths of Members, Res. 162, 163
Representation of the People, Comm. 1327, 1401, 1668, 1944; *cl.* 4, 2110, 2114
Supply, 1691
Totnes Election, Motion for a Joint Address, 268, 269
Turnpike Acts, 361

Gridley, Capt. H. G., *Weymouth*
Manchester, Sheffield, and Lincolnshire Railway, Consid. *add. cl.* 1939
Monetary Crisis—Bank Advances, 1050

Griffith, Mr. C. Darby, *Devizes*
Austria, Prussia, and Italy, 473
Bridgwater Election, New Writ, 1667, 1797
Danubian Principalities, 1311
Forged Letters, 1940
Patents, Specification of, 961
Reigate Election, Motion for a Joint Address, 278
Representation of the People, Comm. 1917
Spain and Chile—Bombardment of Valparaiso, 1149, 1690
Standing Order July 19th, 1854, 1946
Supply—Captured Negroes, 732;—Suppression of Slave Trade, 733;—Services in China, Japan, &c. 734;—Embassies, &c. 735;—Civil Contingencies, 840
Totnes Election, Motion for a Joint Address, 265, 269

Grosvenor, Earl, *Chester*
Representation of the People, Comm. 1810

Grosvenor, Hon. Capt. R. W., *Westminster*
Representation of the People, 2R. 24

Gurney, Mr. Russell, *Southampton*
Ireland—Irish Society, Motion for Papers, 608

Hadfield, Mr. G., *Sheffield*
Bribery at Elections, Res. 1471
Holderness Embankment, &c. 2R. 1972
Manchester, Sheffield, and Lincolnshire Railway, Consid. *add. cl.* 1939
Marriage with a Deceased Wife's Sister, 2R. 321
Reform Bills, The, 1794, 1795
Representation of the People, Comm. 1917
Supply—Public Education, 722;—Bermudas, 722;—Clergy, North America, 723;—Justices, West Indies, 726;—Western Coast of Africa, 727;—Non-conforming, &c. Ministers, Amendt. 826

Hamilton, Lord C. J., *Londonderry City*
Irish Society, Motion for Papers, 600

HAMILTON, Right Hon. Lord C., *Tyrone Co.*
  Representation of the People (Ireland), Leave, 539
  Tenure and Improvement of Land (Ireland), Leave, 229

HANBURY, Mr. R. C., *Middlesex*
  Imperial Gas Company, 2R. 582

HANKEY, Mr. T., *Peterborough*
  Metropolis Water Supply, Comm. moved for, 610, 619
  Supply—Metropolitan Police, 212

Harbour Loans Bill
(*Mr. M. Gibson, Mr. Monsell, The Judge Advocate*)
c. Committee*; Report *April* 30
  Read 3° * *May* 7 [Bill 112]
l. Read 1ª * (*The Lord Stanley of Alderley*) *May* 8 (No. 104)
  Read 2ª * *May* 14
  Committee*; Report *May* 15
  Read 3ª * *May* 17
  Royal Assent *May* 18 [29 *Vict.* c. 30]

Harbours of Refuge
  Question, Mr. Pease; Answer, Mr. Milner Gibson *May* 29, 1436

HARDCASTLE, Mr. J. A., *Bury St. Edmunds*
  Church Rates, 438

HARDWICKE, Earl of
  Austria, Prusssia, and Italy, 577

HARDY, Mr. G., *Oxford University*
  Fellows of Colleges Declaration, 3R. Amendt. 2008

HARDY, Mr. J., *Dartmouth*
  Re-distribution of Seats, 2R. 918

HARRIS, Lord
  Hop Trade, 2R. 1309
  Private Bills—Standing Order No. 184, 1784, 1785

HARROWBY, Earl of
  Schools, Public, 2R. 1429
  Selling and Hawking Goods on Sunday, Comm. 943; *cl.* 2, 946; Report, 1045; 3R. 1137, 1141, 1675

HARTINGTON, Right Hon. Marquess of (Secretary of State for War), *Lancashire, N.*
  Army—Militia Pensions, 583;—Medical Officers, 583; Motion for Papers, 589, 592;—War Office Warrants, 669;—Troops at Hong Kong, 768, 769;—Militia—War Office Commission, 770;—Musketry Instruction, 824;—The Royal Gun Factory, 1198;—Sandhurst College, 1311;—Norwich Barracks, 1794;—Guns and Gun Cotton, 2037
  Scotland—Storage of Gunpowder at Edinburgh Castle, &c. 1050

HARVEY, Mr. R. J. H., *Thetford*
  Representation of the People, 2R. 68

Harwich Election
  House informed, that the Committee had determined, That Henry Jervis White Jervis, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich. That John Kelk, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Harwich; And the said Determinations were ordered to be entered in the Journals of this House: House further informed of certain Resolutions of the Committee *May* 2, 333

HAY, Sir J. C. D.,
  Army—The Royal Gun Factory, 1197
  Dockyard Voters, 1184
  Spain and Chile—War between, 971

HAYTER, Captain A. D., *Wells*
  Representation of the People, Comm. Amendt. 1348, 1796, 1913

HEADLAM, Right Hon. T. E. (Judge Advocate General), *Newcastle-upon-Tyne*
  Army—The Crawley Court Martial, 1690
  Cattle Plague—Forage for the Army, 1689, 1690

HEATHCOTE, Sir W., *Oxford University*
  Marriage with a Deceased Wife's Sister, 2R. 308
  Supply—Printing and Stationery, 208

HENLEY, Right Hon. J. W., *Oxfordshire*
  Clerks to Justices, 2R. 653
  Court of Chancery (Ireland), 2R. 665
  Customs and Inland Revenue, 2R. 1219
  Real Estate Intestacy, 2R. 1997
  Representation of the People, Comm. 1944; *cl.* 4, 2126
  Supply—Governors of Colonies, 725, 726;—Emigration, 729;—Embassies, &c. 736;—Special Missions, 737, 738;—Agricultural Statistics, 838
  Terminable Annuities, 2R. 1272
  Ways and Means—Financial Statement, Comm. Res. 1, 420

HERBERT, Hon. Colonel Percy E., *Shropshire, S.*
  Army—Musketry Instruction, 819, 820;—The Crawley Court Martial, 1690

HERBERT, Mr. H. A., *Kerry Co.*
  Ireland—Cattle Plague, 1053

Hereford City Election
  House informed, that the Committee had determined, That Richard Baggallay, esquire, is duly elected a Citizen to serve in this present Parliament for the City of Hereford. That George Clive, esquire, is duly elected a Citizen to serve in this present Parliament for the City of Hereford; and the said Determinations were ordered to be entered in the Journals of this House: House further informed of certain Resolutions of the Committee *May* 7, 481

HEYGATE, Sir F. W., *Londonderry Co.*
Ireland—Cholera in Cork Harbour, 360 ;—Land Improvement, 671 ;—National Education, Comm. moved for, 1031 ;—Medical Officers, Res. 1951
Irish Society, Motion for Papers, 606
Tenure and Improvement of Land (Ireland), 2R. 1068, 1121

HIBBERT, Mr. J. T., *Oldham*
Real Estate Intestacy, 2R. 2006
Representation of the People, 2R. 48

HOGG, Colonel J. M., *Bath*
Metropolitan Board of Works, Commission moved for, 1966

HOLDEN, Mr. I., *Knaresborough*
Representation of the People, Comm. 1752

HOLLAND, Mr. E., *Evesham*
Veterinary Surgeons, 2R. 654

Hop Trade Bill
(*Mr. Huddleston, Sir B. Bridges, Sir E. Dering*)
c. Committee ; and after short debate reported *April* 30, 213 [Bill 128]
Considered as amended *May* 11, 844
Read 3°* *May* 17
l. Read 1^{a}* (*The Lord Harris*) *May* 18 (No. 123)
Moved, "That the Bill be now read 2^{a}" (*Lord Harris*) *May* 28, 1309 ; Read 2^{a} after short debate
Committee* ; *May* 31 (No. 135)
Report* *June* 5
Read 3^{a}* *June* 7
Royal Assent *June* 11 [29 *Vict.* c. 37]

HOPE, Mr. A. J. Beresford, *Stoke-on-Trent*
Compulsory Church Rate Abolition, Leave, 626
Courts of Justice, The New, 181, 1179
Election Franchise, 2R. 1499
Hop Trade, Consid. 845
Imperial Gas Company, 2R. 580
Marriage with a Deceased Wife's Sister, 2R. 313
Metropolis—Gas Works, Victoria Park, 362,
Real Estate Intestacy, 2R. Amendt. 1978
Representation of the People, Comm. 1917 ; *cl.* 4, 2094
Supply—University of London, 185, 186, 187, 188, 191 ; — Chapter House, Westminster, 193

HORSFALL, Mr. T. B., *Liverpool*
Railway Clauses, 1691

HORSMAN, Right Hon. E., *Stroud*
Reform Bills, The, 1796

HOUGHTON, Lord
Criminals Imprisoned for Life, Motion for Returns, 351
Law of Capital Punishment Amendment, 2R. 253
Prosecution Expenses, 2R. 478
Qualification for Offices Abolition, Comm. 258, 259

HOUGHTON, Lord—*cont.*
Schools, Public, 2R. 1415 ; Comm. 1923 ; *cl.* 17, Amendt. 1929. 1931
Selling and Hawking Goods on Sunday, Comm. *cl.* 2, Amendt. 946 ; Report, 1037, 1038 ; 3R. 1676
Spain and Chile—War between, 955

HOWES, Mr. E., *Norfolk, E.*
Lancaster Borough Election, Motion for a Joint Address, 279

HUBBARD, Mr. J. G., *Buckingham*
Business of the House, 1199
Customs and Inland Revenue, 2R. Amendt. 1126 ; Adj. moved, 1127, 1202 ; Comm. *cl.* 1, 1407
National Debt, 485
Terminable Annuities, 2R. 1245
Ways and Means—Financial Statement, Comm. Res. 1, 413, 421, 542 ; Res. 9, 553

Huddersfield Election
House informed, that the Committee had determined, That Thomas Pearson Crossland, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Huddersfield ; and the said Determination was ordered to be entered in the Journals of this House : House further informed of a certain Resolution of the Committee *May* 3, 352

HUDDLESTON, Mr. J. W., *Canterbury*
Hop Trade, Comm. 213 ; Consid. 845

HUGHES, Mr. T., *Lambeth*
Commons (Metropolis), 2R. 1288

Hundred Bridges Bill
(*Mr. Knatchbull-Hugessen, Sir George Grey*)
c. Ordered* *June* 5
Read 1°* *June* 6 [Bill 135]

HUNT, Mr. G. W., *Northamptonshire, N.*
Elective Franchise, 2R. 1482
Marriage with a Deceased Wife's Sister, 2R. Amendt. 292
Representation of the People, Comm. 1943 ; *cl.* 3, 2042 ; *cl.* 4, 2087, 2091

HUTT, Right Hon. Sir W., *Gateshead*
Princess Mary of Cambridge—Queen's Message, 2041

Imperial Gas Company Bill [*Lords*]
c. Read 1°* *April* 27
Moved, "That the Bill be now read 2°" *May* 8, 578
Amendt. to leave out "now" and add "upon this day six months" (*Mr. Tite*) ; Question, "That 'now' &c. ;" after debate, Amendt. and Motion withdrawn ; Bill withdrawn

Inclosure Bill (*Mr. Baring, Sir G. Grey*)
c. Ordered ; read 1°* *April* 27 [Bill 126]
Read 2°* *May* 3
Committee* ; Report *May* 7
Read 3°* *May* 10

[cont.

Inclosure Bill—cont.

l. Read 1^a* (*The Lord Stanley of Alderley*) *May* 11 (No. 107)
Read 2^a* *May* 14
Committee*; Report *May* 15
Read 3^a* *May* 17
Royal Assent *May* 18 [29 *Vict.* c. 29]

Indemnity Bill
Question, Mr. Baines; Answer, Sir George Grey *May* 14, 871

India
Army, Grievances of the, Question, Major Jervis; Answer, Mr. Stansfeld *May* 7, 484; Question, Sir James Fergusson; Answer, Mr. Stansfeld *May* 10, 767
Court of Small Causes (*Bombay*), Address for Papers respecting the Removal of Mr. Manockjee Cursetjee (*Lord Chelmsford*) *May* 28, 1290; after long debate, Motion withdrawn
Madras Irrigation, Question, Mr. Smollett; Answer, Mr. Stansfeld *May* 11, 766; Question, Mr. Smollett; Answer, Mr. Stansfeld *May* 15, 962
Military Funds, Question, The Earl of Ellenborough; Answer, Earl de Grey and Ripon *May* 11, 743
Oude, Complaints against the late State of, Question, Mr. Knight; Answer, Mr. Stansfeld *May* 3, 364
Tenure of Land in, Amendt. on Committee of Supply *May* 10, To leave out from "That" and add "the great subdivision of the soil in Southern and Western India, consequent on the present system observed in the revenues settlement of the Madras and Bombay Presidencies, deserves the serious attention of Her Majesty's Government, with a view to its amendment" (*Mr. Smollett*) *May* 10, 709; Question, "That the words, &c.;" after debate, Amendt. withdrawn

Indian Prize Money Bill
(*Mr. Monsell, Mr. Stansfeld*)
c. Ordered; read 1^o* *May* 8 [Bill 146]
Read 2^o* *May* 28
Committee*; Report *June* 1
Read 3^o* *June* 4
l. Read 1^a* (*The Earl De Grey*) *June* 5 (No. 140)

Industrial Schools Bill
(*Mr. Knatchbull-Hugessen, Sir George Grey*)
c. Ordered; read 1^o* *May* 17 [Bill 163]
Read 2^o* *May* 28

INGHAM, Mr. R., *South Shields*
Army — Medical Officers, Motion for Papers, 588

Ireland
Cattle Disease, Question, The Marquess of Clanricarde; Answer, Earl Granville *May* 15, 928; Question, Mr. Gregory; Answer, Mr. Chichester Fortescue *May* 15, 964; Question, Mr. Herbert; Answer, Mr. Chichester Fortescue *May* 17, 1053; Question, Mr. Owen Stanley; Answer, Mr. Laird *May* 18, 1148; Question, Mr. Owen Stanley; Answer, Mr. Chichester Fortescue *June* 1, 1687
Cholera in Cork Harbour, Observations, Mr. Maguire; Reply, Sir George Grey *May* 3, 358 — *Quarantine,* Question, Mr. Maguire; Answer, Sir George Grey *May* 4, 436
Constabulary, The, Question, Colonel Greville; Answer, Mr. Childers *May* 7, 484
County Prisons, Question, Sir Robert Peel; Answer, Mr. Chichester Fortescue *May* 10, 671
Court of Queen's Bench—Lord Chief Justice Lefroy, Question, Mr. Bryan; Answer, The Attorney General for Ireland *May* 3, 353; Explanation, Lord Chelmsford *May* 10, 744; Question, Mr. Bryan; Answer, Mr. Chichester Fortescue; long discussion thereon *May* 11, 778
Deep Sea Fisheries, Question, General Dunne; Answer, Mr. Chichester Fortescue *May* 3, 361
Established Church, Motion for Returns (*The Archbishop of Armagh*) *May* 4, 435; after short debate, Motion withdrawn
Fenian Conspiracy, The, Question, Lord Dunsany; Answer, Lord Dufferin *June* 1, 1669 —Motion for a Select Committee (*Mr. Whalley*) *June* 1, 1692; Motion withdrawn — (*Army, &c.*), Motion for a Return (*Mr. Whalley*) *June* 5, 1969—*The Militia,* Question, Mr. Whalley; Answer, Mr. Chichester Fortescue *June* 7, 2037
Habeas Corpus Act, Suspension of the, Amendt. on Committee of Supply *May* 4, To leave out from "That" and add "it is the opinion of this House, that it would be desirable that Government should take measures to prevent untried prisoners from being subjected to illegal and unnecessary restrictions, similar to those which appear to have been imposed on the political prisoners at Waterford, from the twenty-first day of February to the sixteenth day of March" (*Mr. Blake*), 445; Question, "That the words, &c.;" after long debate, Amendt. withdrawn
Irish Society, Motion for Papers (*Mr. Kennedy*) *May* 8, 589; after long debate, Motion agreed to
Land Improvement, Question, Sir Frederick Heygate; Answer, Mr. Chichester Fortescue *May* 10, 671
Marriages Bill, Question, Mr. Dawson; Answer, Mr. Serjeant Armstrong *April* 27, 5
Medical Officers of Unions—Motion, That, in the opinion of this House, Her Majesty's Government should now adopt the recommendations of the Select Committee of 1858, which recommended 'Her Majesty's Government to take into consideration the Claims of Ireland to a grant of the half-cost of Medical Officers of Unions, with the view of providing for the same in future, as is now the practice in England and Scotland,' fortified, as such recommendation is, by the Report of the Select Committee on Taxation of Ireland in June 1865, who reported that with regard to the grants for Poor Law Medical Officers and Workhouse Schoolmasters, 'it would be rea- [*cont.*

Ireland—cont.
sonable that the same aid should be extended to Ireland as is already extended to England'" (*Mr. MacEvoy*) *June* 5, 1948; after debate, Motion withdrawn
Militia, The, Question, General Dunne; Answer, Mr. Chichester Fortescue; discussion thereon *April* 30, 177—*Militia and the Fenians,* Question, Mr. Whalley; Answer, Mr. Chichester Fortescue *June* 7, 2037
Monaghan, Election for—Fatal Riot at the, Personal Explanation, Mr. O'Reilly *May* 4, 438
National Education, Moved, "That a Select Committee be appointed to inquire what changes may, with advantage, be made in the system of National Education in Ireland, in order to allow greater freedom and fulness of religious teaching in schools attended by pupils of one religious denomination only, and to guard effectually against proselytism and protect the faith of the minority in mixed schools" (*Mr. O'Reilly*) *May* 15, 990; after long debate, Motion withdrawn
Oaths, Official, Question, Mr. Maguire; Answer, Mr. Chichester Fortescue *April* 30, 160
Ordnance Survey, Question, Mr. Dillon; Answer, Mr. Childers *May* 31, 1554
Oyster Fisheries, Observations, Lord John Browne *May* 4, 441
Record of Title Act, and Land Debentures Act—Petitions—Landed Estates Court, Motion for Returns (*The Marquess of Clanricarde*); after debate, Motion agreed to *April* 27, 1
Records of Great Britain and Ireland, Observations, General Dunne; Reply, Mr. Childers *May* 18, 1178
Re-valuation of Property, Question, Lord John Browne; Answer, Mr. Chichester Fortescue *May* 10, 669
Tenants' Improvements, Question, Sir Robert Peel; Answer, The Attorney General for Ireland *May* 11, 769

Iron Passenger Ships, Surveyors of
Question, Mr. O'Beirne; Answer, Mr. Monsell *June* 1, 1686

Jamaica—Bill of Indemnity
Question, Mr. M'Cullagh Torrens; Answer, Mr. Cardwell *May* 14, 873—*Commission,* Question, Lord Stanley; Answer, Mr. Cardwell *May* 3, 364

James, Mr. Edward, *Manchester*
Real Estate Intestacy, 2R. 2004

Jervis, Major H. J. W., *Harwich*
Army—Medical Officers, Motion for Papers, 597;—Sandhurst College, 1311
Business, Order of, 1314
Indian Army, 484
Representation of the People, Comm. Adj. moved, 1397, 1755

Jervoise, Sir J. C., *Hampshire, S.*
Cattle Plague, The, 1049
Supply—Civil Contingencies, 839
Veterinary Surgeons, 2R. 655

Jolliffe, Right Hon. Sir W. G. H., *Petersfield*
Commons (Metropolis), 483; 2R. 1281, 1285
Marriage with a Deceased Wife's Sister, 2R. 316
Metropolitan Board of Works, Commission moved for, 1963
Supply—Emigration, 730

Kelly, Sir FitzRoy, *Suffolk, E.*
Customs and Inland Revenue, 2R. 1216
National Debt, 439, 441
Terminable Annuities, 2R. 1259, 1277
Ways and Means—Financial Statement, Comm. Res. 1, 416, 544

Kendall, Mr. N., *Cornwall, E.*
Totnes Election, Motion for a Joint Address, 267

Kennedy, Mr. T., *Louth Co.*
Ireland—Irish Society, Motion for Papers, 598
Representation of the People (Ireland), Leave, 541

Ker, Mr. D. S., *Downpatrick*
Re-distribution of Seats, 2R. 918

King, Hon. P. J. Locke, *Surrey, E.*
Real Estate Intestacy, 2R. 1975, 2006

King, Mr. J. G., *King's Co.*
Holderness Embankment. &c. 2R. 1974

Kinglake, Mr. A. W., *Bridgwater*
Business, Order of, 1318

King's County Election
House informed, that the Committee had determined, That Sir Patrick O'Brien, baronet, is duly elected a Knight of the Shire to serve in this present Parliament for the King's County, and the said Determination was ordered to be entered in the Journals of this House *April* 30, 160

Kinnaird, Hon. A. F., *Perth*
London Gas, 3R. 1435
Metropolitan Poor—Guardians of Clerkenwell, 161
Representation of the People, Comm. 1741
Saturday Half Holiday, 177
United States and Canada — The Reciprocity Treaty, 1176

Knatchbull-Hugessen, Mr. E. H. (Lord of the Treasury), *Sandwich*
Clerks to Justices, 2R. 653
Marriage with a Deceased Wife's Sister, 2R. 298
Police at the Houses of Parliament, 873, 1312

Knight, Mr. F. W., *Worcestershire, W.*
India—Complaints against the late State of Oude, 364

Knightley, Sir R., *Northamptonshire, S.*
Re-distribution of Seats, Leave, 516
Representation of the People, Comm. Instruction, 1320

Knox, Hon. Major W. Stuart, *Dungannon*
Representation of the People (Ireland), Leave, 538, 540, 584

Knox, Colonel B. W., *Marlow*
Army—Medical Officers, Motion for Papers, 597

Labouring Classes' Dwellings Bill
(*The Lord Stanley of Alderley*)
l. Moved, "That the Bill be now read 2ª" (*The Lord Stanley of Alderley*) *May* 8, 567; Read 2ª, after short debate (No. 68)
Committee*; Report *May* 11
Read 3ª* *May* 14
Royal Assent *May* 18 [29 *Vict.* c. 28]

Labouring Classes' Dwellings (Ireland) Bill
(*Mr. Childers, Mr. Attorney General for Ireland*)
c. Moved, "That the Bill be now read 2º" (*Mr. Childers*) *May* 10, 740; Read 2º after short debate [Bill 94]
Committee*; Report *May* 17
Read 3º* *May* 28
l. Read 1ª* (*The Lord Dufferin*) *May* 29 (No. 128)

Laing, Mr. S., *Wick, &c.*
Business of the House, 1199
National Debt, Comm. Res. 562
Representation of the People (Scotland), Leave, 528
Terminable Annuities, 2R. 1247, 1270
Ways and Means, Comm. 543

Laird, Mr. J., *Birkenhead*
Cattle Plague—Alleged Importation of Diseased Cattle from Ireland, 1149
Cholera at Liverpool, 1146
North America—Armed ships on the Coast of, 1940

Lancaster Borough Election—Motion for a Joint Address
c. Moved, That an humble Address be presented to Her Majesty, praying for the appointment of W. F. Fletcher Boughey, esquire, Thomas Irwin Barstow, esquire, and Robert M. Newton, esquire, as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Lancaster (*Mr. Howes*) *May* 1, 279; after short debate, Motion agreed to
Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto (*Mr. Howes*)
l. Moved, That this House do agree with the Commons in the Address to Her Majesty, and do fill up the Blank with ("Lords Spiritual and Temporal, and,") (*The Earl Russell*) *May* 29, 1641; after debate, debate adjourned

Land Drainage Supplemental Bill
(*Mr. Baring, Sir G. Grey*)
c. Ordered; read 1º* *April* 27 [Bill 125]
Read 2º* *May* 3
Committee*; Report *May* 7
Read 3º* *May* 10
l. Read 1ª* (*The Lord Stanley of Alderley*) *May* 11 (No. 106)
Read 2ª* *May* 17
Committee*; Report *May* 18
Read 3ª* *May* 28
Royal Assent *June* 11 [29 *Vict.* c. 33]

Landed Estates Court, &c. (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Mr. C. Fortescue*)
c. Ordered; read 1º* *June* 4 [Bill 174]

Landed Property Improvement (Ireland) [Advances] Bill
(*Mr. Dodson, Mr. Childers, Mr. Chancellor of the Exchequer*)
c. Read 2º* *May* 7 [Bill 118]
Committee*; Report *May* 10
Considered as amended* *May* 11
Read 3º* *May* 14
l. Read 1ª* (*The Lord Dufferin*) *May* 15
Read 2ª* *June* 1 (No. 117)

Langton, Mr. W. H. P. Gore, *Somersetshire, W.*
Cattle Plague, 1686

Lansdowne, Marquess of
Private Bills—Standing Order No. 184, 1784

Law of Capital Punishment Amendment Bill [H.L.] (*The Lord Chancellor*)
l. Moved, "That the Bill be now read 2ª" (*The Lord Chancellor*) *May* 1, 232; Read 2ª after long debate (No. 61)
House in Committee *May* 31, 1545; and after some time spent therein, House resumed
Considered in Committee after short debate *June* 7, 2020 (No. 145)

Lawrence, Mr. Alderman W., *London*
Commons (Metropolis), 2R. 1288
Imperial Gas Company, 2R. 582
Ireland—Irish Society, Motion for Papers, 603
Ways and Means, Comm. Res. 7, 547; Res. 9, 554

Lawson, Right Hon. J. C. (Attorney General for Ireland), *Portarlington*
Admiralty Court (Ireland), Leave, 280, 281
Court of Chancery (Ireland), 2R. 657, 658
Ireland — Chief Justice Lefroy, 353, 356;—Oyster Fisheries, 454;—Suspension of the Habeas Corpus Act, Res. 455;—Tenants' Improvements, 769, 770;—National Education, Comm. moved for, 1031
Tenure and Improvement of Land (Ireland), Leave, 227; 2R. 1068

Layard, Mr. A. H. (Under Secretary of State for Foreign Affairs), *Southwark*
  Austria, Prussia, and Italy — Immunity of Merchant Ships, 1551
  China—The Chinese Visitors, 1552
  Continental Affairs, State of, 483
  Danubian Principalities, 1311
  Egypt—Vice Royalty of, 1550
  European Affairs—Congress on, 1149
  Forged Letters, 1940
  Prussia—The Gastein Convention, 1553
  Reciprocity Treaties, 162
  Siam—The Myloongee Case, 1146
  Spain and Chile—War between, 974, 978, 1150, 1552, 1690
  Supply—Expedition, 731;—Captured Negroes, 732; — Suppression of Slave Trade, 733, 734;—Services in China, Japan, &c. 734;—Embassies, &c. 735, 736;—Special Missions, 737, 738;—Third Secretaries to Embassies, 739
  United States and Canada—The Reciprocity Treaty, 1162

Leatham, Mr. W. H., *Wakefield*
  Bankruptcy Law Amendment, 2R. 708
  Marriage with a Deceased Wife's Sister, 2R. 316
  Representation of the People, Comm. 1742

Lechmere, Sir E. A. H., *Tewkesbury*
  Representation of the People, Comm. 1749

Leeman, Mr. G., *York City*
  Clerks to Justices, 2R. 650
  Holderness Embankment, &c. 2R. 1972

Lefroy, Mr. A., *Dublin University*
  Ireland—Chief Justice Lefroy, 353, 355

Legitimacy Declaration (Ireland) Bill [H.L] (*The Marquess of Clanricarde*)
l. Presented; read 1ª * *May* 3 (No. 96)

Lewis, Mr. Harvey, *Marylebone*
  Cattle Disease—Importation of Dutch Cattle, 5
  Manchester, Sheffield, and Lincolnshire Railway, Consid. *add. cl.* 1939
  Metropolis — Hyde Park — The Serpentine, 1686

Liddell, Hon. H. G., *Northumberland, S.*
  Ireland—Cholera—Quarantine, 437
  Representation of the People, Comm. *cl.* 4, 2097
  Spain and Chile—War between, 968, 1552
  Terminable Annuities, 2R. 1276

Life Insurances (Ireland) Bill (*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Ordered; read 1° * *May* 7 [Bill 114]
  Read 2° * *May* 11
  Committee *; Report *May* 14
  Read 3° * *May* 17
l. Read 1ª * (*The Lord Dufferin*) *May* 18
  Read 2ª * *June* 7 (No. 122)

Lifford, Viscount
  Poor Persons' Burial (Ireland), Commons Amendts. 1792
  Selling and Hawking Goods on Sunday, 3R. 1137
  Tenure (Ireland), 2R. 752

Lindsay, Hon. Colonel, C. H., *Abingdon*
  Re-distribution of Seats—Grouped Boroughs, 1437, 1438
  Representation of the People, Comm. 1744

Lindsay, Colonel R. Loyd, *Berkshire*
  Army—Musketry Instruction, 822

Local Government Supplemental Bill (*The Lord Stanley of Alderley*)
l. Read 2ª * *May* 1 (No. 84)
  Committee *; Report *May* 3
  Read 3ª * *May* 4
  Royal Assent *May* 18 [29 *Vict.* c 24]

Local Government Supplemental (No. 2) Bill (*Mr. Knatchbull-Hugessen, Sir G. Grey*)
c. Ordered; read 1° * *May* 10 [Bill 150]
  Read 2° * *May* 17
  Committee *; Report *May* 24
  On (*re-comm.*) Order for Committee read, and discharged; Bill, so far as it relates to Linthwaite and Briton Ferry, committed to a Select Committee *June* 6, 2019

Locke, Mr. J., *Southwark*
  Army—Troops at Hong Kong, 768
  Commons (Metropolis), 2R. 1286
  Elective Franchise, 2R. 1530
  Hop Trade, Comm. *cl.* 2, 214; Consid. 846
  Metropolis—Hyde Park, 1149
  Representation of the People, Comm. 1390

London, Bishop of
  Selling and Hawking Goods on Sunday, 3R. 1678

London Gas Bill [*Lords*] (*by Order*)
c. Moved, "That the Bill be now read 3°" *May* 29, 1434
  Amendt. to leave out "now," and add "upon this day fortnight" (*Mr. Ayrton*); Question, "That 'now,' &c.;" after debate, Amendt. withdrawn; main Question agreed to; Read 3°, and passed

Longford, Earl of
  Law of Capital Punishment Amendment, Comm. *cl.* 4, 1546
  Patriotic Fund, Royal, 1685

Lowe, Right Hon. R., *Calne*
  Bankruptcy Law Amendment, 2R. 707
  Representation of the People, Comm. 1625, 1644, 1916, 1918
  Tenure and Improvement of Land (Ireland), 2R. 1077

LOWTHER, Mr. J. *York City*
- Customs and Inland Revenue, 2R. Adj. moved, 1127
- Elections (Returning Officers), 2R. 1289

Lunacy Acts Amendment (Scotland) Bill (*Mr. Adam, Lord Advocate, Sir George Grey*)
- *c.* Committee*; Report *April* 30 [Bill 127]
- Committee (*on re-comm.*); Report *May* 11, 842
- Read 3°* *June* 1 [Bill 157]
- *l.* Read 1ª* (*The Lord Privy Seal*) *June* 4 (No. 138)

LUSK, Mr. Alderman A., *Finsbury*
- Bankruptcy Law Amendment, 2R. 705
- Bribery at Elections, Res. 1461
- Hop Trade, Consid. 846
- London Gas, 3R. 1435, 1436
- Metropolis Water Supply, Comm. moved for, 617
- Reigate Election, Motion for a Joint Address, 278
- Supply—Emigration, 730;—Expedition, 731;—Special Missions, 738

LYTTELTON, Lord
- Education, Minute of Council on—The Conscience Clause, 852
- Schools, Public, Comm. *cl.* 17, 1931; *cl.* 21, 1933

LYVEDEN, Lord
- Lancaster Election, Motion for a Commission, 1426, 1427
- Selling and Hawking Goods on Sunday, 3R. 1680

MACEVOY, Mr. E., *Meath Co.*
- Ireland—Medical Officers, Res. 1948, 1955

MCLAREN, Mr. D., *Edinburgh*
- Bribery at Elections, Res. 1474
- Lunacy Acts (Scotland) Amendment, Comm. *add. cl.* 843
- Scotland — Edinburgh Annuity Tax, Motion for a Select Committee, 231
- Representation of the People (Scotland), Leave, 525
- Supply—Non-conforming, &c. Ministers, 830

MAGUIRE, Mr. J. F., *Cork City*
- Admiralty Court (Ireland), Leave, 281
- Ireland—Official Oaths, 160;—Cholera in Cork Harbour, 358, 359, 436;—Suspension of the Habeas Corpus Act, Res. 453, 457;—The Irish Bench, 787, 800, 801, 803
- Tenure and Improvement of Land (Ireland), Leave, 230

MALMESBURY, Earl of
- Crown Lands, 2R. 2026
- Law of Capital Punishment Amendment, 2R. 242

Manchester, Sheffield, and Lincolnshire Railway (Central Station and Lines) Bill
- *c.* Considered as amended *June* 5, 1939
- Clause (Compensation to owners of lands not taken, but injuriously affected) (*Mr. Hadfield*), brought up, and read 1°; and after short debate, withdrawn

MANNERS, Right Hon. Lord J. J. R., *Leicestershire, N.*
- Church Rates, 438
- Compulsory Church Rate Abolition, Leave, 628, 1150
- Imperial Gas Company, 2R. 579
- Law Courts, The New, 184
- Metropolis—Gas Works, Victoria Park, 362
- Real Estate Intestacy, 2R. 2005
- Representation of the People, 171; Comm. Adj. moved, 1767, 1798, 1944
- Supply—University of London, 189

MARLBOROUGH, Duke of
- Selling and Hawking Goods on Sunday, Comm. *cl.* 2, 948

Marriage with a Deceased Wife's Sister Bill (*Mr. Chambers, Mr. Hankey, Mr. Morley*)
- *c.* Moved, "That the Bill be now read 2°" (*Mr. Chambers*) *May* 2, 284; Amendt. to leave out "now," and add "upon this day six months" (*Mr. Hunt*); after long debate, Question, "That 'now' &c;" A. 154, N. 174; M. 20; words added; main Question put, and negatived; second reading put off for six months; Division List, Ayes and Noes, 328

Marriages (Sydmonton) Bill (*Mr. Beach, Mr. Sclater-Booth*)
- *c.* Ordered after short debate *May* 29, 1475
- Read 1°* *May* 30 [Bill 167]
- Read 2°* *May* 31
- Committee*; Report *June* 1
- Read 3°* *June* 4
- *l.* Read 1ª* (*The Lord Bishop of Winchester*) *June* 5 (No. 141)

MARSH, Mr. M. H., *Salisbury*
- Customs and Inland Revenue, 2R. 1211
- Representation of the People, Comm. 1869

MARTIN, Mr. C. Wykeham, *Newport* (*Isle of Wight*)
- Representation of the People, Comm. 1739

MARTIN, Mr. P. Wykeham, *Rochester*
- Business, Order of, 1319

Merchant Ships, Loss of
- Question, Sir John Pakington; Answer, Mr. Milner Gibson *May* 11, 771
- "*European*," *Loss of the*, Question, Mr. Graves; Answer, Mr. Milner Gibson *May* 15, 960

Metropolis
Gas Supply, Question, Mr. T. J. Miller; Answer, Sir George Grey *June* 1, 1691
(See *Imperial Gas Company Bill—London Gas Bill*)
Hyde Park, Question, Mr. Locke; Answer, Mr. Cowper *May* 18, 1149 — *The Serpentine*, Question, Mr. Harvey Lewis; Answer, Mr. Cowper *June* 1, 1686
Metropolitan Board of Works, Motion, "That an humble Address be presented to Her Majesty, that she will be graciously pleased to issue a Royal Commission to inquire into the constitution of the Metropolitan Board of Works, the Office of Public Works, and the Office of Woods and Forests, with the object of seeing whether some means may not be devised by which the improvements of the Metropolis may be carried out in a more comprehensive and economical manner, and with greater unity of purpose" (*Mr. Baillie Cochrane*) *June* 5, 1955; after long debate, Motion withdrawn
Poor—Guardians of Clerkenwell Union, Question, Mr. Kinnaird; Answer, Mr. C. P. Villiers *April* 30, 161
Public Boards and Metropolitan Improvements, Motion for a Royal Commission (*Mr. Baillie Cochrane*) *May* 18, 1194; House counted out
Traffic in the, Question, Mr. Owen Stanley; Answer, Sir George Grey *April* 30, 161
Victoria Park, Gas Works near, Question, Lord John Manners; Answer, Mr. Cowper *May* 3, 362
Water Supply, Moved, "That a Select Committee be appointed to inquire into the Water Supply of the Metropolis" (*Mr. Hankey*) *May* 8, 610; after long debate, Motion withdrawn
Workhouse Infirmaries, Question, The Earl of Carnarvon; Answer, Earl Granville *May* 18, 1143

Metropolitan Railway (Additional Powers) Bill
l. Moved, "That the Bill be now read 2ª" (*The Lord Redesdale*) *June* 4, 1770; Read 2ª after short debate

Mill, Mr. J. Stuart, *Westminster*
Representation of the People, Comm. 1590
Tenure and Improvement of Land (Ireland), 2R. 1087

Miller, Mr. S. B., *Armagh Co.*
Court of Chancery (Ireland), 2R. 657, 658, 664, 667
Ireland—The Irish Bench, 810
Representation of the People (Ireland), Leave, 542
Supply—Non-conforming, &c. Ministers, 830

Miller, Mr. T. J., *Colchester*
Gas Supply, London, 1691

Miller, Mr. W., *Leith, &c.*
Scotland — Storage of Gunpowder at Edinburgh Castle, &c. 1049

Mills, Mr. J. Remington, *Wycombe* (*Chepping*)
Nottingham Writ, 430
Supply—Justices, West Indies, 726;—Special Missions, Amendt. 736, 737

Mines Assessment Bill
(*Mr. S. Cave, Mr. Henderson, Mr. Percy Wyndham, Mr. W. E. Duncombe*)
c. Ordered, after short debate *May* 1, 279

Mitford, Mr. W. T., *Midhurst*
Representation of the People, Comm. 1844

Moffatt, Mr. G., *Southampton*
Bankruptcy Law Amendment, 2R. 689, 696, 708

Monetary Crisis
Bank Advances, Question, Captain Gridley; Answer, The Chancellor of the Exchequer *May* 17, 1050
Bank Charter Act, Suspension of the, Question, Mr. Bazley; Answer, The Chancellor of the Exchequer *May* 11, 840
Bank of England Issues, Question, Mr. Wyld; Answer, The Chancellor of the Exchequer *May* 18, 1148
Bank Rate of Interest, Question, Mr. Akroyd; Answer, The Chancellor of the Exchequer *May* 29, 1439
Panic in the City, Question, Mr. Disraeli; Answer, The Chancellor of the Exchequer *May* 11, 772

Monk, Mr. C. J., *Gloucester*
Ballot, The, 770
Dockyard Voters, Disfranchisement of, 482
Marriage with a Deceased Wife's Sister, 2R. 305
Representation of the People, Comm. 1917
Supply—Captured Negroes, 733;—Civil Contingencies, 839

Monsell, Right Hon. W. (Paymaster of the Forces and Vice President of the Board of Trade), *Limerick Co.*
Iron Passenger Ships, Surveyors of, 1686
National Debt, 486

Montagu, Lord R., *Huntingdonshire*
Australia—Ministerial "Dead Lock" in Victoria, 1197
Cattle Disease—Slaughtered Cattle, 437
Elective Franchise, 2R. 1482, 1488
Exchequer and Audit Departments, Consid. *cl.* 4, 422
National Debt, Comm. Res. 557, 562
Police at the Houses of Parliament, 872, 1312
Representation of the People, Comm. 1404, 1831, 1946

Montrose, Duke of
Schools, Public, Comm. *cl.* 17, 1930

Morris, Mr. M., *Galway Bo.*
Ireland—Medical Officers, Res. 1952
Supply—Probate and Divorce, &c. Courts, 210

MORRISON, Mr, W., *Plymouth*
Bridgwater Election, New Writ, 1667
Poor Relief at Plymouth, 1147
TotnesElection, Motion for a Joint Address, 263
Ways and Means, Comm. Res. 7, 552

MOWBRAY, Rt. Hon. J. R., *Durham City*
Great Yarmouth Election, Motion for a Joint Address, 269
Representation of the People, Comm. 1331, 1603

NAAS, Right Hon. Lord, *Cockermouth*
Ireland—Cattle Plague, 964;—National Education, Comm. moved for, 1831
Tenure and Improvement of Land (Ireland), Leave, 222; 2R. Amendt. 1053

National Debt Acts
Acts considered in Committee *May* 7, 555; after short debate, Resolution agreed to
The Government Plan, Question, Mr. H. B. Sheridan; Answer, The Chancellor of the Exchequer *May* 7, 485

National Debt, The
Question, Sir FitzRoy Kelly; Answer, The Chancellor of the Exchequer *May* 4, 439

National Gallery Enlargement Bill
(*Mr. Cowper, Mr. Childers*)
c. Ordered; read 1° * *April* 27 [Bill 124]
Moved, "That the Bill be now read 2°" (*Mr. Cowper*) *May* 10, 741
Read 2° after short debate, and committed to a Select Committee; Committee nominated *May* 14
Report * *June* 5
Committee * (*on re-comm*); Report *June* 7

National Gallery, The
Question, Mr. Treeby; Answer, Mr. Cowper *May* 15, 963

Naval Savings Banks Bill
(*Lord Clarence Paget, Mr. Childers*)
c. Read 2° * *May* 7 [Bill 114]
Committee *; Report *May* 17
Read 3° * *May* 28
l. Read 1ª * (*The Duke of Somerset*) *May* 29
Read 2ª * *June* 7 (No. 129)

Navy
Armed Ships on the Eastern Coast of North America, Question, Mr. Layard; Answer, Mr. Baring *June* 5, 1940
"*Bellerophon,*" *The,* Question, Mr. Henry Baillie; Answer, Mr. Baring *May* 29, 1437
"*Black Prince,*" *Chaplain of the,* Question, Mr. Whalley; Answer, Mr. Baring *May* 29, 1441
De Courcey, Commodore, Question, Mr. Graves; Answer, Mr. Baring *May* 18, 1145

Navy and Army—Medical Officers in the
Question, Colonel North; Answer, The Marquess of Hartington *May* 8, 583

NEATE, Mr. C., *Oxford City*
Clerks to Justices, 2R. 652
Real Estate Intestacy, 2R. 1999

NELSON, Earl
Crown Lands, 2R. 2021, 2023
New Forest, Motion for Returns, 1685, 1792
Patriotic Fund, Royal, 1683, 1684; Explanation, 1769

NEVILLE-GRENVILLE, Mr. R., *Somersetshire, E.*
Municipal Boroughs in Somersetshire, 352, 353
Ways and Means—Financial Statement, Comm. Res. 1, 413

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Bribery at Elections, Res. 1466
Compulsory Church Rate Abolition, Leave, 625
Representation of the People, 2R. 60; Comm. 1324; *cl.* 4, 2068
Transubstantiation, &c. Declaration Abolition, 2R. 640
Veterinary Surgeons, 2R. 655

New Forest
Address for Returns (*Earl Nelson*) *June* 1, 1685; Motion agreed to
Moved, That there be laid before this House, any Report or Suggestions made to the Commissioners of Woods and Forests or to the Treasury, by Mr. Clutton or others, as to the Value of the New Forest if leased for shooting Purposes; and as to the best Mode of dividing the same for the Purposes of public Tender; and any Correspondence on the Subject either with Mr. Clutton or the Deputy Surveyor" (*The Earl Nelson*) *June* 4, 1792; after debate, Motion withdrawn

New Forest Poor Relief Bill
(*Viscount Enfield, Mr. Villiers*)
Select Committee [March 21] nominated *May* 24, 1289

New Windsor Writ
New Writ Ordered May 3, 433

New Writs Issued
April 30—*For* Sandwich, *v.* Lord Clarence Paget, Chiltern Hundreds
For Reading, *v.* George John Shaw Lefevre, esquire, Commissioner of the Admiralty
For Devon (Northern Division), *v.* Hon. Charles Henry Rolle Trefusis, now Lord Clinton
May 3—*For* Stamford, *v.* Sir Stafford Henry Northcote, baronet, Manor of Northstead
For Nottingham Town, *v.* Sir Robert Juckes Clifton, baronet, and Samuel Morley, esquire, void Election
For New Windsor, *v.* Sir Henry Ainslie Hoare, and Henry Labouchere, esquire, void Election
For Northallerton, *v.* Charles Henry Mills, esquire, void Election
May 7—*For* Aberdeenshire, *v.* William Leslie, esquire, Chiltern Hundreds

[*cont.*

New Writs—cont.
May 10—*For* Kildare, *v.* Lord Otho Augustus Fitzgerald, Treasurer of Her Majesty's Household
May 14—*For* Devonport, *v.* John Fleming, esquire, and William Ferrand, esquire, void Election
May 28—*For* Winchester, *v.* John Bonham-Carter, esquire, Commissioner of the Treasury
For Waterford County *v.* John Esmonde, esquire, Commissioner of the Treasury
May 31—*For* Bridgwater, *v.* Henry Westropp, esquire, void Election

New Members Sworn
May 7—George John Shaw Lefevre, esq., *Reading*
John Campbell, esq., *Helston*
May 8—Sir John Charles Dalrymple Hay, baronet, *Stamford*
May 10—Charles Capper, esq., *Sandwich*
Charles Edwards, esq., *New Windsor*
Sir Stafford Henry Northcote, baronet, *Devon County* (*Northern Division*)
Roger Eykyn, esq., *New Windsor*
May 14—Ralph Bernal Osborne, esq., and Viscount Amberley, *Nottingham Town*
May 15—Hon. Egremont William Lascelles, *Northallerton*
May 24—Lord Eliot, and Montagu Chambers, esq., *Devonport*
Lord Otho Augustus Fitzgerald, *Kildare*
May 28—William Dingwall Fordyce, esq., *Aberdeenshire*
June 5—John Bonham-Carter, esq., *Winchester*

NORTH, Colonel J. S., *Oxfordshire*
Army—Medical Officers, 583; Motion for Papers, 597;—Troops at Hong Kong, 768

Northallerton Election
House informed, that the Committee had determined, That Charles Henry Mills, esquire, is not duly elected a Burgess to serve in this present Parliament for the Borough of Northallerton. That the last Election for the said Borough is a void Election. And the said Determinations were ordered to be entered in the Journals of this House. House further informed of certain Resolutions of the Committee *April* 30, 159

Northallerton Writ
New Writ Ordered May 3, 433

NORTHBROOK, Lord
Exchequer and Audit Departments, 2R. 1683

NORTHCOTE, Sir S. H., *Stamford*
Annuities—Exchequer Bills, 2036
Business, Order of, 1317
Customs and Inland Revenue, 2R. 1215

NORTHCOTE, Sir S. H.—*cont.*
Elective Franchise, 2R. 1533
Re-distribution of Seats, 2R. 919
Representation of the People, Comm. 1941
Supply—Metropolitan Police, 212
Terminable Annuities, 2R. 1231

NORWOOD, Mr. C. M., *Kingston-upon-Hull*
Holderness Embankment, &c. 2R. Amendt. 1970

Nottingham Writ
Motion, "That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a New Writ for the electing of two Burgesses to serve in this present Parliament for the Town and County of the Town of Nottingham, in the room of Sir Robert Juckes Clifton, baronet, and Samuel Morley, esquire, whose elections have been determined to be void" (*Mr. Ayrton*) *May* 3, 430
Amendt. To leave out from "That," and add "the Minutes of the Evidence taken before the Nottingham Election Committee be laid before this House" (*Sir Harry Verney*); Question, "That the words, &c.;" after short debate, agreed to; main Question agreed to

Nuisances Removal Bill
(*Mr. Knatchbull-Hugessen, Sir G. Grey*)
c. Ordered; read 1°* *May* 17 [Bill 164]
Read 2°* *May* 24
Committee*; Report *May* 28
Read 3°* *May* 30
l. Read 1ª* (*The Lord Stanley of Alderley*) *May* 31 (No. 132)
Read 2ª* *June* 7

O'BEIRNE, Mr. J. S., *Cashel*
Iron Passenger Ships, Surveyors of, 1686
Transubstantiation, &c. Declaration Abolition, 2R. 641, 642

O'BRIEN, Sir P., *King's Co.*
Supply—Non-conforming, &c. Ministers, 833

O'CONOR DON, The, *Roscommon Co.*
Ireland—National Education, Comm. moved for, 999
Representation of the People (Ireland), Leave, 538
United States and Canada—The Reciprocity Treaty, 1175

O'DONOGHUE, The, *Tralee*
Army—Militia—War Office Commission, 770
Representation of the People, 2R. 34

OLIPHANT, Mr. L., *Stirling, &c.*
Scotland—Postal Arrangements in Fifeshire, Res. 775
Supply—Expedition, 731;—Special Missions, 737, 738
United States and Canada—The Reciprocity Treaty, 1172

O'Loghlen, Sir C. M., *Clare Co.*
Admiralty Court (Ireland), Leave, 281
Convicts' Property, Comm. 430
Exchequer and Audit Departments, Consid. *cl.* 4, Amendt. 421
Representation of the People (Ireland), Leave, 537
Supply—University of London, 184, 185;—Holyhead and Portpatrick Harbours, 194;—Public Buildings (Ireland), 195;—Audit Office, 199;—Probate and Divorce, &c. Courts, 210
Transubstantiation, &c. Declaration Abolition, Comm. 2134

O'Neill, Mr. E., *Antrim Co.*
Cattle Plague, 1688
Supply—Non-conforming, &c. Ministers, 829

Onslow, Mr. G. J., *Guildford*
Representation of the People, Comm. 1917

O'Reilly, Mr. M. W., *Longford Co.*
Army—War Office Warrants, 669
Ireland—Official Oaths, 160;—Murder in Monaghan, Explanation, 438;—National Education, Comm. moved for, 990, 1029
Saturday Half Holiday, 172, 174, 177
Supply—Ancient Laws, &c. (Ireland), 835

Osborne, Mr. R. B., *Nottingham*
Bribery at Elections, Res. 1450, 1458
Representation of the People, Comm. 1323, 1333, 1814

Otway, Mr. A. J., *Chatham*
Bribery at Elections, Res. 1468
Supply—University of London, 188

Overstone, Lord
Companies' Act (1862) Amendment, Comm. 2028, 2033
Railways, Finance of, 867
Royal Academy—Burlington House, 1035

Oxford, Bishop of
Law of Capital Punishment Amendment, 2R. 244
Persia—Nestorians in, 566
Selling and Hawking Goods on Sunday, Comm. 945

Oyster Bed Licences (Ireland) Bill
(*Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland, Mr. C. Fortescue*)
c. Ordered; read 1° * *June* 4 [Bill 175]

Oyster Fisheries Bill
(*Mr. Milner Gibson, Mr. Monsell*)
c. Ordered * *May* 29
Read 1° * *May* 30 [Bill 169]
Read 2° * *June* 4

Packe, Mr. C. W. *Leicestershire, S.*
Clerks to Justices, 2R. 650

Pakington, Right Hon. Sir J. S., *Droitwich*
Cattle Plague, 1688
Elective Franchise, 2R. 1495
Merchant Ships, Loss of, 771
Representation of the People, Comm. 1572, 1946
Ways and Means—Financial Statement, Comm. Res. 1, 411

Palk, Sir L., *Devonshire, S.*
Duchy of Cornwall, 962
Representation of the People, 166; Comm. 1326
Shipwrecks in Torbay, 463, 468
Spain and Chile—War between, 965
Supply—University of London, 186, 191

Palmer, Sir R., *see* Attorney General The

Parliament
LORDS—
Oath to be taken by Peers—Standing Order, Resolved, That the Oath appointed by the Act of the present Session of Parliament, intituled "An Act to amend the Law relating to Parliamentary Oaths," to be made and subscribed by Members of both Houses of Parliament on taking their Seats in every Parliament, be made and subscribed by Members of the House of Peers betwixt the Hours of Nine in the Morning and Five in the Afternoon *May* 3, 335
Whitsuntide Recess—On Motion of Earl Russell *May* 18, House adjourned to Monday the 28th instant (See *Private Bills*)

COMMONS—
Business of the House, Question, Mr. Laing; Answer, Mr. Hubbard *May* 24, 1199
Business, Order of, on Friday Evenings (*Mr. Baillie Cochrane*) *May* 28, 1312
Committees—Ascension Day, Ordered, That no Committees have leave to sit To-morrow, being Ascension Day, until Two of the Clock (*Mr. Chancellor of the Exchequer*) *May* 9, 644
Conferences—Message from the Commons to acquaint their Lordships, "That the Commons are willing to send to the Lords by Message, without a Conference, any Communication desiring the Concurrence of the Lords to any Address to Her Majesty, under the provisions of the Act 15th and 16th Vict. Cap. 57, to which the Commons may have agreed, unless at any Time the Lords should desire to receive the same at a Conference" *April* 27, 3
Oaths of Members—Resolved, That Members may take and subscribe the Oath required by Law, at any time during the sitting of the House, before the Orders of the Day and Notices of Motions have been entered upon, or after they have been disposed of; but no debate or business shall be interrupted for that purpose (*Sir George Grey*) *April* 30, 162

[*cont.*

PARLIAMENT—*Commons*—cont.
  Ordered, That the said Resolution be a Standing Order of this House
  Standing Order of the 15th day of August 1860, relative to the swearing of persons professing the Jewish Religion, read, and repealed
  Police at the Houses of, Question, Lord Robert Montagu; Answer, Mr. Knatchbull-Hugessen *May* 14, 872; *May* 28, 1312
  Standing Order 19th July, 1854, Committee—Amendments on Motion, "That Mr. Speaker, &c.;" Question, Mr. Darby Griffith; Answer, Mr. Speaker *June* 5, 1946
  Whitsuntide Recess—Question, Mr. Bouverie; Answer, The Chancellor of the Exchequer *May* 7, 484; on Motion of The Chancellor of the Exchequer *May* 18, House adjourned to Thursday the 24th instant

Parliamentary Oaths Amendment Bill (*The Earl Russell*)
  Royal Assent *April* 30 [29 *Vict.* c. 19]

Patent Office — Proceedings against Mr. Edmunds
  Question, Sir James Fergusson; Answer, The Attorney General *May* 10, 767

Patents, Specifications of
  Question, Mr. Darby Griffith; Answer, The Attorney General *May* 15, 961

Patriotic Fund, The Royal
  Question, Earl Nelson; Answer, The Duke of Somerset *June* 1, 1683; Explanation, Earl Nelson *June* 4, 1769

PATTEN, Colonel, J. W., *Lancashire, N.*
  Holderness Embankment, &c. 2R. 1972

PAULL, Mr. H., *St. Ives*
  Bribery at Elections, Res. 1455
  Imperial Gas Company, 2R. 582

PEASE, Mr. J. W., *Durham, S.*
  Harbours of Refuge, 1436
  Representation of the People, Comm. *cl.* 4, 2100

PEEL, Right Hon. Sir R., *Tamworth*
  Admiralty Court, Leave, 281
  Compulsory Church Rate Abolition, Leave, 632, 634
  Coal Fields of the United Kingdom, 672
  Ireland—County Prisons, 671;—Tenants' Improvements in, 769;—The Irish Bench, 800, 801, 802
  Supply—Embassies, &c. 735, 736

PEEL, Right Hon. Lt.-Gen. J., *Huntingdon*
  Army—Medical Officers, Motion for Papers, 593
  Congress, Abandonment of the, 1947
  Re-distribution of Seats, Leave, 514

PEEL, Mr. A. W., *Warwick*
  Representation of the People, Comm. 1746

Pensions Bill (*The Lord Chancellor*)
  l. Read 2ª* *May* 29 (No. 47)
  Considered in Committee, after short debate *June* 5, 1934 (No. 144)
  Report * *June* 7

PERCY, Major-General Lord H. H. M., *Northumberland, N.*
  Army—Medical Officers, Motion for Papers, 587

Persia—Nestorians in
  Question, Viscount Stratford de Redcliffe; Answer, The Earl of Clarendon *May* 8, 564

Pier and Harbour Orders Confirmation Bill (*Mr. Milner Gibson, Mr. Monsell*)
  c. Resolution in Committee; Bill ordered; read 1°* *May* 9 [Bill 148]
  Read 2°* *May* 14
  Referred to Select Committee *May* 24

Pier and Harbour Orders Confirmation (No. 2) Bill (*Mr. M. Gibson, Mr. Monsell*)
  c. Resolution in Committee; Bill ordered* *May* 29
  Read 1°* *May* 30 [Bill 170]
  Read 2°* *June* 4

PIM, Mr. J., *Dublin City*
  Admiralty Court (Ireland), Leave, 281
  Marriage with a Deceased Wife's Sister, 2R. 316
  Representation of the People, Comm. 1838
  Representation of the People (Ireland), Leave, 539
  Tenure and Improvement of Land (Ireland), Leave, 228; 2R. 1102

Plymouth, Poor Relief at
  Question, Mr. Morrison; Answer, Mr. Childers *May* 18, 1147

POLLARD-URQUHART, Mr. W., *Westmeath Co.*
  Bribery at Elections, Res. 1465
  Ireland—Medical Officers, Res. 1954
  Supply—Charity Commission, 202;—Non-conforming, &c. Ministers, 829;—Civil Contingencies, 840
  Ways and Means, Comm. Res. 9, 553

Poor Persons' Burial (Ireland) Bill (*The Earl of Belmore*)
  l. Committee* *April* 30 (No. 77)
  Report * *May* 3 (No. 94)
  Read 3ª* *May* 4
  Commons Reasons for disagreeing to a certain Amendment of the Lords considered *June* 4, 1791; on Question, Whether to insist on the said Amendment? resolved in the negative
  Royal Assent *June* 11 [29 *Vict.* c. 38]

Poor Relief (Ireland) Law Amendment Bill (*Mr. C. Barry, Major Gavin*)
  c. Ordered; read 1°* *May* 10 [Bill 153]

Poor Law
Medical Officers of Unions, Motion, That, in the opinion of this House, Her Majesty's Government should now adopt the recommendations of the Select Committee of 1858, which recommended 'Her Majesty's Government to take into consideration the Claims of Ireland to a grant of the half-cost of Medical Officers of Unions, with the view of providing for the same in future, as is now the practice in England and Scotland,' fortified, as such recommendation is, by the Report of the Select Committee on Taxation of Ireland in June 1865, who reported that with regard to the grants for Poor Law Medical Officers and Workhouse Schoolmasters, 'it would be reasonable that the same aid should be extended to Ireland as is already extended to England' " (*Mr. MacEvoy*) *June* 5, 1948; after debate, Motion withdrawn
Plymouth, Poor Relief at, Question, Mr. Morrison; Answer, Mr. Childers *May* 18, 1147
Poor Law (Scotland), Observations, Mr. Baxter; Reply, The Lord Advocate *May* 4, 472

Portman, Lord
Private Bills—Standing Order No. 184, 1787, 1789
Selling and Hawking Goods on Sunday, Report, 1044; 3R. Amendt. 1140, 1141, 1142, 1673

Post Office Clerks
Question, Viscount Bangor; Answer, Lord Stanley of Alderley *May* 11, 765

Post Office Savings Banks and Annuity Offices
Question, Lord Eustace Cecil *May* 11, 777; Question, Lord Eustace Cecil; Answer, The Chancellor of the Exchequer *May* 29, 1438

Powell, Mr. F. S., *Cambridge Bo.*
Bribery at Elections, Res. 1448
Education—The Revised Code, 1794
Fellows of Colleges Declaration, 3R. 2013
Law Courts, The New, 183
Supply—University of London, 185;—Labuan, 728;—Emigration, *ib.*
Ways and Means, Comm. Res. 7, 551

Powerscourt, Viscount
Tenure (Ireland), 2R. 753

Powis, Earl of
Labouring Classes' Dwellings, 2R. 569
Schools, Public, Comm. *cl.* 5, 1928

Princess Mary of Cambridge, Marriage of the
Lords—Message from the Queen *June* 5, 1933
Commons—Message from Her Majesty brought up, and read by Mr. Speaker *June* 5, 1969
Lords—Her Majesty's Message considered; and an humble Address thereon agreed to *nemine dissentiente June* 7, 2020
Queen's Message [5th June] considered in Committee *June* 7, 2038; after short debate,
[*cont.*

Princess Mary of Cambridge Marriage of the—cont.
Resolved, That the annual sum of Two Thousand Pounds be granted to Her Majesty out of the Consolidated Fund of Great Britain and Ireland, the said Annuity to be settled on Her Royal Highness the Princess Mary Adelaide Wilhelmina Elizabeth, younger daughter of his late Royal Highness the Duke of Cambridge, for her life in such manner as Her Majesty shall think proper, and to commence from the date of the marriage of Her Royal Highness with his Serene Highness Francis Paul Louis Alexander, Prince of Teck, such Annuity to be in addition to the Annuity now enjoyed by Her Royal Highness under the Act of the thirteenth and fourteenth years of Her present Majesty, cap. 77

Private Bills [*Lords*]
Resolved, That Standing Order 179. Secs. 1. and 2. be suspended; and that the time for depositing Petitions praying to be heard against Private Bills, be extended to Monday the 28th instant *May* 17
Moved, That the Standing Orders be considered in order to their being amended; Standing Order No. 184, Sects. 2 and 3, to be omitted, and certain other sections added (*The Chairman of Committees*) *June* 4, 1772
Amendt. to leave out from ("That") and insert ("a Select Committee be appointed to consider how far it is expedient to amend the Standing Orders relating to Railways") (*The Marquess of Clanricarde*) *June* 4; after long debate, Amendt. withdrawn; original Motion withdrawn, and a Select Committee appointed to consider alterations in Standing Order No. 184, proposing that a Subscription Contract shall be entered into in certain cases by the Promoters of Second Class Bills

Prosecution Expenses Bill
(*The Lord Chelmsford*)
l. Moved, "That the Bill be now read 2^a" (*Lord Chelmsford*) *May* 7, 477; Read 2^a after short debate (No. 88)

Public Companies Bill
(*Mr. Darby Griffith, Mr. Robert Torrens*)
c. Committee*; Report *May* 2 [Bill 35]
Read 3^o* *May* 10
l. Read 1^a* (*The Earl Nelson*) *May* 11 (No. 105)

Public Health Bill
(*Mr. Bruce, Mr. C. Fortescue, Sir G. Grey*)
c. Ordered* *June* 5
Read 1^o* *June* 6 [Bill 180]

Public Journals, Forged Letters to the
Question, Mr. Darby Griffith; Answer, Mr. Layard *June* 5, 1940

Public Offices (Site) Bill
(*The Lord Stanley of Alderley*)
l. Committee*; Report *April* 27 (No. 67)
Read 3^a* *April* 30
Royal Assent *May* 18 [29 *Vict.* c. 21]

Public Schools Bill
(*The Earl of Clarendon*)
l. Presented; read 1ª* *May* 11 (No. 110)
Moved, "That the Bill be now read 2ª" (*The Earl of Clarendon*) *May* 29, 1408; Read 2ª after long debate
Considered in Committee *June* 5, 1923
Amendments made (No. 143)

Qualification for Offices Abolition Bill
(*The Lord Houghton*)
l. Committee; Report *May* 1, 258
Read 3ª* *May* 3 (No. 41)
Royal Assent *May* 18 [29 *Vict.* c. 22]

Railway Clauses Bill
Question, Mr. Horsfall; Answer, Mr. Milner Gibson *June* 1, 1691

Railway Companies' Securities Bill
c. Ordered; read 1°* *May* 10 [Bill 151]
Read 2°* *May* 24
Referred to Select Committee *May* 24
Select Committee nominated *June* 1, 1763

Railways, Finance of—Railway Legislation
Observations, Lord Redesdale; Reply, Lord Stanley of Alderley *May* 14, 858

Rateable Property (Ireland) Bill
(*Mr. Childers, Mr. Chichester Fortescue, Mr. Attorney General for Ireland*)
c. Ordered; read 1°* *May* 3 [Bill 135]

RAVENSWORTH, Lord
Selling and Hawking Goods on Sunday, 3R. 1137

READ, Mr. C. S., *Norfolk, E.*
Cattle Disease—Slaughter of Cattle, 360;—Sale of Cattle at Markets and Fairs, 672, 1144
Compulsory Church Rate Abolition, Leave, 634
Supply—University of London, 192;—Governors of Colonies, 726;—Services in China, Japan, &c. 734;—Inspectors of Corn Returns, 834;—Agricultural Statistics, 836, 838;—Civil Contingencies, 839
Tenure and Improvement of Land (Ireland), 2R. 1105
Turnpike Acts, 360

Real Estate Intestacy Bill
(*Mr. Locke King, Mr. Bouverie, Mr. Coleridge*)
Moved, "That the Bill be now read 2°" (*Mr. Locke King*) *June* 6, 1975
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Beresford Hope*); Question, "That 'now,' &c.;" after long debate, A. 84, N. 281; M. 197; words added; main Question agreed to; Bill put off for six months

REARDEN, Mr. D. J., *Athlone*
Representation of the People (Ireland), Leave, 541
Supply—University of London, 190;—Registrars of Friendly Societies, 200;—Printing and Stationery, 208;—Probate and Divorce Courts, 210;—Metropolitan Police, 212
Tenure and Improvement of Land (Ireland), Leave, 231

Reciprocity Treaties
Question, Mr. Layard; Answer, Mr. Watkin; *April* 30, 162; Observations, Mr. Watkin *May* 4, 475; *May* 18, 1151

Records of Great Britain and Ireland
Observations, General Dunne; Reply, Mr. Childers *May* 18, 1178

REDESDALE, Lord (Chairman of Committees)
Companies' Act (1862) Amendment, Comm. 2028
Crown Lands, 2R. 2022
Law of Capital Punishment Amendment, 2R. 250
Metropolitan Railway (Additional Powers), 2R. 1770, 1771
Private Bills — Standing Order No. 184, Amendt. 1772, 1784, 1788, 1790
Prosecution Expenses, 2R. 478
Railways, Finance of, 857, 869
Selling and Hawking Goods on Sunday, Report, Amendt. 1040; 3R. 1134, 1139, 1141, 1142; *cl.* 4, Amendt. 1672, 1681

Re-distribution of Seats Bill
(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers*)
c. Motion for Leave (*Mr. Chancellor of the Exchequer*) *May* 7, 486
Bill ordered, after debate; read 1° [Bill 138]
Moved, "That the Bill be now read 2°" (*Mr. Chancellor of the Exchequer*) *May* 14, 874; Read 2°, after long debate
Committee *May* 31, 1554

Reformatory Schools Bill
(*Mr. Knatchbull-Hugessen, Sir George Grey*)
c. Ordered; read 1°* *May* 17 [Bill 162]
Read 2°* *May* 28

Reigate Election — Motion for a Joint Address
Moved, "That an humble Address be presented to Her Majesty, praying for the appointment of Thomas Allen, esquire, Frederick James Smith, esquire, and T. D. Archibald, esquire, as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Reigate (*Mr. Hussey Vivian*) *May* 1, 273; after debate, Motion agreed to
Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto (*Mr. Hussey Vivian*)

Representation of the People Bill

Boroughs, Boundaries of, Question, Mr. Goldney; Answer, Sir George Grey *May* 4, 470

Electoral Statistics, Petition of Electors of Rochdale, Mr. Disraeli *April* 27, 4; Question, Viscount Cranbourne; Answer, The Chancellor of the Exchequer *May* 14, 873

Harden Petition, Order [24th April], for the appointment of a Select Committee, read; Moved, "That the said Order be discharged" (*Mr. Ferrand*) *May* 1, 282; Motion withdrawn; Select Committee appointed (*Mr. Ferrand*) *May* 3, 433

Ministerial Statement, The Chancellor of the Exchequer *April* 30, 163

Moved, "That this House do now adjourn" (*Mr. E. P. Bouverie*), 167; after debate, Motion withdrawn

Municipal Boroughs in Somersetshire, Question, Mr. Neville-Grenville; Answer, Sir George Grey *May* 3, 352

Re-distribution of Seats—Grouped Boroughs, Question, Colonel C. Lindsay; Answer, The Chancellor of the Exchequer *May* 29, 1437

Reform Bill for Ireland, Question, Major Stuart Knox; Answer, The Chancellor of the Exchequer *May* 8, 584

Reform Bill for Scotland, Question, Colonel Sykes; Answer, The Chancellor of the Exchequer *May* 8, 584

Reform Bills, The, Question, Lord Elcho; Answer, Mr. Hadfield; short discussion thereon *June* 4, 1794

Representation of the People Bill
(*Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Villiers*)

c. Second reading — Adjourned debate — Debate resumed—Eighth Night *April* 27, 6; after long debate, Question put, A. 318, N. 313; M. 5; main Question agreed to

Bill read 2° [Bill 68]

Division List, Ayes and Noes, 152

Order for Committee read; Ordered, That the Representation of the People Bill and the Re-distribution of Seats Bill be referred to the same Committee; Instruction to the Committee, that they have power to consolidate the said Bills into one Bill (*Mr. E. P. Bouverie*) *May* 28, 1319

Moved, "That it be an Instruction to the Committee that they have power to make provision for the better prevention of bribery and corruption at Elections" (*Sir Rainald Knightley*), 1320; Question put, A. 248, N. 238; M. 10; Division List, Ayes and Noes, 1344

Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Chancellor of the Exchequer*), 1347

Amendt. To leave out from "That" and add "this House, while ready to consider the general subject of a Re-distribution of Seats, is of opinion that the system of grouping proposed by Her Majesty's Government is neither convenient nor equitable, and that the scheme is otherwise not sufficiently matured to form the basis of a satisfactory measure" (*Captain Hayter*); Question, "That the words, &c.;"

[*cont.*

Representation of the People Bill—cont.

after long debate, Moved, "That the debate be now adjourned" (*Major Jervis*), 1397; after further debate, Question agreed to; debate adjourned

Debate resumed—Second Night *May* 31, 1554; after long debate, Debate further adjourned

Close of the Debate—Observations, Mr. Disraeli; Reply, Sir George Grey *May* 31, 1668

Debate resumed—Third Night *June* 1, 1697; after long debate, Debate further adjourned

Debate resumed—Fourth Night *June* 4, 1798; and after further long debate, Question, "That the words, &c." put, and agreed to; main Question, "That Mr. Speaker do now leave the Chair," agreed to

Bill considered in Committee

Moved, "That the Chairman do report Progress and ask leave to sit again" (*Mr. Chancellor of the Exchequer*), A. 403, N. 2; M. 401

Committee report Progress

Motion, "That Copies of the Representation of the People Bill, and the Re-distribution of Seats Bill, showing the Amendments to be proposed in Committee by Mr. Chancellor of the Exchequer, be printed" (*Mr. Chancellor of the Exchequer*) *June* 5, 1941; after debate, Motion withdrawn

Committee *June* 7, 2042

Clauses 1 and 2 agreed to

Clause 3 postponed

Clause 4 (Occupation Franchise for Voters in Counties)

Motion, "That the Clause be postponed" (*Lord Stanley*); after long debate, A. 260, N. 287; M. 27; Division List, Ayes and Noes, 2071

Amendt. in page 2, line 39, to leave out "fourteen," and insert "twenty" (*Mr. Walpole*), 2075

Motion to report Progress, agreed to; House resumed

Motion, "That this House will this day [Friday] again resolve itself into the said Committee" (*Mr. Chancellor of the Exchequer*); Amendt. to leave out "this day," and insert "upon Monday next" (*Viscount Royston*); Question, "That the words 'this day,' &c.;" Amendt. withdrawn; main Question agreed to

Representation of the People (Ireland) Bill (*Mr. C. Fortescue, Mr. Chancellor of the Exchequer, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)

c. Motion for Leave (*Mr. C. Fortescue*) *May* 7, 529

Ordered, after debate; read 1° [Bill 140]

Representation of the People (Scotland) Bill (*The Lord Advocate, Mr. Chancellor of the Exchequer, Sir G. Grey, Mr. Solicitor General for Scotland*)

c. Motion for Leave (*The Lord Advocate*) *May* 7, 517

Ordered, after debate; read 1° [Bill 139]

RICHMOND, Duke of,
  Law of Capital Punishment Amendment, Comm. *cl.* 4, 1546

RIDLEY, Sir M. W., *Northumberland, N.*
  Reigate Election, Motion for a Joint Address, 277
  Representation of the People, Comm. 1406, 1918
  Supply—Emigration, 730, 731

Rights of Dramatizing Works of Fiction Bill [H.L.] (*The Lord Lyttelton*)
l. Presented; read 1ª * *June* 5 (No. 142)

ROBERTSON, Mr. D., *Berwickshire*
  Re-distribution of Seats, Leave, 516

Rochdale Vicarage Bill
(*Mr. Walpole, Mr. Bouverie*)
c. Read 2º * *May* 28 [Bill 38]
  Referred to Select Committee *May* 28
  Select Committee nominated *June* 4, 1920

ROEBUCK, Mr. J. A., *Sheffield*
  Ireland—Chief Justice Lefroy, 356

ROMILLY, Lord
  Law of Capital Punishment Amendment, 2R. 245, 256; Comm. *cl.* 4, 1548
  Pensions, Comm. 1934

ROMNEY, Earl of
  Hop Trade, 2R. 1310

Royal Academy and Burlington House
  Question, Lord Overstone; Answer, Earl Granville *May* 17, 1035

ROYSTON, Viscount, *Cambridgeshire*
  Representation of the People, Comm. Amendt. 2133

RUSSELL, Earl (First Lord of the Treasury)
  Austria, Prussia, and Italy, 575, 576
  India—Court of Small Causes (Bombay)—Mr. Manockjee Cursetjee; Motion for Papers, 1300
  Lancaster Election, Motion for a Commission, 1416, 1422, 1427, 1432, 1433
  Law of Capital Punishment Amendment, Comm. *cl.* 4, 1546, 1547
  Princess Mary of Cambridge, Marriage of, Message from the Queen, 1933; Res. 2020
  Schools, Public, Comm. *cl.* 17, 1930
  Selling and Hawking Goods on Sunday, Comm. 480; Report, 1042; 3R. 1142

RUSSELL, Colonel Sir C., *Berkshire*
  Army—Musketry Instruction, 817, 826

ST. DAVID'S, Bishop of
  Education, Minute of Council on—The Conscience Clause, 851

Sale of Advowsons Bill [H.L.]
(*The Lord Bishop of Peterborough*)
l. Presented; read 1ª * *May* 11 (No. 109)

Sale of Land by Auction Bill
(*The Lord St. Leonards*)
l. Report * *April* 30 (No. 89)
  Read 3ª * *May* 1 (No. 93)
c. Read 1º * *May* 11 [Bill 155]

Salmon Fisheries (Scotland) Bill
(*The Lord Stanley of Alderley*)
l. Committee * *April* 30 (Nos. 85 & 86)
  Report * *May* 1
  Read 3ª * *May* 3
c. Read 1º * *May* 11 [Bill 156]

SALOMONS, Mr. Alderman D., *Greenwich*
  Continental Affairs, State of, 483
  Convicts' Property, Comm. 429
  Supply—University of London, 189
  Ways and Means—Financial Statement, Comm. Res. 1, 412

SAMUDA, Mr. J. D'A., *Tavistock*
  Ways and Means—Financial Statement, Comm. Res. 1, 414

SAMUELSON, Mr. B., *Banbury*
  Bankruptcy Law Amendment, 2R. 706
  Terminable Annuities, 2R. 1274

SANDFORD, Mr. G. M. W., *Maldon*
  Cholera, The, 986
  Commons (Metropolis), 2R. 1287, 1288
  European Affairs, Congress on, 1149
  Representation of the People, Comm. 1384
  Supply—Quarantine Establishment, 204, 206

Sat First
  May 7—The Lord Hay, after the Death of his Father
  May 28—The Lord Ormonde, after the Death of his Father

SAUNDERSON, Mr. E. J., *Cavan Co.*
  Tenure and Improvement of Land (Ireland), 2R. 1108

SCLATER-BOOTH, Mr. G., *Hampshire, N.*
  National Gallery Enlargement, 2R. 741
  Nottingham Writ, 432
  Representation of the People, Comm. 1371, 1918
  Supply—Embassies, &c. Adj. moved, 736;—Special Missions, 737

Scotland
  Edinburgh Annuity Tax, &c., On Motion of Mr. M'Laren, Select Committee appointed, "to inquire into the operation of 'The Edinburgh Annuity Tax Abolition Act, 1860,' and 'The Canongate Annuity Tax Act,' and to report their opinion thereon to the House" *April* 30, 231

[*cont.*

Scotland—cont.

Gunpowder, Storage at Leith Fort and Edinburgh Castle, Question, Mr. W. Miller; Answer, The Marquess of Hartington *May* 17, 1049

Lotteries for Charitable Purposes, Question, Mr. Whalley; Answer, The Lord Advocate *May* 10, 670; Explanation, The Lord Advocate *May* 14, 874; Motion for Papers, Mr. Whalley *May* 29, 1476

Poor Law, Observations, Mr. Baxter; Reply, The Lord Advocate *May* 4, 472

Postal Arrangements in Fifeshire, Amendt. on Committee of Supply *May* 11, To leave out from "That" and add "in the opinion of this House, the complaints which have so frequently been addressed to the Post Office authorities by the Commissioners of Supply and others in the County of Fife, deserve the prompt attention of that department" (*Sir Robert Anstruther*), 774; Question, "That the words, &c.;" after short debate, Amendt. withdrawn

Sheriff's Substitute, Question, Mr. Cumming-Bruce; Answer, The Lord Advocate *May* 3, 361

SCOTT, Lord H. G., *Selkirkshire*

Bridgwater Election, New Writ, 1667

SCOURFIELD, Mr. J. H., *Haverfordwest*

Bribery at Elections, Res. 1460

Clerks to Justices, 2R. 651

Representation of the People, Comm. 1592

Supply—Copyhold, Tithe and Inclosure Commission, 199;—Lunacy Commission, &c. 200;— Superintendent of Roads, South Wales, 200

Sea Coast Fisheries (Ireland) Bill (*Mr. Blake, Mr. Brady*)

c. Ordered; read 1^o* *May* 8 [Bill 147]

Selling and Hawking Goods on Sunday Bill [H.L.] (*The Lord Chelmsford*)

l. Presented; read 1^a* *April* 30 (No. 92)

Moved, "That the Bill be now read 2^a" (*Lord Chelmsford*) *May* 3, 335

Amendt. to leave out ("now") and insert ("this day six months") (*Lord Teynham*); after long debate, Question, "That ('now,') &c.;" resolved in the affirmative; Read 2^a; after short debate, Committee put off *May* 7, 478

Moved, "That the House do now resolve itself into a Committee on the said Bill" (*Lord Chelmsford*) *May* 15, 929

Amendt. to leave out ("now") and insert ("this day six months;") after long debate, Question, "That ('now,') &c.;" resolved in the affirmative; House in Committee; Amendts. made

Amendts. reported *May* 17, 1036 (No. 119)

Amendt. to leave out ("except as hereinafter excepted") and insert ("between the hours of ten o'clock in the morning and one o'clock in the afternoon)" (*The Chairman of Committees*); after debate, Question, Whether the words proposed to be left out stand part of the Bill? Cont. 40, Not-Cont. 54; M. 14; Division List, Cont. and Not-Cont. 1047

Selling and Hawking Goods on Sunday Bill—cont.

Moved, "That the Bill be now read 3^a" (*The Chairman of Committees*) *May* 18, 1133

Amendt. to leave out ("now") and insert ("this day six months") (*Lord Taunton*); after debate, on Question, "That ('now,') &c.;" Cont. 50, Not-Cont. 49; M. 1; Read 2^a; Division List, Cont. and Not-Cont. 1140

Amendt. to leave out Clause 4 (*Lord Portman*); after debate, debate adjourned

Order for resuming the further debate on the Amendt. moved on Third Reading, namely, to leave out Clause 4 (*Lord Portman*) read *June* 1, 1672; Amendt. agreed to

Moved, That the Bill do pass; on Question, Cont. 40, Not-Cont. 69; M. 29; Division List, Cont. and Not-Cont. 1681

SELWYN, Mr. C. J., *Cambridge University*

Fellows of Colleges Declaration, 3R. 2008

SEYMOUR, Rear-Adm., G. H., *Antrim Co.*

Spain and Chile—War between, 971

SEYMOUR, Mr. H. D., *Poole*

Representation of the People, Comm. 1848

Supply—University of London, 192

SHAFTESBURY, Earl of

Labouring Classes' Dwellings, 2R. 567

Law of Capital Punishment Amendment, 2R. 256

Persia—Nestorians in, 566

Selling and Hawking Goods on Sunday, Comm. 479; *cl.* 2, 945, 948; *cl.* 9, Amendt. 948

SHERIDAN, Mr. H. B., *Dudley*

Business of the House, 1199

Customs and Inland Revenue, 2R. 1215; Comm. *cl.* 1, 1408

National Debt, 485

Terminable Annuities, 1201

SHERRIFF, Mr. A. C., *Worcester City*

Ballard, Emily Jane, Case of, 283

Siam, The Myloongee Case

Question, Colonel Sykes; Answer, Mr. Layard *May* 18, 1146

SMOLLETT Mr. P. B., *Dumbartonshire*

Bribery at Elections, Res. 1462

India—Tenure of Land, Res. 709, 719, 720;—Madras Irrigation, 766, 767, 962

SOLICITOR GENERAL, The (Sir R. P. Collier), *Plymouth*

Representation of the People, Comm. 1376

Solicitor to the Treasury Bill
(*Mr. Childers, Mr. Brand*)
c. Ordered ; read 1°* *May* 10 [Bill 152]
Read 2° *May* 11, 844
Committee * ; Report *May* 17
Read 3°* *May* 24
l. Read 1ª* *May* 28 (No. 125)

SOMERSET, Duke of (First Lord of the Admiralty)
Cholera among German Emigrants, Motion for Papers, 954
Patriotic Fund, Royal, 1684, 1770
Spain and Chile—War between, 956, 959

Spain and Chile and Peru, War Between
Blockade of the Chilean Ports—Bombardment of Valparaiso, Question, Lord Houghton; Answer, The Duke of Somerset *May* 15, 955 ; Question, Sir Lawrence Palk ; Answer, Mr. Layard ; discussion thereon *May* 15, 965; Question, Mr. Darby Griffith ; Answer, Mr. Layard *May* 18, 1149 ; Question, Mr. Liddell ; Answer, Mr. Layard *May* 31, 1552 ; Question, Mr. Darby Griffith ; Answer, Mr. Layard *June* 1, 1690

SPEAKER, The (Right Hon. J. E. Denison) *Nottinghamshire, N.*
Army—Musketry Instruction, 826
Bribery at Elections, Res. 1450
Bridgwater Election, 1797
Fenian Conspiracy, Comm. moved for, 1696
Illness of, Res. 158, 1144
Ireland—Chief Justice Lefroy, 355, 356 ;—The Irish Bench, 800, 801, 802
National Debt, 563
Princess Mary of Cambridge, Message from Her Majesty, 1969
Re-distribution of Seats, 2R. 918, 921
Representation of the People, Comm. 1334, 1915, 1918, 1944, 2133
Standing Order July 19, 1854, 1947
Tenure and Improvement of Land (Ireland), 2R. 1098

Standards of Weights, Measures, and Coinage Bill
(*Mr. Childers, Mr. Milner Gibson*)
c. Ordered ; read 1° * *May* 28 [Bill 166]
Read 2° * *June* 4
Committee * ; Report *June* 7

STANHOPE, Earl
Schools, Public, 2R. 1411 ; Comm. *cl.* 17, 1930

STANHOPE, Mr. J. Banks, *Lincolnshire, N.*
Representation of the People, Comm. *cl.* 4, 2106

STANILAND, Mr. M., *Boston*
Bribery at Elections, Res. 1452
Imperial Gas Company, 2R. 581, 583
Representation of the People, Comm. 1331, 1334

STANLEY OF ALDERLEY, Lord (Postmaster General)
Companies' Act (1862) Amendment, Comm. 2031
Labouring Classes' Dwellings, 2R. 567, 569
Metropolitan Railway (Additional Powers), 2R. 1771
Post Office Clerks, 765
Private Bills—Standing Order No. 184, 1789
Railways, Finance of, 864
Selling and Hawking Goods on Sunday, Comm. *cl.* 2, 946 ; *cl.* 4, 948 ; 3R. 1141, 1142

STANLEY, Right Hon. Lord, *Lynn Regis*
Jamaica—The Commission, 364
Representation of the People, Comm. *cl.* 4, Amendt. 2057
Ways and Means—Financial Statement, Comm. Res. 1, 414

STANLEY, Hon. W. Owen, *Beaumaris*
Cattle Plague—Importation of Diseased Cattle from Ireland, 1148, 1687, 1689
Ireland—Cattle Plague, 965
Metropolis, Traffic in the, 161, 162
Totnes Election, Motion for a Joint Address, 267

STANSFELD, Mr. J. (Under Secretary of State for India), *Halifax*
India—Complaint against the late State of Oude, 364 ;—Tenure of Land, 716 ;—Madras Irrigation, 766, 767, 962
Indian Army, Grievances of the, 484, 767

STIRLING-MAXWELL, Sir W., *Perthshire*
Cattle Plague — Compensation for Slaughtered Cattle, 812, 814
Representation of the People (Scotland), Leave, 524
Supply, 1691
Voting Papers, 1793

Straits Settlements Bill
(*Mr. Stansfeld, Mr. W. E. Forster*)
c. Ordered ; read 1° * *June* 4 [Bill 176]

STRATFORD DE REDCLIFFE, Viscount
Austria, Prussia, and Italy, 573
Europe, State of, 1131
Persia—Nestorians in, 564
Schools, Public, Comm. *cl.* 17, 1930
Selling and Hawking Goods on Sunday, 3R. 1139

STUCLEY, Sir G. S., *Barnstaple*
Army — Artillery — Guns and Gun Cotton, 2036

SULLIVAN, Mr. E. (Solicitor General for Ireland), *Mallow*
Admiralty Court (Ireland), Leave, 281
Court of Chancery (Ireland), 2R. 666, 667
Ireland—The Irish Bench, 803, 804, 805
Tenure and Improvement of Land (Ireland), Leave, 230

Superannuations (Officers Metropolitan Vestries and District Boards) Bill
(*Mr. Harvey Lewis, Mr. Chambers*)
c. Read 3° * *April* 27 [Bill 52]
l. Read 1ª * (*The Lord Llanover*) *April* 30
Read 2ª * *May* 14 (No. 91)
Committee *; Report *May* 15
Read 3ª * *May* 17
Royal Assent *May* 18 [29 *Vict.* c. 31]

SUPPLY
Considered in Committee *April* 30—Civil Service Estimates — Class I. — Public Works and Buildings. — Class II. — Salaries and Expenses of Public Departments.—Class III.—Law and Justice
Resolutions reported *May* 2
Considered in Committee *May* 10—Civil Service Estimates—Class III.—Law and Justice. —Class IV.—Education, Science and Art.—Class V.—Colonial, Consular, and other Foreign Services
Resolutions reported *May* 11
Considered in Committee *May* 11—Army Estimates—Class I.
Resolutions reported *May* 14
Considered in Committee *May* 11—Civil Service Estimates—Class VI.—Superannuation and Retired Allowances, and Gratuities for Charitable Purposes. — Class VII. — Miscellaneous, Special and Temporary Objects
Resolutions reported *May* 14

Surtees, Mr. C. Freville-, *Durham Co. S.*
Army—Militia Pensions, 583
Compulsory Church Rate Abolition, 1553

Sykes, Colonel W. H., *Aberdeen City*
Bribery at Elections, Res. 1444, 1466
China—Rebels in, Motion for Papers, 814;—The Chinese Visitors, 1552
Holderness Embankment, &c. 2R. 1974
Representation of the People (Scotland), Leave, 527, 584
Siam—The Myloongee Case, 1146
Supply—Patent Law Expenses, 834;—Flax Cultivation (Ireland), 835

Synan, Mr. E. J., *Limerick Co.*
Ireland — National Education, Comm. moved for, 1028
Tenure and Improvement of Land (Ireland), Leave, 230

Taunton, Lord
Selling and Hawking Goods on Sunday, Report, 1041, 1048; 3R. Amendt. 1135, 1672, 1677

Taylor, Colonel T. E., *Dublin, Co.*
Bridgwater Election, New Writ, 1666

Taylor, Mr. P. A., *Leicester*
Representation of the People, 2R. 65

Tenure and Improvement of Land (Ireland) Bill (*Mr. C. Fortescue, Mr. Attorney General for Ireland, Mr. Solicitor General for Ireland*)
c. Ordered, after long debate; read 1° *April* 30, 214 [Bill 130]
Moved, "That the Bill be now read 2°" (*Mr. Attorney General for Ireland*) *May* 17, 1053
Amendt. To leave out from "That" and add "this House, though desirous of simplifying the method of securing to tenants compensation for outlay made in permanent improvements, is of opinion that, in any measure relating to the Tenure and Improvement of Land in Ireland, it is expedient to maintain the principle affirmed by the Act of 1860, namely, that compensation to tenants should be secured in respect of those improvements only which are made with the consent of the landlord; and that the provisions as to the Improvement of Land in Ireland contained in the measure of Her Majesty's Government would operate injuriously on the position of holders of small farms in that Country" (*Lord Naas*); Question, "That the words, &c.;" after long debate, Motion, "That the Debate be now adjourned" (*Mr. Bagwell*); A. 167, N. 154; M. 13; debate adjourned

Tenure (Ireland) Bill
(*The Marquess of Clanricarde*)
l. Moved, "That the Bill be now read 2ª" (*The Marquess of Clanricarde*) *May* 11, 745; after long debate, Motion withdrawn

Terminable Annuities Bill
Question, Mr. H. B. Sheridan; Answer, The Chancellor of the Exchequer *May* 24, 1201

Terminable Annuities Bill
(*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Childers*)
c. Moved, "That the Bill be now read 2°" (*Mr. Chancellor of the Exchequer*) *May* 24, 1220; Read 2° after long debate [Bill 144]

Teynham, Lord
Companies' Act (1862) Amendment, Comm. 2034
Selling and Hawking Goods on Sunday, 2R. Amendt. 341; Comm. 479, 481; Amendt. 929; Report, 1040; 3R. 1138, 1679

Thames Navigation Bill
(*Mr. Milner Gibson, Mr. Monsell*)
Select Committee nominated *May* 10, 742

Tite, Mr. W., *Bath*
Imperial Gas Company, 2R. Amendt. 578
Law Courts, The New, 183, 1184
Metropolitan Board of Works, Motion for a Commission, 1967
Supply—University of London, 185, 189

Torbay, Shipwrecks in
Observations, Sir Lawrence Palk; Reply Mr. Milner Gibson *May* 4, 463

TORRENS, Mr. W. T. McCullagh, *Finsbury*
Jamaica—Bill of Indemnity, 873

Totnes Election—Motion for a Joint Address
Moved, "That an humble Address be presented to Her Majesty praying for the appointment of Henry Bullar, Montague Bere, and Charles E. Coleridge, Esqs., as Commissioners for the purpose of making inquiry into the existence of corrupt practices at Totnes (*Mr. E. P. Bouverie*) *May* 1, 260; after debate, Motion agreed to
Ordered, That the said Address be communicated to the Lords, and their concurrence desired thereto (*Mr. E. P. Bouverie*)

Totnes Election—Great Yarmouth Election — Reigate Election — Lancaster Election
Messages from the Commons that they have agreed to Addresses (which are severally set forth) to be presented to Her Majesty, to which they desire the concurrence of their Lordships *May* 3, 335
Message to the Commons for Report and evidence taken before the Select Committee of the House of Commons on the Petitions complaining of undue Elections and Returns for the said Borough

Tramways (Ireland) Acts Amendment Bill (*Lord Naas, Mr. George, Gen. Dunne*)
c. Ordered; read 1°* *May* 10 [Bill 149]
Read 2°* *May* 28

Transubstantiation, &c. Declaration Abolition Bill
(*Sir C. O'Loghlen, Sir J. Gray, Mr. Cogan*)
c. Moved, "That the Bill be now read 2°" (*Mr. Cogan*) *May* 8, 636; Read 2° after debate [Bill 82]
Moved, "That Mr. Speaker do now leave the Chair" (*Sir C. O'Loghlen*) *June* 7, 2134
Motion, "That the debate be now adjourned" (*Mr. Whiteside*); A. 46, N. 46; and the numbers being equal, Mr. Speaker declared himself with the Ayes; debate adjourned

TREEBY, Mr. J. W., *Lyme Regis*
National Gallery, The, 963

TROLLOPE, Right Hon. Sir J., *Lincolnshire, S.*
Holderness Embankment, &c. 2R. 1971
Imperial Gas Company, 2R. 582
London Gas, 3R. 1435

Turnpike Acts, The
Question, Mr. Read; Answer, Sir George Grey *May* 3, 360

United Kingdom, Coal Fields of the
Question, Sir Robert Peel; Answer, Sir George Grey *May* 10, 672

Vaccination Bill (*Mr. Bruce, Mr. Baring*)
c. Report* *June* 1 [Bill 33]

VERNEY, Sir H., *Buckingham*
Bridgwater Election, New Writ, Amendt. 1666, 1797
Corrupt Practices at Elections, 363
Nottingham Writ, Amendt. 431, 433

Veterinary Surgeons Bill
(*Mr. Holland, Mr. Newdegate*)
c. Moved, "That the Bill be now read 2°" (*Mr. Holland*) *May* 9, 654; Read 2° after short debate [Bill 121]

VILLIERS, Right Hon. C. P. (Chief Commissioner of the Poor Law Board), *Wolverhampton*
Metropolitan Poor—Guardians of Clerkenwell, 161
Representation of the People, Comm. *cl.* 4, 2083

VIVIAN, Hon. Captain J. C. W., *Truro*
Army — Medical Officers, Motion for Papers, 595
Nottingham Writ, 432
Representation of the People, 171

VIVIAN, Mr. H. H., *Glamorganshire*
Bribery at Elections, Res. 1441, 1467
Reigate Election, Motion for a Joint Address, 273
Representation of the People, Comm. 1330, 1338, 1404, 1405
Terminable Annuities, 2R. 1278

Voting Papers
Question, Sir William Stirling-Maxwell; Answer, The Chancellor of the Exchequer *June* 4, 1793

Wakefield Election
House informed, that the Committee had determined, That William Henry Leatham, esquire, is duly elected a Burgess to serve in this present Parliament for the Borough of Wakefield; and the said Determination was ordered to be entered in the Journals of this House. House informed of certain Resolutions of the Committee *April* 30, 160

WALCOTT, Admiral J. E., *Christchurch*
Spain and Chile—War between, 967

WALDEGRAVE-LESLIE, Hon. G., *Hastings*
Crown Lands, Comm. *cl.* 7, 426
Scotland—Postal Arrangements in Fifeshire Res. 775
Supply—Inspectors of Corn Returns, 834
Ways and Means—Financial Statement, Comm Res. 1, 411

WALKER, Major G. G., *Dumfriesshire*
Supply—Metropolitan Police, 212

WALPOLE, Right Hon. S. H., *Cambridge University*
Colonial Bishoprics, 1198
Representation of the People, Comm. 1945; *cl.* 1, Amendt. 2075, 2114, 2115, 2125

WALROND, Mr. J. W., *Tiverton*
Representation of the People, Comm. 1839

Walsh, Sir J. B., *Radnorshire*
Real Estate Intestacy, 2R. 2006

Walsh, Mr. A., *Leominster*
Re-distribution of Seats, 2R. 913

Warner, Mr. E., *Norwich*
Army—Norwich Barracks, 1794
Ways and Means—Financial Statement, Comm. Res. 1, 411

Waterworks Bill (*Mr. M. Gibson, Mr. Monsell*)
c. Committee *; Report *May* 7 [Bill 61]

Watkin, Mr. E. W., *Stockport*
Holderness Embankment, &c. 2R. 1971
Manchester, Sheffield, and Lincolnshire Railway, Consid. *add. cl.* 1939
Metropolis Water Supply, Comm. moved for, 617
Prussia—The Gastein Convention, 1553
Reciprocity Treaties, 162, 475
Supply—Agricultural Statistics, 836
United States and Canada—The Reciprocity Treaty, 1151
Ways and Means—Financial Statement, Comm. Res. 1, 412

WAYS AND MEANS
Considered in Committee; *The Financial Statement of the Chancellor of the Exchequer* on moving the First Resolution *May* 3, 365
The Resolutions which Mr. Chancellor of the Exchequer had given notice to move in Committee of Ways and Means (being the Financial Plan for the year), 410
Committee report Progress, to sit again Tomorrow
Considered in Committee, after short debate *May* 7, 546
Resolutions 1 to 6 agreed to
Resolution 7 (Duty on Stage Carriages), 552; Resolution agreed to, after debate
Resolution 8 (Licences to let Horses for Hire), agreed to
Resolution 9 (Property and Income Tax), 553; Resolution agreed to, after short debate; Resolutions to be reported To-morrow; Committee to sit again on Wednesday

Weguelin, Mr. T. M., *Wolverhampton*
National Debt, Comm. Res. 561

Westmeath, Marquess of
Ireland—Fenian Conspiracy, 1672
Selling and Hawking Goods on Sunday, Comm. *cl.* 2, 946
Tenure (Ireland), 2R. 753

Whalley, Mr. G. H., *Peterborough*
Colonial Bishops, Leave, 1034
Fenian Conspiracy, Comm. moved for, 1692, 1697; Motion for a Return, 1969
Ireland—National Education, Comm. moved for, 1031;—Militia and the Fenians, 2037
Lotteries for Charitable Purposes, 670; Motion for Papers, 1476 [*cont.*

Whalley, Mr. G. H.—*cont*
National Debt, Comm. Res. 562
Navy—Chaplain of the "Black Prince," 1441
Transubstantiation, &c. Declaration Abolition, 2R. 637, 642
Ways and Means, Comm. Res. 7, 552; Res. 9, 554

White, Mr. J., *Brighton*
Austria, Prussia, and Italy, 474
Customs and Inland Revenue, 2R. 1219
Representation of the People, 170
Supply — Superintendent of Roads, South Wales, 200;—Secret Service, 206;—Captured Negroes, 732;—Services in China, &c. 734
United States and Canada—The Reciprocity Treaty, 1176
Ways and Means—Financial Statement, Comm. Res. 1, 417

Whiteside, Right Hon. J., *Dublin University*
Admiralty Court (Ireland), Leave, 280
Bribery at Elections, Res. 1471
Court of Chancery (Ireland), 2R. Adj. moved, 657; Amendt. 658, 667
Elective Franchise, 2R. 1502, 1510
Fenian Conspiracy, Comm. moved for, 1697
Ireland — Chief Justice Lefroy, 356;—The Irish Bench;—794, 802, 804, 805;—National Education, Comm. moved for, 1010
Real Estate Intestacy, 2R. 2000, 2003
Representation of the People, 166; Comm. 1337, 1338, 1864
Representation of the People (Ireland), Leave, 534
Spain and Chile—War between, 983
Supply—Non-conforming, &c. Ministers, 831
Tenure and Improvement of Land (Ireland), Leave, 226; 2R. 1109
Transubstantiation, &c. Declaration Abolition, 2R. 639; Comm. Adj. moved, 2134

Wicklow, Earl of
Tenure (Ireland), 2R. 752

Wodehouse, Lord
Tenure (Ireland), 2R. 758

Writs Registration (Scotland) Bill
(*The Lord Advocate, Mr. Solicitor General for Scotland, Sir George Grey*)
Select Committee nominated *May* 11, 846

Wyld, Mr. J., *Bodmin*
Monetary Crisis—Bank Advances, 1050, 1148
Representation of the People, Comm. 1342, 1843
Ways and Means—Financial Statement, Comm. Res. 1, 413

Wyvill, Mr. M., *Richmond*
Bridgwater Election, New Writ, 1667

Yorke, Mr. J. R., *Tewkesbury*
Bridgwater Election, New Writ, 1667

END OF VOLUME CLXXXIII., AND THIRD VOLUME OF THE SESSION 1866.

K 2 - JUL 1970